

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 23/2025-ERS/Vol. II

Dated 09.09.2025

To,
Chief Electoral Officer,
Bihar.

Subject: Acceptance of Aadhaar as proof of identity during SIR, Bihar - reg.
Reference: Supreme Court Order dated 08.09.2025 in WP(Civil) 640/2025.

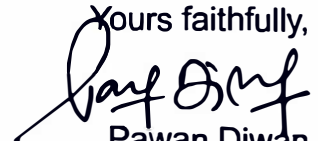
Sir,

1. I am directed to convey that the petition titled Association for Democratic Reforms v. Election Commission of India [Civil (W) No. 640/2025] was taken up for hearing on 08.09.2025, wherein the Hon'ble Supreme Court passed the following order:

"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."

2. In this regard, vide letter of even No. dated 14.08.2025 and 23.08.2025, the Commission has already conveyed the previous directions of the Hon'ble Supreme Court dated 14.08.2025 and 22.09.2025 for acceptance of the claims with a copy of the Aadhaar card for strict compliance.

3. Additionally, in pursuance of the order of the Hon'ble Supreme Court dated 08.09.2025, the following instructions are issued for immediate compliance:
- a. The Aadhaar Card shall be treated as the 12th document, in addition to the 11 documents listed in Annexure C and Annexure D of the SIR order dated 24.06.2025.
 - b. The Aadhaar Card is to be accepted and utilized as a proof of identity and not as a proof of citizenship, in terms of Section 9 of the Aadhaar (Targeted Delivery of Financial And Other Subsidies, Benefits and Services) Act, 2016.
 - c. Under Section 23(4) of the Representation of People Act, 1950, the Aadhaar Card is already one of the documents enumerated for the purpose of establishing the identity of a person.
4. In view of the above, you are directed to bring this in the knowledge of all DEOs/EROs/AEROs and all other concerned authorities for its strict implementation. Any instance of non-compliance or refusal to accept Aadhaar in accordance with this directive shall be treated with utmost seriousness.

Yours faithfully,

Pawan Diwan
Secretary

Election Commission of India