

NRC Through Backdoor in Bihar



An Exclusive Report of
SPECT Research Association

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The Election Commission of India (ECI) has abruptly launched what it calls a “Special Intensive Revision” (SIR) of the electoral roll, as per Notification No. 23/ESR/2025 dated June 24, 2025, just months before the Bihar Assembly elections. This sudden announcement sets an unrealistic target: registering nearly 80 million voters in Bihar within only three months. The move appears not only arbitrary but also unconstitutional, raising serious concerns about the potential exclusion and disenfranchisement of large segments of poor and marginalized communities.

According to the recent directives of the Election Commission, every existing voter will now be required to submit a separate enumeration form. Additionally, those who were added to the voter list after January 1, 2003, will have to provide proof of their citizenship.

The Election Commission has clearly stated that “over the past 20 years, due to large-scale additions and deletions, there have been significant changes in the electoral roll” and that “rapid urbanization and continuous migration of the population have occurred.” Therefore, this “Special Intensive Revision” (SIR) will eventually cover all states and Union Territories (UTs).

The Commission has further clarified that this intensive scrutiny will not be limited to Bihar alone—it will also be carried out in Assam, West Bengal, Tamil Nadu, Puducherry, and Kerala. All these states are set to hold Assembly elections next year.

What Does the Order Say?

The Election Commission in its first notice on 24th June, 2025 had laid out three main points regarding voter registration:

Those born before July 1, 1987, must provide proof of birth.

Those born between July 1, 1987, and December 2, 2004, must submit documentation for themselves and at least one parent.

Those born after December 2, 2004, will be required to provide proof of birth for both themselves and their parents.

On 30th June, however, the ECI issued yet another notice and clarified that it has uploaded the Electoral roll of 2003, with 4.96 electors, and the electors

DECLARATION

I HEREBY DECLARE that to the best of my knowledge and belief-

(i) I am above 18 years of age, ordinary resident on the above address and a citizen of India, and (tick any one)

☐ I was born in India before 01.07.1987.

- Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.

☐ I was born in India between 01.07.1987 and 02.12.2004

- Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- Provide any document, for Father or Mother, from the list given below establishing date of birth and/or place of birth.

☐ I was born in India after 02.12.2004

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- Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- Provide any document, for Father, from the list given below establishing date of birth and/or place of birth.
- Provide any document, for Mother, from the list given below establishing date of birth and/or place of birth.
- If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.

☐ I was born outside of India (attach proof of Birth Registration issued by Indian Mission abroad).

☐ I have acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

named in the rolls will not have to submit any other documents. They will have to verify their details from the 2003 Electoral Rolls and submit the filled-up enumeration form. The ECI further said, anyone whose name is not in the 2003 Bihar Electoral Roll can still use the extract of the 2003 Electoral Roll rather than providing any other documents for his/her mother or father. In such cases, no other document would be required for his/her mother or father. Only the relevant extract/details of the 2003 ER would be sufficient. Such electors would have to submit the documents, only for themselves, along with the filled-out Enumeration Form. So, effectively, around 3 crore people will still have to submit proof of birth date and place along with the form to the BLOs, so that their names are included in the new and updated Electoral Rolls.

The last time Bihar underwent such an extensive revision was in 2003.

According to the Election Commission, the last Special Intensive Revision in Bihar that took place in 2003 did not involve strict measures. They also claimed that earlier, due to political patronage, a large number of “illegal migrants” allegedly managed to get their names added to the electoral roll using forged documents. The entire SIR exercise this time is therefore aimed at cleansing the voters’ list of illegal, deceased, and migrated voters and issuing a fresh voters’ list that will register new voters.

However, the unfolding of the current SIR exercise reveals significant flaws in both design and execution. In 2003, the revision was not conducted on the eve of elections. It spanned several months and covered approximately 50 million voters. In contrast, the current voter base has grown significantly, rising from 77.26 million in the June 2024 General Elections to nearly 80 million today. Despite this, the ECI plans to complete the cumbersome house-to-house enumeration in just one month, followed by two months for finalizing and publishing the electoral rolls.

This rushed and disproportionate timeline not only defies precedent and logistical feasibility but also undermines the integrity of the electoral process. The ECI's actions in this regard are arbitrary, impractical, and unconstitutional. Let us unpack how:

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/236/2025

28.06.2025

Press Note

Special Intensive Revision in Bihar has already started

The Constitution of India is supreme. All citizens, political parties and the Election Commission of India follow the Constitution.

