



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. SOUMEN SEN

&

THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.

WEDNESDAY, THE 22ND DAY OF JULY 2026 / 31ST ASHADHA, 1948

WP (PIL) NO. 129 OF 2025

PETITIONER/S:

BAHADUR SHAH ANAKKOT NASIRALI
AGED 25 YEARS
S/O NASIR ALI, AGED 25 YEARS, RESIDING AT ANAKKOT
HOUSE, ANCHAPLAM, METHALA P.O., KODUNGALLUR,
THRISSUR, PIN - 680669

BY ADVS.
SRI.S.PRASANTH (AYYAPPANKAVU)
SMT.VARSHA BHASKAR
SMT.ANUPAMA SIBI
SMT.MALAVIKA K.

RESPONDENT/S:

- 1 UNION OF INDIA
REPRESENTED BY THE SECRETARY, MINISTRY OF
RAILWAYS, RAIL BHAWAN, RAISINA MARG, NEW DELHI,
PIN - 110001
- 2 RAILWAY BOARD REPRESENTED BY THE CHAIRMAN
THE MINISTRY OF RAILWAYS, RAIL BHAVAN, RAISINA
MARG, NEW DELHI, PIN - 110001
- 3 DIRECTOR/PASSENGER MARKETING-II
RAILWAY BOARD, ROOM NO. 415-A, 4TH FLOOR, RAIL
BHAVAN, RAISINA MARG NEW DELHI, PIN - 110001



- 4 INDIAN RAILWAY CATERING AND TOURISM CORPORATION
(IRCTC)
REPRESENTED BY THE CHAIRMAN AND MANAGING
DIRECTOR, 4TH FLOOR, TOWER-D, WORLD TRADE CENTRE,
NAUROJI NAGAR, NEW DELHI, PIN - 110029
- 5 CENTRE FOR RAILWAY INFORMATION SYSTEMS (CRIS)
REPRESENTED BY ITS MANAGING DIRECTOR, NEAR
SAFDARJANG RAILWAY STATION CHANKYAPURI, NEW DELHI
-, PIN - 110021

BY ADVS.

P. SREEKUMAR, ASGI

O.M.SHALINA, DEPUTY SOLICITOR GENERAL OF INDIA

SMT.ASHA CHERIAN, SC, IRCTC

HARIKRISHNAN P.B., CGC

THIS WRIT PETITION (PUBLIC INTEREST LITIGATION)
HAVING COME UP FOR ADMISSION ON 22.07.2026, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:

**J U D G M E N T**

Dated this the 22nd day of July, 2026

Soumen Sen, C.J.

Heard Mr. S. Prasanth, learned counsel for the petitioner, Mr. P. Sreekumar, learned Additional Solicitor General for India, assisted by Mr. Harikrishnan P.B., learned Central Government Counsel, and Ms. Asha Cherian, learned counsel for the 4th respondent.

2. The Aadhaar based OTP authentication introduced by the Government of India, Ministry of Railways, by notification dated 10th June 2025 is under challenge. The petitioner claims to be a public-spirited individual and has filed this application, being aggrieved by the said notification, on the ground that the circular dated 10th June 2025 issued by the Ministry of Railways is contrary to the statute and disproportionately abrogates the right to privacy and informational autonomy of citizens and fails to address the actual infrastructure and technical deficiencies affecting the functioning and usage of the Tatkal ticketing system. Prior to



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10th June 2025, even for Tatkal booking, there was no requirement for any Aadhaar based OTP authentication.

3. The justification for introducing the said notification has been explained in the counter affidavit filed by respondents 1 to 3 and 5, affirmed on 28th November 2025, the counter affidavit filed by the 4th respondent-IRCTC on 28th January 2026, and the additional counter affidavit filed on behalf of respondents 1 to 3 and 5, affirmed on 1st April 2026. It is stated that the rationale behind the policy is to ensure that only genuine individual users can access the Tatkal booking system. The provision is intended to prevent the bulk booking of tickets by touts, syndicates, and automated software, which had caused severe hardship to the public. The Ministry of Railways required Aadhaar based authentication for Tatkal ticket booking through the IRCTC website and mobile app to ensure that only genuine individual users can access the Tatkal booking system, which enables digital platforms such as IRCTC's ticket-booking system to ensure transparent, efficient, and accountable



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governance.

4. In the subsequent affidavit filed on 1st April 2026, it is stated that the Aadhaar based authentication operates strictly within the statutory framework of the Aadhaar Act, 2016, and the regulations framed thereunder. Authentication is carried out only with the informed consent of the user, through encrypted communication channels, and with data minimisation principles, whereby the authentication response is limited to a yes/no confirmation or e-KYC information. The requesting entity does not have access to the Aadhaar database, and UIDAI maintains strict regulatory control, audits, and security safeguards. The framework fully complies with the privacy principles recognized by the Hon'ble Supreme Court in **Justice K.S. Puttaswamy (Retd.) v. Union of India**¹. It is further stated that alternative identity documents are not acceptable in view of the absence of a robust, real-time, and de-duplicated authentication mechanism comparable to Aadhaar. Extending such facility to other documents such as Voter ID, PAN Card, or any other

¹ (2019) 1 SCC 1



ID can only be considered once such documents are equipped with reliable verification mechanisms by their respective authorities.

5. The IRCTC, in its affidavit, has stated that Aadhaar based authentication is designed to enforce one person, one booking rules, prevent multiplicity of accounts per individual, reduce speculative and repetitive access attempts, and filter high-frequency requests before they reach resource-intensive seat allocation processes. It is undisputed that Aadhaar authentication does not physically increase server capacity, improve code efficiency, or enhance network bandwidth. However, system performance is a function of both supply (server capacity) and demand (number of concurrent requests and nature of traffic). Uncontrolled or abusive traffic arising from multiple accounts, proxies, or automated access artificially inflates demand, leading to latency and service degradation. Aadhaar authentication serves as a demand-regulating mechanism, ensuring that each user can access the system in a controlled manner, thereby reducing



excessive concurrent requests and mitigating load spikes. While infrastructure upgrades (server scaling, CDN deployment, load balancing) are ongoing, they cannot, on their own, prevent monopolisation through repeated speculative access by single users. Aadhaar authentication complements these infrastructure measures by preventing artificial congestion, ensuring that available capacity is fairly and efficiently allocated among genuine users. Aadhaar authentication is not intended to, or capable of, directly increasing server capacity, but it mitigates artificial load and ensures equitable access.

6. Learned Additional Solicitor General for India appearing for the Union of India has referred to paragraph 26 of the counter affidavit filed by respondents 1 to 3 and 5 to submit that Aadhaar authentication is carried out through UIDAI's secure platform. No Aadhaar number is stored by IRCTC or the Railways, ensuring complete compliance with privacy and data protection norms. It has been clarified that only the IRCTC user needs to be Aadhaar-authenticated, not



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the passengers booked through the IRCTC website/applications. It is further clarified that the Aadhaar authentication process is a one-time exercise which can be performed by the person at his/her convenience and is not required before each and every booking. The said affidavit has also clearly stated that individuals who do not possess Aadhaar or prefer not to use it can obtain Tatkal tickets through counters without restriction. In order to allay any fear or apprehension that a passenger might carry while physically purchasing a ticket under the Tatkal scheme, it is clarified in the said circular that, for physical purchase under the Tatkal scheme, there is no requirement of Aadhaar authentication.

7. The petitioner would still urge that the Aadhaar authentication insisted upon for Tatkal booking or online booking through the IRCTC website or app is in violation of the judgment of the Hon'ble Supreme Court in **Justice K.S. Puttaswamy (Retd.)** (supra) with respect to the privacy of an individual.



8. In view of the fact that it is optional and there is no compulsion to share details for the purchase of tickets online through the IRCTC website and that the reason for insisting on Aadhaar authentication through the IRCTC website has a justification and is based on past experience of alleged deceit, manipulation, and bulk booking, the wisdom of such decision cannot be held to be unjustified even on the application of the proportionality test. On such consideration, we do not find any merit in this matter. However, we clarify that, for the purchase of offline Tatkal tickets, Aadhaar based authentication is not required.

9. Learned counsel for the petitioner submitted that PAN Card authentication can be as easily obtained as Aadhaar based authentication.

10. We find substance in the said submission. PAN Card authentication may also lead to the same desired result as Aadhaar based OTP authentication, as even in the case of a PAN Card, an OTP is generated, and only thereafter is the transaction allowed wherever the PAN Card is used as



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authentication for making any payment. In such view of the matter, the IRCTC may consider the option of Aadhaar or PAN Card for authentication, as they may lead to the same desired result.

11. The petition is accordingly disposed of.

Sd/-
SOUMEN SEN,
CHIEF JUSTICE

Sd/-
SYAM KUMAR V. M.,
JUDGE

Eb

APPENDIX OF WP(PIL) NO. 129 OF 2025

PETITIONER EXHIBITS

Exhibit P1	A SCREENSHOT DATED 14/07/2025 OF ALERT MANDATING PASSENGERS TO LINK AADHAAR ACCOUNT ON IRCTC'S WEBSITE
Exhibit P2	A SCREENSHOT OF ALERT MANDATING PASSENGERS TO LINK AADHAAR ACCOUNT ON IRCTC'S MOBILE APPLICATION
Exhibit P3	A TRUE COPY OF THE TATKAL SCHEME SALIENT FEATURES
Exhibit P4	A TRUE COPY OF THE NOTIFICATION NO S.O. 2354(E), DATED 27/05/2025 ISSUED BY THE 1ST RESPONDENT
Exhibit P5	A TRUE COPY OF THE AADHAAR (TARGETED DELIVERY OF FINANCIAL AND OTHER SUBSIDIES, BENEFITS AND SERVICES) ACT, 2016
Exhibit P6	A TRUE COPY OF THE NOTIFICATION NO. 2025/TG-1/P/TATKAL MODIFICATION, DATED 10/06/2025 ISSUED BY RESPONDENT NO. 2
Exhibit P7	A TRUE COPY OF THE PRESS RELEASE BEARING ID: 2135694
Exhibit P8	A TRUE COPY OF THE NEWS REPORT CITING DR. A VELUMANI'S OBSERVATION
Exhibit P9	A TRUE COPY OF THE LOCALCIRCLES SURVEY
Exhibit P10	THE TRUE COPY OF THE UNSTARRED QUESTION AND RESPONSE DATED 22-09-2020
Exhibit P11	A TRUE COPY OF THE PRESS RELEASE BEARING ID NO. 2133796
Exhibit P12	A TRUE COPY OF THE NEWS REPORT PUBLISHED ON THE FINANCIAL EXPRESS, TITLED 'IRCTC'S CYBERSECURITY BREACH: IT IS TIME GOVT BODIES RECOGNISE AND INCENTIVISE ETHICAL HACKING' DATED 13/11/2018
Exhibit P13	A TRUE COPY OF THE NEWS REPORT PUBLISHED ON THE FINANCIAL EXPRESS, TITLED 'IRCTC'S CYBERSECURITY BREACH: IT IS TIME GOVT BODIES RECOGNISE AND INCENTIVISE ETHICAL HACKING' DATED 13/11/2018
Exhibit P14	A TRUE COPY OF THE NEWS REPORT



Exhibit P15

PUBLISHED IN THE FINANCIAL TIMES,
TITLED 'TATKAL TICKET HEIST: PAYMENT
GATEWAYS CRASH, VANISHING OF SEAT
BOOKINGS-INDIAN RAILWAYS FINALLY PINS
DOWN THE CULPRIT' DATED 04/06/2025
TRUE COPY OF THE NEWS REPORT PUBLISHED
BY NEWS18.COM ON 30.06.2025
HIGHLIGHTING TATKAL TICKET BOOKING
NUMBERS