

# The Twelve Digits Project, a Blessing or a Curse: Evaluating The Aadhaar Scheme

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## ABSTRACT

*The article aims to evaluate the Aadhaar Scheme of the Government by decoding certain myths regarding Aadhaar and through select interviews of the ordinary people trying to understand why even if Aadhaar is not mandatory, it is becoming necessary and if the grass root people are at all bothered about their loss of privacy or more concerned about the benefits the government is introducing linking the 12 digits. This article also aims to see the Aadhaar Scheme in the light of Right to Information Act (RTA).*

### Keywords:

### Method

The method used for this research is critical- analytical method vis-à-vis the relevant literature, such as, books, articles and newspaper reports, web resources and so forth. It has been supplemented with interviews based on semi-structured questionnaire.

The contemporary version of the Unique Identification (UID) or Aadhaar scheme, as a centralised, biometrics based database aims for bestowing each resident of the country with an Aadhaar number linked to both their demographic and biometric data. The developmental directive of the scheme is designed and mainly intended to increase the extent and competence of services like banking and financial services, Public Distribution system (PDS) and so forth. As the title of the article already suggests, the main goal of this chapter is to put the macro scheme of Aadhaar under the microscope of the common man, to evaluate this great innovatory measure of governance by cross questioning time and again the very Project itself.

### Arguments Favouring UID

Some of the points below are claimed as the “ray of hope” of the modern corruption less future of India by different supporters of the Aadhaar scheme from time to time. But these are often deceptive because of their hidden discrepancies as we shall argue later in the discussion. The arguments are given below.

1. Each UID number relates to a unique Citizen of the country.
2. Each citizen will have only one UID number.
3. All released UID numbers are authentic.
4. Identity theft is absolutely not possible with the UID.
5. Existing identity databases are full of sham and duplication.
6. But UID database collected has no imposter or duplication is totally avoided.
7. Identity authentication is the barrier to service provided by the Government.
8. Cash transfers will reach real beneficiary.
9. Several trillion Rupees can be transferred directly without any scam.
10. Corruption in India is because the common man fakes identity.
11. UID will simplify the processes to access fundamental rights, entitlements and services.

Throughout the article these arguments will be dissected to test the claims.

### Illusionary Fictions of Aadhaar

The Aadhaar project rests on of varied illusionary fictions that are created minutely over a period of time to either confuse the common citizens of India or to keep them purposely in the dark. There are notably three different kinds of illusionary fictions that are extensively prevalent in India about the Aadhaar card. Precisely these myths are,

**Illusionary fictions 1:** *Aadhaar number is not mandatory.* In actuality, as per Aadhaar Bill(2016) and also numerous directions of the Supreme Court, Aadhaar is definitely not supposed to be mandatory. But through daily life experiences of the common citizens of India, it is easily understandable that this is nothing but only written in black and white. The UIDAI'S CEO Ajay Bhushan Pandey in his interview given to the

*Times of India* on 18<sup>th</sup> September, 2016 clarifies that the Central or State Government may ask for Aadhaar number if the benefits, subsidies and services are incurred from the Consolidated Fund of India and if one does not have an Aadhaar number in those situations if s/he applies for the benefit then s/he will mandatorily have to enrol themselves with the UIDAI first. The ministry will give a notification that the following Certain Government schemes need Aadhaar numbers and the ones who do not possess the 12 digits will be asked to get her/his self enrolled. Aadhaar has slyly been made obligatory.

**Illusionary fiction 2:** *Identity theft can be eradicated through the help of biometrics.* There is a gentleman's agreement amid scientists and legal specialists concerning the limits of biometric data in verifying identity. No exact information is present about if the inaccuracy of matching fingerprints are trifling or totally absent. A petite percentage of citizens would continuously be either wrongly matched or not matched whatsoever against the database. Errors of matching will increase to a larger extent specifically in countries like India, as a huge percentage of the population are peasants or daily manual labourers. So, there will always be problems of unreadable; fingerprints basically due to cuts on the palm, scars, chapped hands or simply due to aging. The testimony of the UIDAI's "Biometrics Standards Committee" in fact recognizes these distresses as factual. This report further accepts that the quality of the Finger print which is supposed to be the most important ingredient for process of de- duplication was not properly studies in Indian milieu. On 11<sup>th</sup> November, 2016, *The Times of India* reports that a Bengaluru student claims that her Aadhaar card has been misused to exchange currency notes (as at this time in India demonetisation is going on and so 500 and 1000 rupee notes had to be exchanged) without her knowledge. So, the myth that identity theft can be eradicated by the help of Aadhaar becomes rather a laughing stalk.

