

July 7, 2025

Bihar's Electoral Revision Puts the Poor's Rights at Risk

By: Harsh Kumar

Bihar's special Intensive electoral roll revision shifts responsibility from the state to individual citizens, requiring birth certificates for inclusion. With many poor residents lacking documentation, this risks undermining equal participation and fairness in the upcoming assembly elections.

The Election Commission of India's (ECI) decision on 24 June to conduct a special intensive revision of the electoral roll in Bihar months ahead of the assembly elections has attracted public scrutiny, with concerns being raised that it may be an attempt to introduce the National Register of Citizens (NRC) through the backdoor. The argument may have some merit, but before delving into the complexities associated with the decision, let us first examine the ECI's reason for this move at this time.

Unwarranted Reason

The reason cited by the ECI for ordering the special intensive revision of the electoral roll is outlined in Paragraph 7 of the [order dated 24 June 2025](#). According to it, the electoral roll has undergone significant changes over the past two decades due to large-scale additions and deletions, primarily because of rapid urbanisation and frequent migration. Many individuals have registered in new locations without deleting their names from the previous rolls, leading to duplicate entries. This has raised serious concerns about the accuracy of the voter list, which necessitates an intensive verification drive before enrolling new electors.

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This argument put forth by the ECI lacks merit. On the one hand, it states that the electoral roll has undergone “significant changes” due to “large-scale additions and deletions”, and on the other, it requires a sudden intensive revision of the present electoral roll. However, this raises the question of what urgency the Commission faces now to undertake such an extensive revision, given that the last special intensive revision (SIR) was in 2003?

If the electoral process has continued without issue for years for both parliamentary and assembly elections based on the same set of electors listed after the 2003 revision, the justification for this move seems questionable. Another aspect that makes it questionable is the timing. In recent years, the Opposition has raised concerns about alleged irregularities in both parliamentary and assembly elections. The ECI describes the special intensive revision of the electoral roll in Bihar as a “noble move”. However, this initiative could have been implemented during the last parliamentary elections in Bihar. With proper planning, it could even have been conducted nationwide. This would have saved the ECI both labour and financial resources, while also helping to address and potentially dispel the allegations made against it.

Special Intensive Revision

The special intensive revision in Bihar faces challenges due to the decision to conduct it within a very short timeframe. The ECI had planned a structured training process, beginning with the chief electoral officer (CEO), district election officers (DEOs), electoral registration officers (EROs), and assistant electoral registration officers (AEROs). These officials were to be trained to use the new ECINet application and its various modules. After this, the electoral registration officers had to conduct orientation workshops for booth level officers (BLOs). Once trained, the booth level officers have to start the detailed house-to-house enumeration. After enumeration, the draft roll will be published, and the people of Bihar will have the opportunity to file claims and objections. The draft roll is to be displayed on the notice board of the office concerned and on the chief electoral officer's website.

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This series of events may appear appropriate at first glance but it seems as if the ECI did not take its own report into consideration. According to a [2024 survey](#) conducted by the Office of the Chief Electoral Officer, Bihar, 33.1% of the voters were illiterate, while

22.2% had only received primary education. The survey also revealed that 53.1% of voters did not read newspapers or magazines, and 29.4% did not watch television. That 70% did watch television did not necessarily mean that they actively engaged with government initiatives or programmes. Further, nearly 41% of respondents reported not using the internet at all.

For 36% of the participants, family, relatives, and friends—who often possessed similar levels of awareness—were their main sources of information on elections and politics. While voter enrolment was essential for securing the right to vote and ensuring an inclusive electoral process, the study found that 76.4% of participants were unaware of the enrolment process. Additionally, an estimated 77% of the population was engaged in agriculture, significantly higher than the national average. Implementing such an intensive revision programme requires significant preparation for effective execution. It does not seem wise to do this in a state with many social challenges and expect people from diverse backgrounds to respond quickly to the requirements.

Electoral Roll and Eligibility

The laws of India provide a clear framework for the preparation and revision of electoral rolls, with eligibility defined under Article 326 of the Constitution of India, read with Section 19 of the Representation of the People Act, 1950. To register as an elector under these provisions, a person must be a citizen of India and at least 18 years old on the qualifying date specified by law. They should ordinarily reside in the relevant constituency and must not be disqualified from registration under any law made by Parliament.

