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Aadhaar is necessary but we also need a robust data privacy and data protection law

CENTRE

I see many people taking what I call a black-and-white position on Aadhaar. Either they support or red-flag it. I am for Aadhaar but I also feel very strongly about a robust data privacy and data protection law. As a matter of fact, a bill to this effect will be introduced by me in the Lok Sabha. Having said that, I have for long maintained that Aadhaar was the United Progressive Alliance government's best idea; they were not enthusiastic about it and I wish they had done more. I am also glad that Prime Minister Narendra Modi, who had earlier opposed Aadhaar, listened to Nandan Nilekani with an open mind and has emerged as its strongest votary.

Plugging loopholes

In my constituency and in other places which I visit frequently, I see enormous leakages in social schemes. Aadhaar can plug these loopholes. I will quote former Prime Minister Rajiv Gandhi who said that out of every rupee spent by the Indian government, barely 15 paisa reaches its citizens. A Planning Commission study done six years ago on the Public Distribution System found 27 paise reaching the citizens. The remaining 73 paise went on payments of salaries, administrative costs and corruption. MPs are required to chair a quarterly review of their constituencies. I do this often and when I ask for an audit, I invariably discover that the district authorities are faced with large number of fake names or fake roll numbers, either for PDS or the mid-day meal scheme. That's where Aadhaar can help. Look at how Aadhaar assured transparency in LPG allocations. Of course, this was largely achieved by a concerned campaign spearheaded by the Prime Minister himself. Similarly, there are States where PDS has worked comparatively well, but not on all fronts. In Odisha, the rice scheme by the Chief Minister has worked well but the same cannot be said about, say, kerosene distribution.

While that's one half of the debate, it is also true that we are rapidly becoming a digital economy. We are a nation of billion cell phones and yet we have antiquated laws for data protection and privacy. Problems of ID theft, fraud and misrepresentation are real concerns. We submit ourselves knowingly or unknowingly to personal information sought online, even without Aadhaar. In the U.S., there is a legal battle on to make a case for better informed consent. Let me give an analogy here. In the case of medical emergencies we are required to sign a consent form, often running into pages. In the U.S., it has been decided that it is not enough to sign the consent form; the doctor must explain to the patient the consequences of a medical procedure about to be performed.

Safeguards needed

Similarly, we need to educate people on the risks involved, and highlight examples of ID thefts and fraud. We have a multiplicity of laws which overlap. Our IT laws have to be modernised and we have to put the liability on the company handling the data so that it is not stolen or shared without consent.

This century comes with certain risks. If we want a risk-free environment, as extreme as it may sound, we have the option to go back to the stone age. It is like saying ban cars as driving has become risky. Cars are essential and we create road safety norms to mitigate their risk. Similarly, we need to take a level-headed approach and ensure that ample safeguards are put in place for data protection and privacy.

As told to Anuradha Raman