

INTERVIEW | RAVI SHANKAR PRASAD

‘Aadhaar robust; the poor have no complaints about it’

Minister says the Centre is enforcing UID under a proper mandate of law, with due regard to privacy and confidentiality

NISTULA HEBBAR

Union Minister for Law and Information Technology **Ravi Shankar Prasad** tells **The Hindu** that nobody is being denied any benefit for not having Aadhaar and fears on that count are misplaced.

Why is Aadhaar being made compulsory for availing benefits when there is no legal compulsion for it?

■ Let me clarify. Under Section 7 of the Act, no poor person shall be denied the benefit of subsidy at all. The only thing is that the person either should have an Aadhaar or should have applied for one; also, alternative means of identification will be available and acceptable through which the person can access all benefits. So nobody is being denied any benefit that might accrue to them. The poor are not complaining as they are getting benefits by direct benefits transfer in their bank accounts. The government has saved ₹49,000 crore under various schemes by plugging leakages. There are 113 crore Aadhaar enrolments out of a population of 125 crore; 83.7 crore adults are enrolled,

43.5 crore bank accounts have been opened, 16.97 crore LPG connections and 71.51 crore ration cards have been done using the system. The use of Aadhaar is transformative for good governance and it is a robust system. The second part of the answer is: Can we deny that fake bank accounts are not being set up, that money laundering is not taking place earlier? What is important is that there is a digital identity kept under safe and secure conditions and this will verify identity, prevent leakages, and end duplication.

What is the need for other services to link to Aadhaar? Like banks and for filing tax returns?

■ Do you have a voter identity card, a passport? You have no problem with these marks of identity, but you have a problem with

Aadhaar. What does Aadhaar contain? Under Section 2(j), one is core biometric, that is iris and fingerprint. Second is demographic information: name, date of birth, and address, but shall not include race, religion, caste, tribe, ethnicity, language, income or medical history. It is minimum information, optimal utilisation. Under Section 29 (2), no core biometric information under this Act shall be shared with anyone for any reason whatsoever; my information cannot be shared even with my consent. The identity related information collected under this Act can only be shared as specified by the Act and its regulations. The regulation clearly enjoins that you will only use for the purpose you are collecting it for. The Aadhaar system is completely insulated for the purpose for which the information is sought. For instance, we have 113 crore Aadhaar numbers, they just confirm the identity. The Aadhaar system does not know the purpose for which it is being sought. The requisitioning authority will only use it for this purpose, it is completely



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encrypted, and if anyone uses it for unauthorised purposes, they can be punished for three years, and if a company violates this law, ₹10 lakh in compensation is to be awarded to the aggrieved. Till date, there is no leakage of data from the system. We have blacklisted 34,000 agencies till now.

Again, what is the need for linking Aadhaar with PAN cards or tax returns?

■ Finance Minister Arun Jaitley said in his budget speech that out of a population of 125 crore, only 1.72 lakh file returns above ₹50 lakh, and

shockingly only 25 lakh people show their income above ₹10 lakh. If the country has to grow, more people will have to come into the tax net. This linkage, therefore, will help in weeding out double-triple accounts, and combating money laundering. It is, therefore, good governance in an atmosphere of improving fiscals.

There are fears that operators doing the enrolments can leak data.

■ Operators are selected by a strict process, with the registrar of the State governments, the Centre and municipalities being involved. Operators have to first put in their own biometric to operate the system every time and the whole process is robust in terms of safety features. If anyone tries to fiddle with it, the system can help trace any attempts to tamper.

There are also fears of a burgeoning of a surveillance state.

■ Disclosure of information cannot be done for any

reason other than national security. In that case, a joint secretary-level officer of the government of India specially designated for this purpose, shall record in writing the reasons for this. A high-level committee consisting of the Cabinet Secretary, the Secretaries of the Ministry of Law and the Information Technology Secretary will go into any oversight. And it is also open to legal challenge before a district judge, and no order shall be issued without a hearing.

This is tougher than the Supreme Court's certified guidelines on tracking of phone calls given out in 1995. Core digital biometric information cannot be disclosed even by the person who owns it. General biometric information cannot be disclosed except for the purposes authorised, and those who do so are liable for prosecution. I know of cases where the police sought biometric information on certain people suspected to be involved in certain crimes and the UIDAI refused. Therefore, a very robust architecture for privacy is there in the system.

There is puzzlement over this government's advocacy of Aadhaar after it opposed it when the previous government had gone ahead.

■ The previous government was enforcing Aadhaar by an executive order, which was one of the challenges before the Supreme Court, while we are doing this under a proper mandate of law with due regard to privacy and confidentiality. There is a United Nations report on Enabling Digital Identity that states that the Aadhaar system helped India save fuel subsidy of over \$1 billion.

But the Comptroller and Auditor-General's report says it was due to falling fuel prices and not Aadhaar.

■ I have responded to this in Parliament. A proper press statement was put out by the Petroleum Ministry that they surveyed 3 crore fake gas connections because of Aadhaar linkages. After DBT, the clamour for non-subsidised connections rose by 39%.