2. Article 326 specifies eligibility to become an elector. Only Indian citizens, above 18 years and ordinary resident in that constituency, are eligible.

3. Special Intensive Revision (SIR) has already started successfully in Bihar for verifying the eligibility of each elector with full participation of all Political Parties.

4. ECI already has 77,895 Booth Level Officers (BLOs) and is appointing nearly 20,603 more BLOs for new polling stations.

5. More than One Lakh volunteers will be assisting genuine electors, particularly the old, sick, Persons with Disabilities (PwD), poor and other vulnerable groups during the SIR.

6. All recognised National and State Political Parties who are registered with ECI have also already appointed 1,54,977 Booth Level Agents (BLAs). They can still appoint more BLAs.

7. Printing as well as door-to-door distribution of new Enumeration Forms (EF) for all the existing 7,89,69,844 electors of Bihar has already started in each of the 243 Assembly Constituencies of Bihar. Online filling of the new Enumeration Forms (EFs) has already been enabled and has also started successfully.

8. Out of the existing 7,89,69,844 electors, 4.96 Crore electors, whose names are already in the last intensive revision of Electoral Roll on 01.01.2003, have to simply verify so, fill the Enumeration Form and submit it.

9. All Divisional Commissioners and District Magistrates are engaging all the BLOs full time during the SIR.

10. SMSs are also being sent to the 5,74,07,022 registered mobile numbers of Bihar.

11. All activities relating to SIR are progressing well as per schedule.



The Special Intensive Revision (SIR) is Arbitrary and Unilateral

On June 24, 2025, the Election Commission of India (ECI) abruptly announced a Special Intensive Revision (SIR) of the electoral rolls, with the process starting the very next day, June 25, without prior notice, preparation, or consultation with key stakeholders, including political parties.

As per the ECI's timeline, Booth Level Officers (BLOs) are to visit every voter in Bihar with a designated form, collect signatures, and gather supporting documents by July 26, 2025. Each BLO is expected to visit every household at least three times. Voters can also download and submit the form online via the ECI website or app. Failure to submit the form by July 25 will result in automatic removal from the voter list. Challenges to such deletions can only be made between August 1 and September 1, with the final roll published on September 30.

Despite the scale and consequences of this exercise, the ECI acted unilaterally, without engaging political parties or conducting any public outreach. No training for BLOs or awareness efforts were in place before implementation. The rushed and rigid process, imposed without transparency or consent, raises serious concerns about fairness, feasibility, and the risk of large-scale voter disenfranchisement.

An exercise of this magnitude, affecting millions, must be rooted in consultation, planning, and consensus. None of these were evident in the ECI's approach.

The SIR Process is Impractical and Ill-Conceived

The scale and timeline of the Special Intensive Revision (SIR) make it practically unworkable. Collecting citizenship documents from nearly 80 million voters in a large and diverse state like Bihar, within just one month, is an impossible task. This raises serious concerns about both the feasibility and intent behind the process.

The second concern is the inadequate workforce. The Election Commission has acknowledged that only 77,895 Booth Level Officers (BLOs) are currently available, with 20,603 more being added, bringing the total to just around 100,000. It is highly unlikely that this limited staff can conduct door-to-door verification and document collection for such a vast population within the given timeframe.

The third concern is the over-reliance on birth certificates in a state where the literacy rate is just 61%, well below the national average. This insistence risks excluding countless eligible voters who lack formal documentation, especially from poor and marginalized communities.

The fourth issue is the narrow list of acceptable documents. Widely held IDs such as Aadhaar cards, PAN cards, driving licenses, and MGNREGA job cards have inexplicably been excluded from the verification process, despite being official government-issued identity documents.

Together, these flaws render the SIR process not only impractical but also deeply exclusionary.

The SIR Process is Unconstitutional

A serious constitutional question arises: How can the Election Commission unilaterally set the criteria for proving citizenship? Has it been legally established that the authority to determine citizenship now, even informally, lies with the ECI? The Commission's constitutional mandate is to conduct free and fair elections, not to adjudicate on citizenship. Taking on such a role oversteps its authority and raises concerns about the erosion of institutional boundaries.

