

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

Miscellaneous Application No 596 of 2024

In

Miscellaneous Application Diary No 11805 of 2024

In

Miscellaneous Application No 486 of 2024

In

Writ Petition (Civil) No 880 of 2017

Association of Democratic Reforms and Another

Petitioner(s)

Versus

Union of India and Others

Respondent(s)

ORDER

Miscellaneous Application Diary No 12580 of 2024

- 1 On being mentioned, the Miscellaneous Application is taken on Board.
- 2 In sub-paragraphs “b” and “c” of paragraph 221 of the judgment of this Court dated 15 February 2024, the direction to the State Bank of India are to submit details of the
 - (i) Electoral Bonds purchased; and

(ii) Political Parties which have received contributions through Electoral Bonds.

3 This information has to be submitted since the date of the interim order dated 12 April 2019. In other words, all details which have been directed to be furnished in the operative directions of this Court are to be submitted with effect from 12 April 2019.

4 The relief which has been sought in the Miscellaneous Application for pre-dating the point of disclosure would amount to a substantive modification of the judgment. Hence, it cannot be dealt with in a Miscellaneous Application.

5 The Miscellaneous Application is, therefore, not maintainable and is accordingly dismissed.

Miscellaneous Application No 596 of 2024

6 By the judgment of this Court dated 15 February 2024, this Court directed “the disclosure of information on contributions received by political parties under the Electoral Bond Scheme to give logical and complete effect” to the ruling.

7 Thereafter, in paragraph 221, this Court issued operative directions. These directions in sub-paragraph “b” and “c” are in two parts. Sub paragraph “b” requires SBI to submit details of the Electoral Bonds purchased since the interim order dated 12 April 2019 “till date to the ECI”. Such details, the Court has indicated, “shall include the date of purchase of each Electoral Bond, the name of the purchaser of the bond and the denomination of the Electoral Bonds

purchased". Under the second part of the operative directions in sub-paragraph "c", SBI was required to submit "the details of political parties which have received contributions through the Electoral Bonds" since the interim order dated 12 April 2019 till date to ECI. SBI was required to disclose details of **each** Electoral Bond encashed by political parties inclusive of the date of encashment and the denomination of the Electoral Bond.

- 8 A plain reading of paragraph 219 of the order dated 15 February 2024 indicates that SBI was required to submit **all** details, both in terms of the purchase and in terms of the receipt of contributions. The expression "include" in both sub-paragraphs "b" and "c" demonstrate that the inclusive part is illustrative and not exhaustive of the nature of the disclosure which is to be made by SBI.
- 9 In other words, SBI is required to make a complete disclosure of all details in its possession. This will also comprehend the alphanumeric number and serial number of the Electoral Bonds which were purchased and redeemed.
- 10 Mr Harish N Salve, senior counsel appearing on behalf of the SBI, states that there is no reservation on the part of the SBI in disclosing all details which are in its possession and custody.
- 11 In order to fully effectuate the judgment and to obviate any controversy in the future, we direct that the Chairman and the Managing Director of SBI shall file an affidavit on or before 5.00 pm on 21 March 2024 indicating that SBI has disclosed all details of the Electoral Bonds which are in its possession and custody and that no details have been withheld from disclosure in terms of the

directions contained in paragraph 221 of the judgment dated 15 February 2024.

- 12 The Election Commission of India shall upload the details forthwith on receipt of the communication by SBI.

.....CJI.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Sanjiv Khanna]

.....J.
[B R Gavai]

.....J.
[J B Pardiwala]

.....J.
[Manoj Misra]

New Delhi;
March 18, 2024
GKA

ITEM NO.501

COURT NO.1

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

Miscellaneous Application No. 596/2024

(Arising out of impugned final judgment and order dated 15-03-2024
in D No. No. 11805/2024 passed by the Supreme Court of India)

ASSOCIATION OF DEMOCRATICE REMORMS & ANR. **Petitioner(s)**

VERSUS

UNION OF INDIA & ORS. **Respondent(s)**

(FOR ADMISSION)

Date : 18-03-2024 This petition was called on for hearing today.

CORAM :. HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) By Courts Motion, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. Varun thakur, Adv.
Mr. Varinder Kumar Sharma, AOR

Mr. Vijay Hansaria, Sr. Adv.
Ms Sneha Kalita, AOR
Ms. Kavya Jhavar, Adv.
Ms. Nandini Rai, Adv.
Ms. Doly Deka, Adv.
Jessy Kurian, Adv.
Mr. K.S. Bhati, Adv.
Mr. Pawan Shree Agarwal, Adv.

For Respondent(s) Mr. Harish Salve, Sr. Adv.
Mr. Sanjay Kapur, AOR
Ms. Divya Singh Pundir, Adv.
Ms. Mahima Kapur, Adv.

Ms. Mansi Kapur, Adv.
Mrs. Shubhra Kapur, Adv.
Mr. Devesh Dubey, Adv.
Mr. Surya Prakash, Adv.
Mr. Arjun Bhatia, Adv.
Ms. Isha Virmani, Adv.

Mr. Tushar Mehta, SG
Mr. Kanu Agarwal, Adv.
Mr. Rajat Nair, Adv.
Mr. Raman Yadav, Adv.
Mr. Shyam Gopal, Adv.
Mr. Raj Bahadur Yadav, Adv.

Mr. Prashant Bhushan, AOR
Ms. Neha Rathi, Adv.
Ms. Kajal Giri, Adv.
Mr. Pranav Sachdeva, Adv.
Ms. Shivani Kapoor, Adv.
Mr. Kamal Kishore, Adv.

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

- 1 On being mentioned, MA Diary No 12580 of 2024 is taken on Board.
- 2 Miscellaneous Applications are disposed of in terms of the signed reportable order.
- 3 Pending applications, if any, stand disposed of.

**(GULSHAN KUMAR ARORA)
AR-CUM-PS**

**(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR**

(signed reportable order is placed on the file