### **Aadhaar Scheme versus the Right To Information Act (RTA),2005.**

Constitutional specialists and evaluators of the scheme have warned that the biometric Aadhaar card is likely to become a commanding tool for social control and surveillance by the state, and also about the inferences of this for disagreement in a democracy. Legal scholar Usha Ramanathan in her article *Opinion: Aadhaar, Rights and the State in The Indian Express*, 8 October 2015, describes the UID as a contrary of hopeful laws like the Right to Information(Ramanathan 2015). By focusing on individual privacy and explicitly taking the state out of the picture on pretext of national security as with the amended Information Technology Act 2008, defence and intelligence agencies being exempted from the Right to Information (RTI) Act, no checks or regulation will be applied on state power at all. In fact, this focus on individual privacy is the perfect wrap to make the RTI Act less powerful and dodge accountability of public officials. But on the same pretext of this 'national security' again individual data can easily be shared by the UIDAI and individual privacy can easily be sacrificed then. This shows that while the RTI tries to make the state clear as crystal to the citizen, the UID does the opposite as it makes the citizen translucent to the state. This Aadhaar project is a complete role reversal of the Right To Information Act (RTA),2005. Therefore, the Government's intension is to keep the people always under the gaze at times also not even notifying them. But the irony lies in the fact that regarding RTA, very few sections of Government activities fall under its sphere. The political parties are even kept outside its purview.

### **Select Interviews of ordinary people**

I will share few interview cases that I conducted on the common people through which I try to understand their view points about possessing an Aadhaar card. The aim is to find out the following questions.

- 1) Why people want to have Aadhaar?
- 2) Why do they think it is important and necessary?
- 3) Is Aadhaar becoming indispensable and mandatory?
- 4) Are grass root people at all bothered about their loss of privacy or more concerned about the benefits the government is introducing linking the 12 digits?

#### **CASE I:**

Respondent: Age- 31, Sex- Female

Location: Batore Borough Office. (Line for Aadhaar enrolment)

Date: 28<sup>th</sup> September, 2016

Interviewer: Why do you think enrolling for Aadhaar is that necessary?

Respondent: In my family everyone is enrolled but I missed the previous dates. It is very necessary thing you know.

Interviewer: Why do you think is Aadhaar necessary ?

Respondent: See, when you apply for L.P.G. cylinder it becomes important. One can get L.P.G. cylinder even without Aadhaar but the government gives subsidy on the amount of money you pay and this subsidy will be credited to one's bank account directly which has to be linked with Aadhaar.

**CASE II:**

Respondent: Age- 45, Sex- Male

Location: Batore Borough Office. (Line for Aadhaar enrolment)

Date: 28<sup>th</sup> September, 2016

Interviewer: Why do you want to enrol yourself?

Respondent: Aadhaar is really very important. It is needed every where now. Any government work needs Aadhaar.

Interviewer: Aadhaar is not mandatory.

Respondent: See this is a project which the Government is doing for our own good. Aadhaar is something that uses your iris scan, finger prints which cannot be duplicated. So this will help the government to stop the ghosts in the system from taking the benefits on someone else's name.

Interviewer: But few days back I remembered that in one of the dailies there was news about a dog getting an Aadhaar!

Respondent: That is another media hoax to ridicule the government's earnest attempt at something good. The government after using it, it has been found that the government have saved a lot on the public expenditure.

Interviewer: Do you know that by using the biometric technology, a person can be traced from anywhere and his each and every activity can be eavesdropped.

