

ITEM NO.24

COURT NO.2

SECTION PIL-W

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)

[TO BE TAKEN UP AT 2:00 P.M.]

IA No. 155692/2025 - STAY APPLICATION

WITH

W.P.(C) No. 634/2025 (PIL-W)W.P.(C) No. 644/2025 (PIL-W)

FOR EX-PARTE STAY ON IA 156437/2025

IA No. 156437/2025 - EX-PARTE STAY

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

FOR STAY APPLICATION ON IA 156496/2025

FOR EXEMPTION FROM FILING ANNEXTURES ON IA 156498/2025

IA No. 156498/2025 - EXEMPTION FROM FILING ANNEXTURES

IA No. 156496/2025 - STAY APPLICATION

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

FOR STAY APPLICATION ON IA 156574/2025

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 159547/2025

FOR AMENDMENT OF THE PETITION ON IA 162634/2025

IA No. 162634/2025 - AMENDMENT OF THE PETITION

IA No. 159547/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 156574/2025 - STAY APPLICATION

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

FOR EXEMPTION FROM FILING O.T. ON IA 155298/2025

FOR GRANT OF INTERIM RELIEF ON IA 155300/2025

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 157776/2025

IA No. 155298/2025 - EXEMPTION FROM FILING O.T.

IA No. 155300/2025 - GRANT OF INTERIM RELIEF

IA No. 157776/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

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

FOR STAY APPLICATION ON IA 155262/2025

FOR APPLICATION FOR PERMISSION ON IA 155265/2025

IA No. 155265/2025 - APPLICATION FOR PERMISSION

IA No. 155262/2025 - STAY APPLICATION

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

FOR GRANT OF INTERIM RELIEF ON IA 155401/2025

IA No. 155401/2025 - GRANT OF INTERIM RELIEF

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

FOR STAY APPLICATION ON IA 154351/2025
 FOR EXEMPTION FROM FILING O.T. ON IA 154352/2025
 FOR INTERVENTION APPLICATION ON IA 156066/2025
 IA No. 154352/2025 - EXEMPTION FROM FILING O.T.
 IA No. 156066/2025 - INTERVENTION APPLICATION
 IA No. 154351/2025 - STAY APPLICATION
W.P.(C) No. 631/2025 (PIL-W)
 FOR STAY APPLICATION ON IA 154421/2025
 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 155803/2025
 IA No. 155803/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 IA No. 154421/2025 - STAY APPLICATION
W.P.(C) No. 642/2025 (PIL-W)
 FOR STAY APPLICATION ON IA 156189/2025
 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 163281/2025
 FOR PERMISSION TO FILE AMENDED WRIT PETITION ON IA 164509/2025
 IA No. 163281/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 IA No. 164509/2025 - PERMISSION TO FILE AMENDED WRIT PETITION
 IA No. 156189/2025 - STAY APPLICATION
W.P.(C) No. 686/2025 (PIL-W)
 FOR ADMISSION
 IA No. 170426/2025 - GRANT OF INTERIM RELIEF
W.P.(C) No. 700/2025 (PIL-W)
 FOR ADMISSION
 IA No. 173858/2025 - STAY APPLICATION
W.P.(C) No. 701/2025 (PIL-W)
 FOR ADMISSION
 IA No. 174074/2025 - STAY APPLICATION
W.P.(C) No. 708/2025 (PIL-W)
 IA No. 175869/2025 - STAY APPLICATION
W.P.(C) No. 676/2025 (PIL-W)
 FOR ADMISSION
W.P.(C) No. 674/2025 (PIL-W)
 FOR ADMISSION
W.P.(C) No. 719/2025 (PIL-W)
 FOR ADMISSION
W.P.(C) No. 737/2025 (PIL-W)
 FOR ADMISSION
 IA No. 183939/2025 - STAY APPLICATION

Date : 22-08-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
 HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) 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. Prasanna S., AOR
 Mr. Rohit Ghosh, Adv.
 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. Abhishek Chauhan, Adv.
 Ms. Divya Sinha, Adv.
 Ms. Shriya Sethi, Adv.
 Mr. Pushp Manikesh, Adv.
 Mr. Rsm Kalky, Adv.
 Mr. Ravi Shankar Singh, Adv.
 Mr. Narender Kumar, Adv.
 Mr. Ratan Singh, Adv.
 Mr. Alok Kumar, Adv.
 Mr. Ravi Prakash, AOR

Mr. Ashwani Kumar Dubey, AOR
 Mr. Ashwini Kumar Upadhyay, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
 Mr. Prashanto Chandra Sen, Sr. Adv.
 Mr. Usman Ghani Khan, AOR
 Mr. Muhammad Ali Khan, Adv.
 Mr. Amit Bhandari, Adv.
 Mr. Omar Hoda, Adv.
 Ms. Eesha Bakshi, Adv.

Mr. Uday Bhatia, Adv.
 Mr. Arjun Sharma, Adv.
 Mr. Kamran Khan, Adv.
 Ms. Gurbani Bhatia, Adv.
 Mr. B Vittal, Adv.
 Mr. Surya Kiran Singh, Adv.
 Mr. Rohit Ghosh, Adv.

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

Mr. Kapil Sibal, Sr. Adv.
 Ms. Fauzia Shakil, AOR
 Ms. Aparajita Jamwal, Adv.
 Ms. Tasmiya Talaha, 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. M Shaz Khan, Adv.
 Mr. Shantanu, Adv.
 Mr. Rafid Akhter, Adv.
 Ms. Priyansha Sharma, Adv.
 Mr. Sudhanshu Tewari, Adv.
 Mr. Faizan Ahmed, Adv.

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

Mr. Shadan Farasat, Sr. Adv.
 Mr. Harshit Anand, Adv.
 Mr. Natasha Maheshwari, Adv.
 Mr. Yash S. Vijay, AOR
 Mr. Shikhar Aggarwal, Adv.
 Mr. Rishav Ranjan, 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.
 Ms. Cheryl D'Souza, 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. Vipasa Jain, Adv.
 Ms. Neema, AOR

Mr. Raja Choudhay, Adv.
 Ms. Anushika Mishra, Adv.
 Mr. Kapil Kumar Sharma, Adv.
 Mr. Dhruv Tiwari, Adv.
 Mr. Rajesh Singh Chauhan, AOR

Ms. Aarti Sah, Adv.
 Mr. Animesh Shukla, Adv.
 Mr. Anilendra Pandey, Adv.

Mr. Aman Prasad, Adv.
 Mr. Abhishek Jebraj, Adv.

For Respondent(s) Mr. Kanu Agrawal, Adv.
 Mr. Raman Yadav, Adv.
 Mr. Sansriti Pathak, Adv.
 Mr. Gaurang Bhushan, Adv.
 Mr. Mukesh Kumar Maroria, AOR
 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. Amarpal Dua, Adv.

Mr. Dama Seshadri Naidu, Sr. Adv.
 Mr. Sukumar Pattjoshi, Sr. Adv.
 Mr. Prateek Kumar, AOR
 Mr. Abhinav Thakur, Adv.
 Mr. Rajesh Kumar, Adv.
 Mr. Deepak Sharma, Adv.

Ms. Raina Anand, Adv.

Mr. Rakesh Dwivedi, Sr. Adv.

Mr. Maninder Singh, Sr. Adv.

Mr. Mohd. Yasir, Adv.

Mr. Kumar Utsav, Adv.

Mr. Ashish Shukla, Adv.

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. Kumar Saurav, Adv.

Mr. Anand Sharma, 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. 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. Mrinal Elkar Mazumdar, Adv.

Ms. Indra Bhakar, Adv.

Mr. Mukesh Kumar Verma, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Mr. Kailash Prashad Pandey, AOR

Mr. Hitesh Kumar Sharma, Adv.

Mr. Amit Kumar Chawla, Adv.

Mr. Akhileshwar Jha, Adv.

Mr. Mahi Pal Singh, Adv.

Mr. Rajesh Singh, Adv.

Mr. Varun Varma, Adv.

Mr. Shubham Rajhans, Adv.
 Mr. Ishank Ranjan, Adv.
 Mr. Prakhar Shukla, Adv.
 Mr. Rakesh Vishan, Adv.
 Mr. Javed Raza, Adv.
 Ms. Manisha Chawla, Adv.
 Ms. Niharika Dwivedi, Adv.
 Ms. Charnjeet Sidhu, Adv.
 Ms. Sawti Vishan, Adv.
 Mr. Jatin Malik, Adv.
 Mr. Saurabh Kumar Solnki, Adv.
 Mr. Supiriya, Adv.
 Mr. Chaman Sharma, 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. Neeraj, Adv.

Mr. Mohammed Sadique T.A., AOR

Ms. Kumud Lata Das, AOR
 Mr. Bibhuti Krishna, Adv.
 Mr. Aman Anand, Adv.
 Mr. Himanshu Singh, Adv.
 Ms. Pooja Rathore, 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. Anilendra Pandey, AOR
 Ms. Aarati Sah, Adv.
 Mr. Animesh Shukla, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. In compliance with the Order dated 14.08.2025, Shri Rakesh Dwivedi, learned Senior Counsel appearing on behalf of the Election Commission of India has handed over a Status Report, *inter alia*, pointing out that on publication of the Draft Electoral Roll on 01.08.2025, the District Election Officer has handed over the Draft Rolls as well as the list of persons whose enumeration forms have not been received to the District Presidents of the 12 recognized political parties. The District Presidents of those political parties were present and signed the receipts. Even the meetings were duly videographed. It is further clarified that the 'recommendations' made by the BLAs are completely irrelevant as the names of all the persons, whose enumeration forms were received, have been included in the Draft Rolls.

