

SC: Aadhaar Valid for Identity, Not Citizenship

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Aadhaar Identity Latest News

- The Supreme Court directed the Election Commission to include Aadhaar as the 12th valid identity document for **Bihar's Special Intensive Revision (SIR)** of electoral rolls, while clarifying that Aadhaar establishes identity but not citizenship.
- This strengthens the ability of excluded individuals to use **Aadhaar**, along with other listed documents, to challenge deletions or file claims for inclusion.
- Given Aadhaar's coverage of over 87% of India's population, this order significantly broadens the net for voter inclusion.

Background

- The Supreme Court is hearing petitions challenging the Election Commission of India's (ECI) June 24 directive for a Special Intensive Revision (SIR) of electoral rolls in Bihar.
- Petitioners argue that the SIR risks arbitrary voter deletions without safeguards, potentially disenfranchising lakhs and undermining fair elections.

- The ECI defends the exercise as necessary to ensure only eligible citizens remain on the rolls ahead of the Bihar Assembly polls.
- A key dispute is over which documents should be accepted to verify voter identity.

SC Clarifies Aadhaar's Role in Bihar Voter List Revision

- The Supreme Court directed the Election Commission to accept Aadhaar as the **12th valid identity document** for Bihar's Special Intensive Revision of electoral rolls but clarified it cannot prove citizenship.
- The EC must verify the authenticity of Aadhaar numbers before inclusion and ensure **only genuine citizens are enrolled**, excluding illegal immigrants or those using forged documents.
 - With this, the EC is permitted to verify Aadhaar's authenticity and, if doubts persist, exclude individuals from the rolls.
 - Even genuine Aadhaar holders can face scrutiny over their citizenship, similar to those presenting other documents like caste or matriculation certificates.
- Referring to the Aadhaar Act, 2016 and the **Representation of Peoples Act**, the bench reiterated that Aadhaar cannot establish citizenship but can be accepted as proof of identity.
 - Citizenship, the Court stressed, is determined under the **Citizenship Act, 1955**, based on birth and parental status, not a single document.

What Aadhaar Can and Cannot Do

- The Supreme Court clarified that Aadhaar can serve as proof of a voter's identity and residence but not citizenship, since even non-citizens residing in India may hold Aadhaar cards.
- The Election Commission (EC) has been directed to verify the genuineness of Aadhaar cards to prevent forged use in electoral rolls.

How Citizenship Is Proved

- Citizenship must be established through documents such as passports, birth certificates with parental details, citizenship or naturalisation certificates, or certain government/school records backed by additional evidence.
- Importantly, the Court held that **booth-level officers (BLOs) cannot decide citizenship**; only the Centre can, under the Citizenship Act. BLOs may verify only local identity and residence.

Other Valid Documents in Bihar's SIR

- Identity card/Pension Payment Order issued to regular employee/pensioner of Central/State Govt/PSU
- Identity card/Certificate/Document issued in India by Govt./local authorities/Banks/Post Office/LIC/PSUs before 01.07.1987
- Birth Certificate issued by competent authority
- Passport
- Matriculation/Educational certificate from recognised Boards/universities
- Permanent Residence certificate issued by competent State authority

- Forest Right Certificate
- OBC/SC/ST or any caste certificate issued by competent authority
- National Register of Citizens (wherever it exists)
- Family Register prepared by State/Local authorities
- Land/house allotment certificate by Government

Significance of This Judgement

- Bihar's voter list revision is one of India's largest, covering 7.24 crore voters, with over 65 lakh names proposed for deletion.
- The inclusion of Aadhaar aims to protect genuine voters, particularly the poor who lack passports or formal IDs, from disenfranchisement.
- The Court also urged political parties to help excluded people during the revision process.

Nationwide Implications

- Although the order directly applies to Bihar, it has wider implications.
- The EC is expected to conduct a nationwide SIR in 2026, and leaving Aadhaar out of accepted documents elsewhere will be difficult.
- The EC is also seeking state-level suggestions on additional documents, especially in border states.

Unsettled Question

- A key unresolved issue is whether the EC has the authority to decide matters of citizenship.
- While the EC insists its mandate is to ensure only citizens vote, petitioners question its power to enforce this mandate.
- The SC may need to address this broader constitutional question in future hearings.

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