The Election Commission's recent order has effectively empowered Booth Level Officers (BLOs) with disproportionate authority. Under this process, a BLO can determine whether a person qualifies as a voter based on their perceived citizenship status. This is a drastic shift in role and responsibility. The situation mirrors recent changes under Waqf laws, where District Magistrates have been given sweeping powers to declare properties as Waqf. Similarly, in the SIR process, BLOs have been made gatekeepers of citizenship, with the ability to flag individuals as "doubtful", potentially leading to their exclusion from the electoral roll.

This concentration of power in the hands of low-level field officers, without clear legal safeguards or oversight, is not just problematic; it is, in fact, unconstitutional.

Is This an NRC Through the Backdoor?

The Special Intensive Revision (SIR) bears a striking resemblance to the traumatic National Register of Citizens (NRC) exercise conducted in Assam a few years ago. That Supreme Court-monitored process took six years to verify 33 million applicants, nearly 2 million of whom failed to provide the required documents. Those left undocumented have since faced anxiety, harassment, and insecurity, while the Assam government itself refuses to accept the final NRC list as a definitive citizenship record.

The main difference between Assam's NRC and Bihar's SIR, or its unofficial NRC, is the cut-off date: Bihar's is January 1, 2003, while Assam's was March 24, 1971. What took Assam six years for a smaller population is now being rushed in Bihar, which has over twice the population, within just three months. One month to prepare draft rolls and two months to finalize them. Only time will reveal how many voters will be excluded and disenfranchised by this hasty exercise.



This raises a crucial question: Is the Election Commission quietly implementing an NRC process that even the Modi government couldn't do openly? Opposition parties and civil society groups across India have labeled this a “backdoor NRC” for good reason.

Like the NRC, this process requires voters to prove citizenship by producing birth certificates for themselves and their parents. More concerning is the outright rejection of Aadhaar as valid proof. If Aadhaar is mandatory for nearly all government services, why is it dismissed here? Similarly, PAN cards—essential for banking and financial transactions—are not accepted, raising serious doubts. Driving licenses, widely recognized and difficult to obtain, are also excluded, undermining the Election Commission's credibility further. Meanwhile, MGNREGA job cards, which employ over 5 million people, carry no weight in this process.

These exclusions raise troubling questions about the fairness and true intent behind the entire exercise.

Who stands to lose out most from this hasty process?

The people who will suffer most from this hasty process of SIR are the migrant workers of Bihar. Bihar, which has the highest rate of migration for employment in the country, is expected by the Election Commission to complete voter verification within one month. Booth Level Officers (BLOs) are tasked with distributing enumeration forms to all voters, which must then be returned with the required documents.

According to data from the Ministry of Labour and Employment, approximately 29 million people from Bihar are currently residing in other states for work. Given this large population living outside the state for employment and better living conditions, the feasibility of completing voter verification within such a short timeframe is questionable.

Furthermore, statistics indicate that 15.8% of Bihar's population migrates to other states for work, compared to the national average of 6.1%. Nearly 50% of families in the state face the risk of migration. In addition to employment-driven migration, a significant number of young people move to other states for education. The 2011 census recorded migration of approximately 7.45 million individuals from Bihar. These people will have a significant chance of being deleted from the Electoral Roll.

In a state like Bihar, where poverty is at its peak, employment opportunities are scarce, and people are forced to migrate to other states to support their families, the poorest and most vulnerable communities will certainly be the hardest hit by this entire process. At present, Bihar is in the peak of the agricultural season. In many areas, poor communities are already affected by floods, and yet the Election Commission is demanding that they prove their citizenship with documents.

As is evident from the NRC process in Assam, women and transgender persons often suffer the most in such a documentation process, because often they lack the necessary documents required to furnish the claims. Many times, the documents are left in their native houses and are destroyed by their families.

The Erosion of ECI's Credibility Since 2019

Since 2019, the Election Commission of India (ECI) has faced growing criticism over its perceived partiality and declining independence. It has been repeatedly accused of acting selectively—taking swift action against opposition leaders while showing leniency toward those in the ruling BJP. During the 2019 and 2024 General Elections, despite multiple complaints of Model Code of Conduct (MCC) violations by Prime Minister Narendra Modi and then BJP President Amit Shah, the ECI's responses were widely

viewed as delayed and insufficient. The Commission has also failed to act decisively against BJP leaders making divisive or inflammatory statements.

Further damaging its credibility are allegations of voter suppression, inconsistent enforcement of election rules, and significant delays in addressing formal complaints. The passage of the Election Commissioners Bill, 2023, which enabled the executive to appoint commissioners without judicial oversight, has intensified fears of political interference. Most recently, the ECI's refusal to share polling booth video footage with opposition parties amid concerns of EVM tampering and turnout discrepancies in the 2024 elections has raised new questions about transparency.

In this context, the ECI's sudden and unilateral rollout of the Special Intensive Revision (SIR) process in Bihar has only deepened public suspicion, reinforcing concerns that the electoral process is being manipulated to serve partisan interests.

What Are Political Parties Saying?

The Election Commission's move for an intensive voter verification drive has drawn sharp political reactions. While opposition parties are raising serious concerns, ruling alliance partners have, as expected, come out in support.

In Bihar, Leader of the Opposition Tejashwi Yadav has directly questioned the Election Commission's intentions. "The last time such a process was conducted was in 2003, and it took nearly two years to complete. The Bihar Assembly elections are scheduled for November, and only two months are left before notification is issued. Now the EC wants to revise the electoral roll of 80 million voters in just 25 days," he said.



“This exercise is being carried out when 73% of Bihar is flood-prone. The EC is demanding 11 types of documents—most of which, according to Government data, are available with only 2–3% of people. This clearly smells of a conspiracy. The Election Commission is also repeatedly changing its own notification,” he added.

The Congress party has echoed these concerns. Senior leader and former Madhya Pradesh Chief Minister Digvijaya Singh stated, “Half of Bihar’s districts are flood-affected. People are struggling to survive—do you expect them to run around submitting documents? The EC launched this without consulting political parties. It seems like a ploy to exclude poor voters from the list.”



He also warned, “Just like voter deletions happened in Maharashtra and Haryana, the same is now being replicated in Bihar. All constituents of the Mahagathbandhan (Grand Alliance) are ready to fight this, even legally, if necessary.”

CPI (ML) General Secretary, Dipankar Bhattacharya has said, “The scale of likely disenfranchisement because of the ill-advised Special Intensive Revision will defeat the very concept of universal adult franchise, the cornerstone of India’s Constitution and parliamentary democratic system”;

AIMIM chief Asaduddin Owaisi, MP from Hyderabad, has called the process a “backdoor NRC.” He warned that this kind of verification can wrongfully label ordinary citizens as doubtful. “Even genuine voters and citizens will be excluded,” he said. “The EC has mandated that people must prove their and their parents’



birth details using one of 11 documents. But as of 2000, only 3.5% of people had birth certificates.”

“In a state like Bihar, where a large portion of the population still lacks such documents, demanding parental proof of birth will push lakhs into legal limbo,” Owaisi cautioned.

On the other hand, JDU leader Neeraj Kumar defended the EC, stating, “This is a routine exercise by the Election Commission. The opposition’s remarks are politically motivated and irresponsible. Revising the voter list is beneficial for everyone and allows for more inclusive participation in the democratic process.”

Manoj Sharma, a BJP leader and ally in Bihar’s ruling coalition, praised the EC’s work: “The Election Commission has successfully conducted elections across this vast country, setting a global example of democratic execution.” He added, “Parties that have long relied on fake votes are now worried. The EC has already curbed booth capturing, and is now tackling bogus voting. Questioning its credibility is completely unjustified.”

Conclusion:

This Special Intensive Revision (SIR) exercise is fundamentally untenable, impractical, and above all, unconstitutional. Expecting the entire voter list in Bihar that is home to nearly 80 million electors, to be updated with citizenship documents in just one month defies logic and administrative feasibility. At a time when the state is experiencing peak agricultural activity, widespread flooding, and massive out-migration for work and education, how are voters expected to complete and submit their forms with supporting documents by the July 26 deadline?

The burden placed on approximately one lakh Booth Level Officers (BLOs), most of whom are schoolteachers or public servants with existing responsibilities, is equally unrealistic. Expecting them to conduct house-to-house verification across the state within such a narrow window amounts to a complete disruption of their primary duties and sets the entire process up for failure.

The Election Commission of India must withdraw this arbitrary, poorly conceived, and opaque directive. Elections should be conducted based on the regular electoral roll update process, as has been the norm for the past two decades. The emphasis must be on enabling eligible citizens to vote rather than erecting bureaucratic hurdles that risk disenfranchising millions, especially among the poor and marginalized.

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