Respondent: So what? I know I will not steal or murder anyone so why should I worry if anyone is watching or not. What nonsense! Only those people should worry who have bad intention.

**CASE III:**

Respondent I: Age-33, Sex- Female

Respondent II: Age- 46, Sex- Male

Location: UCO Bank, Baksara Branch

Date: 18<sup>th</sup> October, 2016

Respondent's mother does not have Aadhaar card and the Bank employee kept stressing on the same.

Respondent I: I filled up the form which the bank asked me to do as my mother do not have an Aadhaar card, so, that she can withdraw my late father's pension.

Interviewer: Sir, is it mandatory to link your Aadhaar card with the bank?

Bank employee: There have been many incidents of fraudulent beneficiaries requesting for pension but were found fake. So, that is why only we ask for Aadhaar.

Respondent II : (Pointing towards the incident said.) Enrolling with Aadhaar is must. As per the new rules even provident fund money similar to pension will be given to the account holder who have registered their Aadhaar number with employee provident fund organization (EPFO).

Interviewer: [to Respondent II] It is right that you are telling that we should be enrolled for the Aadhaar but do you think it is in another way always a way of surveilling? Do you think that as every details of yours are stored it can actually hamper your right to privacy?

Respondent II: What will the government do with my information anyways? It is your identity card as a citizen and what privacy! More over it is the ultimate identity prove.

From all the aforementioned case studies it seems that people have been generated with the idea that Aadhaar is really very important and any person who is not having it is either panicked or at a loss in "being left out". Though Aadhaar card is not mandatory yet as per the orders of the Supreme Court, it became more or less indispensable for the common people in their everyday life. Some of the problems like finger print mismatch or fake cards, the UIDAI still could not do way with. When it comes to benefits or getting harassed at every public office seeking their Aadhaar number, the common citizens prefer to enrol themselves than thinking about abstractives like privacy. People can even adopt extra-legal ways if their rights are hampered as is seen in the last case. The common citizens look for a peaceful and smooth life and they would do it even at times through deception leave alone sacrificing confidentiality.

**Conclusion**

It is noteworthy that the Aadhaar Project and direct benefits has many shades. On the one hand, it promises to bring all round development to the people with the claim that people so far were not getting the benefits due to corruption. But on the other hand, this project also does not provide benefit of doubt to any citizens. This Project brings in focus a 'suspicious' side of the Government and always keeps the people

under continuous gaze, profiling them with a 12 digit number. The pride of the “first initiator” of the project is so much that Nandan Nilekani even asks the common people to brand themselves with a tattoo of Aadhaar number, so that they will not forget it. (PTI, UID to be ‘number for life’ for Indians: Nilekani August 28, 2010). The UIDAI claimed that Aadhaar is the only solution to deal with “ghost beneficiaries” and cases of fraud bank accounts. But again, the same UIDAI asks the people to be cautious with Aadhaar and not to share the details with anyone or any organizations. This was after some money problems that people faced when their card details were used by others for exchange of 500 and 1000 rupee notes. (Kroker, 2006). The Aadhaar is very helpful in direct transfer of subsidies from the Government but again it becomes a dangerous tool as even a photocopy of such a document can be used to scan and access all of the details of a specific citizen. On October 27<sup>th</sup>, 2016, *India Today's* online portal brought out the news about an espionage racket with fake Aadhaar cards used by a Pakistani, Mehmood Akhtar, who claimed to be an Indian citizen. He and his accomplices were carrying on their activities for a year and a half (Dash 2016). This incident nullifies the claim that Aadhaar will be the only unique identity be needed by the citizens and all kind of illegal activities will be stopped including illegal migration, can also be stopped with it. Aadhaar has really become ‘ubiquitous’ even though it has many discrepancies and defects that are yet to be corrected. The constant publicity that the Aadhaar is for the common people, especially for the deprived is repeated so many times that people accept it. Thus, Aadhaar is increasingly being associated with the There Is No Alternative (TINA) logic. After upholding of the Supreme Court of India Right to Privacy as a Fundamental Right under Article 21 in August 2017, it is yet to see if a major change at all appears in this area.

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