

AADHAAR LINKING

SC sets March 31 as new deadline

Directs states be told so people are not denied basic welfare, subsidies

FE BUREAU
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ACCEPTING THE GOVERNMENT'S submission, the Supreme Court on Friday extended the deadline for mandatory linking of Aadhaar for all services, including opening of new bank accounts and mobile services, to March 31, 2018. The earlier deadline for linking Aadhaar with mobile services was February 6 while that for bank accounts was December 31.

The five-judge Constitution bench headed by Chief Justice Dipak Mishra also said that for opening new bank accounts Aadhaar will not be required (for non-holders) but the applicant will have to show the proof (enrolment number) to the bank that he/she has applied for Aadhaar. However, those who have an Aadhaar number will have to show it for opening a new bank account.

The apex court extended the deadline for Aadhaar linking to



Goalposts shifted

Earlier deadline	December 31, 2017: For other services & linking of bank accounts with Aadhaar number
	February 6, 2018: For linking Aadhaar with mobile number
New deadline	March 31, 2018

Other relief measures

- New bank accounts by non-Aadhaar holders can be opened but they need to apply for it and provide the enrolment number. Those having Aadhaar number will need to provide it for opening any new bank account

Road ahead

- Final hearing on petitions challenging Aadhaar will commence from Jan 17
- SC also admitted Jairam Ramesh's plea against introducing Aadhaar as a money Bill in Parliament

avail 139 services and subsidies for which the funds are sourced from the Consolidated Fund of India, under Section 7 of the Aadhaar Act, to March 31. It directed that the deadline extension should be communicated to state governments so that people at the ground level are not denied basic welfare and subsidies for want of an Aadhaar card.

The court also agreed to Con-

gress leader Jairam Ramesh's plea against the government introducing the Aadhaar Act as a Money Bill in the parliament.

The court said that the Constitution bench would commence final hearing from January 17 on the petition challenging the Aadhaar scheme itself.

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Divan, had argued against the Aadhaar scheme. They told the court that since the scheme for getting the unique identification number required the parting of biometric and personal details, it was a coercive step and violated a citizen's fundamental right to privacy. They further said that India does not have a data protection regime to prevent data leakage.

Senior advocate Rakesh Dwivedi, appearing for the Reserve Bank of India, had justified the Aadhaar linkage with bank accounts saying it was instrumental in weeding out 2.2 lakh fake bank accounts.

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"Having due regard to the importance of the issues which have been raised in the case, which has led to the judgment of nine Judges of this Court on 24 August 2017, we are of the considered view that the resolution of the issues raised before the Court should proceed at the earliest, after the Court reassembles in January 2018. This will ensure clarity for citizens on the one hand and for the Union and the state governments and the instrumentalities on the other hand," the order stated.

The bench also clarified that its order would not affect its earlier June 9 judgment that upheld the validity of an amendment in the Income Tax Act that made Aadhaar mandatory to apply for PAN cards and for filing tax returns. A bench of justices AK Sikri and Ashok Bhushan had then held that Section 139AA of the Act was not violative of the fundamental right to equality enshrined in Article 14 of the Constitution.

On Thursday, atorney general KK Venugopal had submitted before the court that the deadline of mandatory linking of Aadhaar with various services and welfare schemes can be extended up to March 31 next year.

On the same day, a battery of senior advocates, including Gopal Subramaniam and Shyam