

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 640/2025

ASSOCIATION FOR DEMOCRATIC REFORMS & ORS.

Petitioner(s)

VERSUS

ELECTION COMMISSION OF INDIA

Respondent(s)

(IA No. 217580/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 213175/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 213098/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 217367/2025 - CLARIFICATION/DIRECTION, IA No. 186951/2025 - CLARIFICATION/DIRECTION, IA No. 175432/2025 - EXEMPTION FROM FILING O.T., IA No. 198414/2025 - EXEMPTION FROM FILING O.T., IA No. 192380/2025 - EXEMPTION FROM FILING O.T., IA No. 206531/2025 - EXEMPTION FROM FILING O.T., IA No. 205257/2025 - INTERVENTION APPLICATION, IA No. 198464/2025 - INTERVENTION APPLICATION, IA No. 206403/2025 - INTERVENTION APPLICATION, IA No. 201763/2025 - INTERVENTION/IMPLEADMENT, IA No. 174674/2025 - INTERVENTION/IMPLEADMENT, IA No. 185829/2025 - INTERVENTION/ IMPLEADMENT, IA No. 179839/2025 - INTERVENTION/ IMPLEADMENT, IA No. 178417/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 207109/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 155692/2025 - STAY APPLICATION)

WITH

W.P.(C) No. 637/2025 (PIL-W)

(IA No. 155298/2025 - EXEMPTION FROM FILING O.T., IA No. 175486/2025 - EXEMPTION FROM FILING O.T., IA No. 155300/2025 - GRANT OF INTERIM RELIEF, IA No. 175485/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 157776/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 178754/2025 - STAY APPLICATION)

W.P.(C) No. 636/2025 (PIL-W)

(IA No. 155265/2025 - APPLICATION FOR PERMISSION and IA No. 155262/2025 - STAY APPLICATION)

W.P.(C) No. 638/2025 (PIL-W)

(IA No. 155401/2025 - GRANT OF INTERIM RELIEF)

W.P.(C) No. 630/2025 (PIL-W)

(IA No. 154352/2025 - EXEMPTION FROM FILING O.T., IA No. 156066/2025 - INTERVENTION APPLICATION, IA No. 200989/2025 - INTERVENTION/IMPLEADMENT, IA No. 178074/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 192018/2025 -

PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 154351/2025 - STAY APPLICATION)

W.P.(C) No. 631/2025 (PIL-W)

(IA No. 192012/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 155803/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 154421/2025 - STAY APPLICATION)

W.P.(C) No. 642/2025 (PIL-W)

(IA No. 163281/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 164509/2025 - PERMISSION TO FILE AMENDED WRIT PETITION and IA No. 156189/2025 - STAY APPLICATION)

W.P.(C) No. 634/2025 (PIL-W)

(IA No. 218693/2025 - APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 644/2025 (PIL-W)

(IA No. 156437/2025 - EX-PARTE STAY and IA No. 173783/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

W.P.(C) No. 676/2025 (PIL-W)

W.P.(C) No. 645/2025 (PIL-W)

(IA No. 191710/2025 - APPLICATION FOR PERMISSION, IA No. 156498/2025 - EXEMPTION FROM FILING ANNEXTURES and IA No. 156496/2025 - STAY APPLICATION)

W.P.(C) No. 700/2025 (PIL-W)

(IA No. 173858/2025 - STAY APPLICATION)

W.P.(C) No. 646/2025 (PIL-W)

(IA No. 162634/2025 - AMENDMENT OF THE PETITION, IA No. 213214/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 198123/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 159547/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 156574/2025 - STAY APPLICATION)

W.P.(C) No. 674/2025 (PIL-W)

W.P.(C) No. 701/2025 (PIL-W)

(IA No. 215391/2025 - CLARIFICATION/DIRECTION and IA No. 174074/2025 - STAY APPLICATION)

W.P.(C) No. 719/2025 (PIL-W)

W.P.(C) No. 686/2025 (PIL-W)

(IA No. 170426/2025 - GRANT OF INTERIM RELIEF)

W.P.(C) No. 708/2025 (PIL-W)

(IA No. 175869/2025 - STAY APPLICATION)

**W.P.(C) No. 737/2025 (PIL-W)
(IA No. 183939/2025 - STAY APPLICATION)**

WITH

ITEM NO. 45

Writ Petition(s)(Civil) No(s). 855/2025

Date : 08-09-2025 These matters were called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE JOYMALYA BAGCHI**

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Nishesh Sharma, AOR
Mr. Shiva Nand Mishra, Adv.
Ms. Bandana Mishra, Adv.

UPON hearing the counsel the Court made the following

O R D E R

W.P.(C) No. 634/2025

Issue notice in IA No. 218693/2025.

Mr. Eklavya Dwivedi, learned AOR accepts notice on behalf of the Election Commission of India. Mr. Arvind Kumar Sharma, learned AOR accepts notice on behalf of Union of India.

Reply, if any, be filed before the next date of hearing.

List on 15.09.2025.

Writ Petition(s)(Civil) No(s). 855/2025

Issue notice.

Mr. Eklavya Dwivedi, learned AOR accepts notice on behalf of the Election Commission of India.

Reply, if any, be filed before the next date of hearing.

List on 15.09.2025.

Rest of the matters

We have heard learned senior counsel/counsel for the parties.

The short issue that needs to be further clarified pertains to the acceptability and status of the Aadhaar Card insofar as supporting documents are concerned. There is no quarrel that as per the statutory status assigned to Aadhaar Card under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, it is not a proof of citizenship and therefore shall not be accepted as proof of citizenship. However, keeping in view Section 23(4) of the Representation of People Act, 1950, the Aadhaar Card is one of the documents enumerated for the purpose of establishing the identity of a person. Accordingly, we direct the Election Commission of India and its authorities to accept Aadhar Card as a proof of identity for the purpose of inclusion or exclusion in the revised voter list of the State of Bihar. Aadhaar Card, for this purpose, shall be treated as the 12th document by the Authorities. It is, however, made clear that the authorities shall be entitled to verify the authenticity and genuinity of the Aadhaar Card, like any of the other enumerated documents, by seeking further proof/documents. The Election Commission shall issue instructions in this regard by tomorrow i.e., 09.09.2025.

List on 15.09.2025.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR