

# No Question of Deleting Aadhaar Data: UIDAI CEO

**ET Q&A**

There is no question of the Unique Identifica-

tion Authority of India (UIDAI) deleting Aadhaar data except for minor children, said **Ajay Bhushan Pandey**, chief executive of the Aadhaar-issuing body. In an interview to **Surabhi Agarwal**, he said the Supreme Court has upheld the enrolment of members retrospectively before the Aadhaar Act came into effect. As for companies, it is up to them and their sectoral regulators to implement the court's order banning private entities from using the identity framework for authentication, he said. There are other options such as eAadhaar and QR code that can ensure business as usual for banks, telecom companies and fin-tech firms, he said.

**Do you think (the Supreme Court verdict) is a setback to the Aadhaar ecosystem?**

On the contrary, it is going to strengthen the startup (ecosystem) and Digital India because this judgment provides a basis for India's digital journey with safeguards. If there is development without safeguards, at some stage later you have to take many steps backwards. And that would be a setback. In fact, this judicious and voluntary use of Aadhaar will be a model for the world to follow in their ID and service delivery systems.

**So were we moving ahead but without enough safeguards?**

Aadhaar has been constantly bringing several safeguards such as QR

code, offline QR code, and virtual ID that will enable the country to move ahead without compromising the privacy of people. The only thing that the court has said is that private companies will not do authentication unless it is backed by law. Ease of business has to go hand in hand with data protection and privacy. The two are not in conflict. It can never be a case of any section of industry that it be given unbridled access to personal data in the name of ease of business.

**Will UIDAI provide clarity to these firms since the language of the verdict may be subject to interpretation?**

No one has authority to interpret the court's order for somebody else. If the agencies need assistance in understanding the order, they can take legal advice and follow the order.

**Do you think UIDAI is washing hands off its responsibility after helping these agencies?**

There is no question of UIDAI washing its hands off. The order of the court is very clear. I don't think somebody needs to issue a circular giving a gist of the order. The agencies concerned and their regulators should see the

order and take action. If they have a confusion, they can take legal advice or seek clarification from the court.

**Agencies such as the Employees' Provident Fund Organisation (EPFO), the passport office and the Election Commission had started linking with Aadhaar in a big way. Will they have to seek legal backing to continue this?**

This is something these sectors would have to figure out for themselves. They will have to make a case before the legislature, saying here is a case that has legitimate state aim and is proportional, and, therefore, they want to use Aadhaar authentication in either mandatory manner or non-mandatory manner.

**Will the Government file a curative petition in the Supreme Court requesting a review?**

At this point of time, as far as UIDAI is concerned, this judgement has just come and there is no such proposal.

**Will there be some changes to the Aadhaar Act?**

Certain suggestions have been made by Justice Srikrishna Committee, in which I, too, was a member. That will further strengthen Aadhaar. Many of the recommendations are almost in

line with what the Supreme Court has suggested. One of the proposed amendments is that Aadhaar authentication be permitted only if there is a law.

**What if people send requests for deletions to UIDAI?**

Section 59 (of the Aadhaar Act) has been held valid by the Supreme Court. (So) the question of deletion of Aadhaar enrolment data collected prior to promulgation of the Aadhaar Act doesn't arise. The court has said that children who were enrolled with parental consent should be given an option of exit when they attain majority (age). So in such cases, UIDAI will provide them this option.

## BOOST AADHAAR

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