Similarly, Section 16 of the Representation of the People Act, 1950 lists the grounds for disqualification from registering as an elector. A person is disqualified if they are not a citizen of India, have been declared of unsound mind by a competent court, or are currently disqualified from voting due to laws relating to corrupt practices or other election-related offences.

Most people understand that being included in the voter list requires an individual to be at least 18 years old. However, the ideas of “ordinarily resident” and the requirement of citizenship are still unclear and confusing for many. Given the current social conditions of the population, it is hard to believe that it is fully prepared to handle such a complex process within a limited timeframe.

Determination of Citizenship

The ECI is a constitutional body vested with defined powers and functions to conduct and manage elections across the country. It plays a vital role in ensuring democratic governance, accountability, the rule of law, and the protection of the rights of marginalised groups. However, the Commission’s recent actions have raised concerns, as they may lead to uncertainty and potentially disenfranchise individuals from poor and minority communities.

The *Manual on Electoral Rolls* published by Commission in March 2023 refers to the following documents to determine the citizenship of a person—the National Register of Citizens wherever it exists, a citizenship certificate issued by a competent authority, a valid passport issued by the government of India, and a birth certificate. These conditions are read conjointly with the conditions laid down in the Citizenship Act, 1955 enacted by Parliament under Article 11 of the Constitution of India.

Let us first consider the primary and commonly expected document, the birth certificate, which the Election Commission assumes every citizen possesses and can readily produce on request.

The current special intensive revision mandates the submission of different sets of documents based on the applicant’s year of birth. Notably, individuals born after 2004 are required to provide multiple documents. These include a personal document indicating their date and place of birth; a document of the father showing his date and place of birth; and a document of the mother reflecting her date and place of birth. To establish these facts, acceptable documents include a birth certificate issued by a competent authority; a matriculation or educational certificate from a recognised board; an Other Backward Classes (OBC), Scheduled Castes (SC), or Scheduled Tribes (ST) caste certificate issued by the relevant authority; government-issued land or house allotment certificates; and, where applicable, records from the National Register of Citizens.

Let us first consider the primary and commonly expected document, the birth certificate, which the ECI assumes every citizen possesses and can readily produce on request. However, data from the civil registration system (CRS) over the past two decades reveal that Bihar has consistently lagged behind the national average in birth registration. According to the “[Vital Statistics of India Based on the Civil Registration System](#)” (2022) report, the percentage of registered births in the state is 71.6%, significantly lower than the national average of 89.1%.

The data is not directly relevant in the context of preparing the electoral roll, as most of the individuals with recently registered births are infants and therefore not eligible to vote in the coming assembly elections. To be eligible to vote, a person must be at least 18 years old, meaning they must have been born on or before 2007. Hence, birth registrations and the issue of birth certificates before 2007 are what hold significance in this context.

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The 2009 “Vital Statistics of India Based on the Civil Registration System” report, in its Statement 8, provided a comparative table showing the percentage of birth registrations in Bihar over the years. The data indicated that birth registration was 11.5% in 2004; 16.9% in 2005; 20.3% in 2006; 26.2% in 2007; 31.6% in 2008; and reached 45% in 2009. The 2009 report specifically highlighted the poor performance of Bihar and Uttar Pradesh, noting that when these two states were excluded, the national registration rate rose to 78.3% in 2005. Further, the available data is state-wise and does not provide a breakdown based on socio-economic or socio-political categories.

This indicates the significant difficulties that marginalised populations in Bihar are likely to face in complying with documentation requirements in a limited timeframe. In Bihar, birth certificates are issued by local authorities, typically the Registrar of Births and Deaths or the Municipal Corporation, following the registration of a birth. Government hospitals may assist in the birth registration process and help facilitate the issue of these certificates. However, Bihar has historically had low rates for registering births and issuing certificates. This raises an important question—why should citizens be penalised or made to bear the burden when the government itself has failed to maintain proper records of such a basic requirement?

Risk of Disenfranchisement

People of Bihar facing difficulties in obtaining birth certificates may have an alternative route—registering on the electoral roll by presenting a citizenship certificate issued under the Citizenship Amendment Act, 2019 (CAA). This Act has already been operationalised in the state, with 60-year-old [Sumita Rani Saha](#) from Bhojpur district being the first recipient of such a certificate in 2024. This development reflects Bihar’s commitment to implementing the Act. However, the government has yet to release data on how many individuals in the state have received citizenship certificates under this process.

This lack of transparency raises concerns that the ongoing special intensive revision process may disenfranchise poor and marginalised voters who might be unable to provide either a birth certificate or a citizenship certificate. Moreover, the verification of approximately 7.7 crore voters in Bihar is an enormous task that is unlikely to be completed accurately within a limited timeframe. Given the social, economic, and political vulnerabilities of the population, this process may not provide adequate opportunities for individuals to raise objections or claims if there are any issues.

The issue of citizenship cannot be examined in isolation or through a narrow perspective. The documentation requirements outlined in the ECI’s *Manual on Electoral Rolls* (2023), when considered alongside data from the [Bihar caste survey report 2023](#), reveal the significant difficulties people may face during the upcoming electoral revision. According to the survey, the general category constitutes 15.52% of the state’s population, while Backward Classes and Extremely Backward Classes make up 27.12% and 36.01%, respectively.

Among the 11 documents listed by the Commission for inclusion in the new electoral roll is the matriculation certificate, which serves as proof of date of birth. This is especially relevant for voters born before 2007, who are eligible to vote in the coming assembly elections. However, the [2023 caste survey](#) shows that only 14.71% of the participants have passed class 10, and just 9.19% have completed their higher secondary education. In addition, although the ECI lists a passport as valid proof of citizenship, only [2.4% of Bihar’s population possesses one](#).

While the state faces issues related to migration, it does not experience significant immigration. Therefore, imposing such documentation requirements as proof of citizenship could unjustly burden a large portion of the population, as the data indicates a troubling scenario. Further, the requirement for an identity card issued by the central or state governments or by public sector undertakings poses another challenge. The survey reveals that 67.54% of the population are housewives or students, while government employees account for only 1.57%. Workers in the organised and unorganised sectors make up just 1.22% and 2.14%, respectively.

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Given these socio-economic realities revealed by the Bihar caste survey report of 2023, it is important to question the rationale behind the current special intensive revision of electoral rolls. The electoral revision entails fear, and substantial segments of Bihar's electorate, particularly from the SCs, STs, and other marginalised communities, may lack access to the necessary paperwork to get themselves enrolled in the revised list.

The Commission had already established procedures for the regular addition and deletion of voter names. It has claimed that significant changes have been made over the past 21 years through this process, without requiring any intensive revision. Now, by initiating such a revision, it implies that the voters added after 2004 may not have been legitimate, and only those verified under the new revision will be recognised. This raises serious concerns about the validity and integrity of electoral rolls, and, by extension, the electoral processes conducted to date.

Conclusions

The ECI is constitutionally mandated to oversee the superintendence, direction, and control of the preparation and revision of electoral rolls. It is empowered to carry out revisions through four methods—intensive revision, summary revision, special summary revision, and a combination of both intensive and summary revisions. While intensive revision is not a new practice in the country, its application in Bihar is somewhat unprecedented.

For the first time, an intensive revision is being conducted across all the assembly constituencies of the state just five months ahead of the scheduled assembly elections. Notably, this is the first instance where the responsibility of ensuring inclusion in the electoral roll has shifted from the state to the individual citizen. Those who fail to submit the fresh enumeration forms by 25 July 2025 will be automatically excluded from the draft rolls.

In addition, the Commission has, for the first time, stated that individuals who cannot produce a birth certificate may be left out of the electoral roll. Given the data on Bihar's poor, backward, and minority populations—and considering their social, economic, and political disadvantages—this move could undermine the principle of a level playing field in the democratic process. Instead of addressing earlier allegations of bias, the Commission's decision may actually strengthen these concerns. It could also be seen as a trial run for introducing the National Register of Citizens using this method, which might later be applied in the upcoming elections in West Bengal and Assam.

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