2. After publication of the Draft Electoral Rolls, every objection to the proposed inclusion of names or application for deletion of names in the existing roll shall be in Form 7 of the 1960 Rules. One more round of booth-level meetings were held on 07.08.2025, where the BLOs shared the draft rolls with reasons for non-inclusion of the names with the BLAs appointed by the 12 recognized political parties. The minutes of such meetings were also signed by BLAs of the political parties. It is also clarified that the online facility is available for any elector to file claims and objections on the draft electoral rolls. Lastly, it is explained that the directions issued by this Court on 14.08.2025 have been duly complied with.

3. The note further reveals that if all 12 recognized political parties work for correcting the draft electoral rolls, each of their BLAs can verify at least 10 such names per day. Since there are approximately 1.6 lakhs BLAs appointed by the political parties, in this manner, about 16 lakhs names per day can be verified. Thus, it would not take more than five days for them to verify and submit any claims or objections relating to the names which have not been included in the Draft Rolls. This timeline is

indicated in the backdrop that there are still 10 days left, i.e. till 01.09.2025, to submit objections, if any.

4. It is explained that 84,305 claims and objections have been received directly from the electors. Similarly, 2,63,257 forms have been received from new electors on attaining 18 years of age or above for their inclusion in the voters list. It is stated that if any of the 12 recognized political parties are aware of any name(s) being wrongfully excluded or included in the Draft Roll, they are expected to give such information to the concerned ERO in the prescribed format by the cut-off date.

5. Through a separate note, it has been explained to us that the following are the National Political Parties recognized for the purpose of ensuing elections in the State of Bihar:

1. Aam Aadmi Party
2. Bahujan Samaj Party
3. Bharatiya Janata Party
4. Communist Party of India (Marxist)
5. Indian National Congress
6. National People's Party

6. Similarly, the following are the six State Political Parties recognized for the purpose of the above-mentioned election:

1. Communist Party of India (Marxist-Leninist)
(Liberation)
2. Janata Dal (United)
3. Lok Janshakti Party (Ram Vilas)
4. Rashtriya Janata Dal
5. Rashtriya Lok Janshakti Party
6. Rashtriya Lok Samta Party

7. The details of the BLAs appointed by these political parties have also been mentioned in tabulated form. What surprises this Court is that, to date, 1,60,813 BLAs have filed only 2 objections. On the other hand, some of the political parties, who are being represented by their learned counsel, have submitted that

their BLAs are not being permitted to submit the objections.

8. With a view to have better clarity and to ensure that each voter can effectively exercise their independent right to apply for inclusion or to submit objection(s) against inclusion of wrong persons, we direct that such voters, if desired, are to be facilitated by the 12 political parties recognized in the State of Bihar, who are expected to instruct their BLAs to assist and submit the requisite objections/claims.

9. Consequently, we direct the above-stated 12 political parties, through their respective Presidents of the Bihar State, to issue specific instructions to their respective BLAs to assist the voters in their village/block/constituency/panchayat area as well as relief camps in submitting the requisite forms along with any of the 11 documents mentioned in SIR Notification or Aadhar Card.

10. In order to facilitate the voters, all the above-mentioned political parties are directed to be impleaded as respondent Nos.2 to 13. (if not already a party) through their respective Presidents.

11. We direct the Chief Electoral Officer, State of Bihar to issue notice to the President/working President/General Secretary of all the above-mentioned 12 political parties regarding their impleadment in these proceedings. Additionally, they shall remain present before this Court during the course of hearing and file their respective Status Reports.

12. We reiterate the Order dated 14.08.2025 and clarify that (i) the individual persons, on their own or with the assistance of the BLAs of the political parties, are entitled to apply online and it is not necessary for them to submit physical forms; and (ii) the BLAs of all the political parties are directed to make an endeavour to ensure that the 65,00,000 (approximate) persons, who are not included in the Draft Rolls, are facilitated (except those who are dead or have voluntarily migrated in the other States) to submit their objections by the cut-off date of 01.09.2025. Wherever the physical forms are submitted, the BLOs are directed to acknowledge the receipt of those forms. However, such an acknowledgement shall

not be construed as proof that the form is complete in all respects.

13. The Election Commission Authorities may consider the desirability of displaying the receipt of objection forms, with or without documents, on their website.

14. Post these matters for further consideration on 08.09.2025.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR