

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

For Petitioner(s) : Mr. Usman Ghani Khan , AOR

Mr. Shoeb Alam, Sr. Adv.
Mr. Ujjwal Singh, AOR

Mr. Kapil Sibal, Sr. Adv.
Ms. Fauzia Shakil, AOR
Ms. Aparajita Jamwal, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
Ms. Neha Rathi, AOR
Ms. Kajal Giri, Adv.
Mr. Pranav Sachdeva, Adv.
Mr. P. Rohit Ram, Adv.
Ms. Priyansha Sharma, Adv.
Ms. Somya Kumari, Adv.
Mr. Amit Bhandari, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
Ms. Shahrukh Alam, Adv.
Mr. Amit Bhandari, Adv.
Mr. Talha Abdul Rahman, AOR
Mr. Shantanu, Adv.
Mr. M Shaz Khan, Adv.
Mr. Rafid Akhter, Adv.
Mr. Sudhanshu Tewari, Adv.
Mr. Faizan Ahmed, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Prashanto Chandra Sen, Sr. Adv.
Mr. Muhammad Ali Khan, Adv.
Mr. Amit Bhandari, Adv.
Mr. Omar Hoda, Adv.
Ms. Eesha Bakshi, Adv.
Mr. Uday Bhatia, Adv.
Mr. Kamran Khan, Adv.
Mr. Surya Kiran Singh, Adv.
Ms. Gurbani Bhatia, Adv.

Mr. Rohit Ghosh, Adv.

Mr. Kalyan Bandopadhyay, Sr. Adv.

Mr. Vivek Singh, AOR

Mr. Abhisek Mohanty, Adv.

Mr. Shadan Farasat, Sr. Adv.

Mr. Harshit Anand, Adv.

Ms. Natasha Maheshwari, Adv.

Mr. Yash S. Vijay, AOR

Mr. Shikhar Aggarwal, Adv.

Mr. Haris Beeran, Adv.

Mr. Azhar Assees, Adv.

Mr. Anand B. Menon, Adv.

Mr. Radha Shyam Jena, AOR

Mr. Gopal Sankaranarayanan, Sr. Adv.

Mr. Prashant Bhushan, AOR

Ms. Neha Rathi, Adv.

Mr. Tushar Srivastava, Adv.

Mr. Shourya Dasgupta, Adv.

Mr. Satayam Singh, Adv.

Mr. Shivam Singh, Adv.

Mr. Sanjeev Gupta, Adv.

Mr. Amit Kumar Sharma, Adv.

Mr. Neeraj Kumar Singh, Adv.

Ms. Yukti Rathi, Adv.

Ms. Diksha Singh, Adv.

Ms. Vipasha Jain, Adv.

Ms. Neema, AOR

Mr. Raja Choudhary, Adv.

Ms. Anushika Mishra, Adv.

Mr. Kapil Kumar Sharma, Adv.

Mr. Rajesh Singh Chauhan, AOR

Ms. Rashmi Singh, Adv.

Ms. Pinky Behera, AOR

Mr. Atif Inam, AOR

Mr. Zarif Hosain, Adv.

Mr. Nizam Pasha, Adv.

Mr. Arif Ali, Adv.

Mr. Madhav Deepak, Adv.

Mr. Abishek Jebaraj, AOR

Ms. A Reyna Shruti, Adv.

Mr. D. P. Singh, Adv.

Mr. Prashanto C.sen, Sr. Adv.

Mr. Rohit Ghosh, Adv.
Mr. Prasanna S., AOR
Ms. Rashi Goswami, Adv.
Ms. Injila Muslim Zaidi, Adv.
Mr. Prasanna B, Adv.

Ms. Vrinda Grover, Adv.
Mr. John Simte, Adv.
Ms. Devika Tulsiani, Adv.
Mr. Soutik Banerjee, Adv.
Mr. Aakarsh Kamra, AOR

Mr. Fuzail Ahmad Ayyubi, AOR
Mr. Ibad Mushtaq, Adv.
Ms. Akanksha Rai, Adv.
Ms. Gurneet Kaur, Adv.

Dr. K. S. Chauhan, Sr. Adv.
Mr. P.s. Teji, Sr. Adv.
Mr. Kriti Ranjan, Adv.
Mr. Ajit Kumar Ekka, Adv.
Mr. Alok Kumar, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. Ratan Singh, Adv.
Ms. Divya Sinha, Adv.
Ms. Shriya Sethi, Adv.
Mr. S.p. Singh, Adv.
Mr. R S M Kalki, Adv.
Mr. Ravi Shankar Singh, Adv.
Mr. Ravi Prakash, AOR

Mr. Vijay Hansaria, Sr. Adv.
Mr. Ashwini Kumar Upadhyay, Adv.
Mr. Ashwani Kumar Dubey, AOR
Ms. Kavya Jhawar, Adv.
Ms. Nandini Rai, Adv.
Mr. Nikhil Upadhyay, Adv.

Mr. Sudhir Naagar, Adv.
Mr. Raghav Sood, Adv.
Mr. Vaibhav Mishra, AOR

For Respondent(s) : Mr. Tushar Mehta, Solicitor General
Mr. Kanu Agrawal, Adv.
Mr. Raman Yadav, Adv.
Mr. Sansriti Pathak, Adv.
Mr. Gaurang Bhushan, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Maninder Singh, Sr. Adv.
Mr. Sidhant Kumar, Adv.
Mr. Sahil Tagotra, AOR

Mr. Prabhas Bajaj, Adv.
Ms. Manyaa Chandok, Adv.
Mr. Om Batra, Adv.
Ms. Shreya Kasera, Adv.

Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Maninder Singh, Sr. Adv.
Mr. Eklavya Dwivedi, AOR
Mr. Mohd. Yasir, Adv.
Mr. Kumar Utsav, Adv.
Mr. Ashish Shukla, Adv.

Mr. Sukumar Pattjoshi, Sr. Adv.
Mr. Prateek Kumar, AOR
Mr. Raina Anand, Adv.
Mr. Devansh Rai, Adv.
Ms. Simran Parmar, Adv.

Mr. Dama Seshadri Naidu, Sr. Adv.
Mr. Prateek Kumar, AOR
Mr. Abhinav Thakur, Adv.
Mr. Deepak Sharma, Adv.
Ms. Anamika Mishra, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. Kanu Agrawal, Adv.
Mr. Raman Yadav, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Gaurang Bhushan, Adv.
Dr. N. Visakamurthy, AOR

Mr. Manish Kumar, AOR
Mr. Divyansh Mishra, Adv.

Mr. Satish Chandra Mishra, Sr. Adv.
Mr. Shail Kumar Dwivedi, AOR
Mr. Gunnam Venketeshwara Rao, Adv.
Mr. Siddharth Krishna Dwivedi, Adv.

Mr. Shadan Farasat, Sr. Adv.
Mr. Harshit Anand, Adv.
Ms. Natashamaheshwari, Adv.
Mr. Yash S. Vijay, AOR
Mr. Shikhar Aggarwal, Adv.

Mr. Shivam Singh, Adv.
Mr. Gopal Singh, AOR

Mr. Akshat Bajpai, AOR
Mr. Sushil Kumar, Adv.
Mr. Rohit Shubham, Adv.
Mr. Shobhit Trehan, Adv.

Ms. Renuka Parmanand, Adv.
Ms. Jayashree Mishra, Adv.

Mr. Prashant Bhushan, Adv.
Mr. Shoeb Alam, Sr. Adv.
Ms. Fauzia Shakil, AOR
Mr. Ujjwal Singh, Adv.

Mr. Arman Roop Sharma, Adv.
Ms. Shimpy Sharma, Adv.
Mr. Mohd.aman Khan Afghani, Adv.
Ms. Priya Pachouri, Adv.
Ms. Shivangi Goel, Adv.
Ms. Priyanka Dubey, Adv.
Dr. Vinod Kumar Tewari, AOR

Mr. Anuj Tiwari, AOR
Ms. Diksha Gupta, Adv.

Mr. Samarvir Singh, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Padmesh Mishra, A.A.G.
Mr. S.. Udaya Kumar Sagar, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Vajani, Adv.
Mr. Kunal Mimani, AOR
Ms. Mahima Cholera, Adv.
Ms. Shraddha Chirania, Adv.
Mr. Dhruv Sahu, Adv.
Ms. Aparajita Jamwal, Adv.
Mr. Tushar Shrivastava, Adv.
Mr. Shaurya Dasgupta, Adv.

Ms. Mrinal Elkar Mazumdar,, Adv.
Indra Bhakar, Adv.
Mukesh Kumar Verma, Adv.
Mr. Shreekant Neelappa Terdal, AOR

Mr. Kaleeswaram Raj, Adv.
Mrs. Thulasi K Raj, Adv.
Ms. Aparna Menon, Adv.

Ms. Chinnu Maria Antony, Adv.
Mr. Mohammed Sadique T.a., AOR

Ms. Kumud Lata Das, AOR
Mr. Bibhuti Krishna, Adv.
Mr. Aman Anand, Adv.
Ms. Pooja Rathore, Adv.
Mr. Sourabh Suman, Adv.
Mr. Puneet Chauhan, Adv.

Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Vivek Singh, AOR
Mr. Abhisek Mohanty, Adv.

Mr. Kapil Sibal, Sr. Adv.
Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Vajani, Adv.
Mr. Kunal Mimani, AOR
Ms. Mahima Cholera, Adv.
Ms. Shraddha Chirania, Adv.
Mr. Dhruv Sahu, Adv.
Ms. Aparajita Jamwal, Adv.
Mr. Tushar Shrivastava, Adv.
Mr. Shaurya Dasgupta, Adv.

Mr. Kailash Prashad Pandey, AOR
Mr. Hitesh Kumar Sharma, Adv.
Mr. Amit Kumar Chawla, Adv.
Mr. Mahi Pal Singh, Adv.
Mr. Akhileshwar Jha, Adv.
Ms. Shrerya Jha, Adv.
Ms. Manisha Chawla, Adv.
Ms. Sawti Vishan, Adv.
Mr. Varun Varma, Adv.
Mr. Chaman Sharma, Adv.
Ms. Arushi, Adv.
Mr. Rajender Mishra, Adv.
Mr. Shubham Rajhans, Adv.
Mr. Ishan Ranjan, Adv.
Mr. Prakhar Shukla, Adv.
Mr. Rajesh Singh, Adv.
Mr. Javed Raza, Adv.
Mr. Abhishek Sharma, Adv.
Mr. Jatin Malik, Adv.

Mr. Anilendra Pandey, AOR
Ms. Aarati Sah, Adv.
Mr. Animesh Shukla, Adv.

Mr. Barun Kumar Sinha, Adv.

Mrs. Pratibha Sinha, Adv.
Mr. Sneh Vardhan, Adv.
Mr. Chhail Bihari Singh, Adv.
Mr. Rakesh Mudgal, Adv.
Mr. Ritu Raj, Adv.
Mr. Pankaj Kumar Shukla, Adv.
Mrs. Kanika, Adv.
Mr. Sidhant Thakur, Adv.
Mr. Anantha Narayana M.g., AOR
Mr. Niraj, Adv.

Mr. Kumar Sambhrant Krishna, AOR
Mr. Binay Kumar, Adv.
Mr. Shubham Singh, Adv.

Dr. Siddhartha Priya Ashok, AOR
Ms. Rajni Rani, Adv.
Mr. Suraj I., Adv.

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 Aadhaar 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