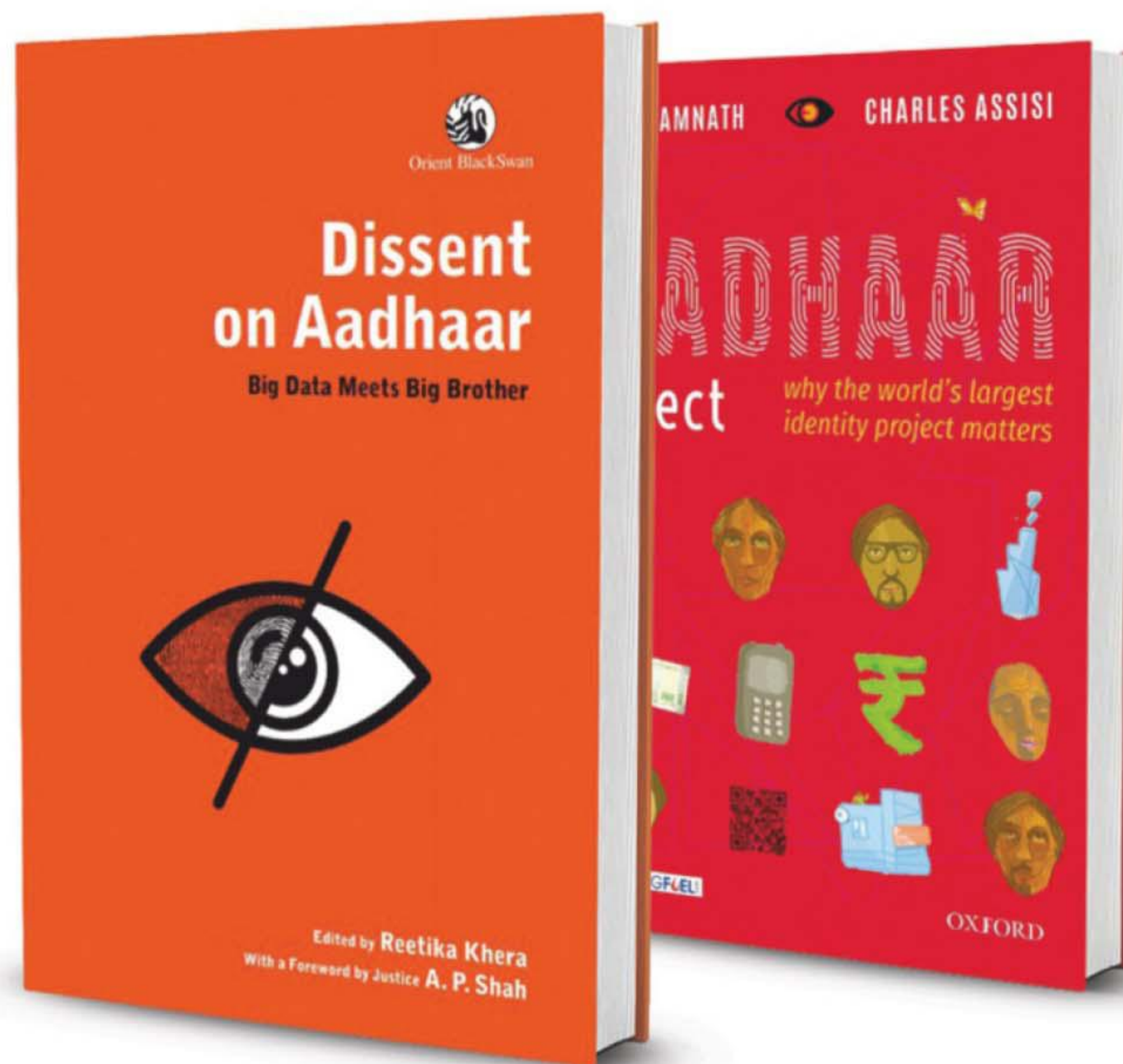■■■ **THE BREAKOUT ZONE**

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Dissent on Aadhaar:
Big Data Meets Big Brother

By Reetika Khera

Publisher: **Orient BlackSwan**

Pages: **288**

Price: **₹475**

STILL WROUGHT WITH CONTROVERSY

WILL AADHAAR ACCELERATE PROGRESS TOWARDS A LESS CORRUPT SOCIETY OR WILL PEOPLE BE COERCED TO DWELL IN FEAR OF MASS SURVEILLANCE AND PRIVACY BREACH? TWO BOOKS TAKE A FRESH LOOK AT INDIA'S DIGITAL DNA.

By Joe C. Mathew

IN MID-APRIL, the Supreme Court of Jamaica ruled that the country's National Identification and Registration Act 2017 was unconstitutional. Although not yet in force, the law called for a National Identification System (NIDS) for capturing and storing people's personal data in a secure manner. A legal battle ensued as the Opposition claimed that the law had breached eight of the 25 Fundamental Rights and Freedoms guaranteed by the Constitution. The government argued that the law would secure future growth of Jamaica by ushering in an era of connected e-governance and provide every Jamaican a unique identification to access government and private sector services. The full court, which heard the case against the biometric scheme, declared the Act unconstitutional and struck down NIDS.

It is a different story in India. Even after the Indian apex court's ruling that Aadhaar can only be used for limited purposes, mainstream political parties are patronising the 12-digit biometric identity system that connects the country's billion-plus citizens to the State and eventually determines their access to social welfare benefits. The ruling BJP claims that the trinity of Jan Dhan (no-frills bank accounts), Aadhaar and Mobile has weeded out over eight crore fake beneficiaries of welfare

schemes and prevented leakages worth ₹1 lakh crore in the last five years. The Congress, which had initially introduced Aadhaar in 2009, says it will amend the Aadhaar Act, 2016, to restrict its use for claiming subsidies and benefits. It has also promised alternative identification instruments due to the inherent limitations of biometric identification. Aadhaar linkage, it says, will be voluntary but encouraged. The CPI(M), the largest Left-wing party with limited national reach, says if voted to power, it will scrap the use of Aadhaar and biometrics for social welfare benefits but retain it for income tax purposes. Aadhaar has witnessed more than 1.2 billion enrolments so far, but it is a matter of raging debate within the country, and outside.

Given the context, two recently published books – *Dissent on Aadhaar* and *The Aadhaar Effect* – are laudable attempts to explain the larger picture – the scale, scope, breaches and surveillance fears. *Dissent* by Reetika Khera and a host of contributors unveils the unsavoury social and political implications of the world's biggest digital identity project. On the other hand, *The Aadhaar Effect*, penned by journalists N.S. Ramnath and Charles Assisi, is a positive narrative that explores the challenges, achievements and opportunities provided by the project. But the fact that these books have little common ground shows why projecting Aadhaar as a cure for all socio-economic maladies is not practical. It can generate huge business opportunities for IT and fintech companies, but the risks on personal, social and political fronts are also real

THE AADHAAR EFFECT:
Why the World's Largest Identity Project Matters

BY N.S. RAMNATH AND CHARLES ASSISI

Publisher: **OXFORD UNIVERSITY PRESS**

Pages: **328**

Price: **₹595**

and scary, as Khera, et al., explain.

Dissent is a collection of essays written by experts who explore the digital identity system from social, political, legal and technological standpoints. Edited by Khera (she is also a contributor), an academic with strong credentials as a grass-roots activist, the book highlights why the scheme's real intent is business and profit for interested parties rather than universal welfare and a secure, unique identity. The essays also highlight the inherent flaws, flip-flops and delays in enacting such an important law.

Khera and others attempt to debunk the welfare-related claims made to justify Aadhaar in the beginning. Experts also elaborate on technology issues, including the reliability and sustainability of biometric data. Chapters by legal

> **THE FACT THAT THESE BOOKS HAVE LITTLE COMMON GROUND SHOWS WHY PROJECTING AADHAAR AS A CURE FOR ALL SOCIO-ECONOMIC MALADIES IS NOT PRACTICAL**

experts trace the challenges faced by the Aadhaar Act in the apex court until a Constitution Bench looked into the right-to-privacy angle. The issue of private participation in project execution and a comparison of India's Aadhaar experiment with established social security identification programmes across the globe are also part of the book.

In contrast, *The Aadhaar Effect* is pleasant to read and shows its love for the project. You can easily skip a couple of chapters telling you all about the passion-driven original team – a bunch of technocrats and tech-savvy bureaucrats led by Infosys Co-founder Nandan Nilekani – and the difficulties they faced in putting together a project well before it had any legal mandate. It attempts to

project Aadhaar as a technology component, a Lego block that can be used to build solutions across sectors – government, social and business – and the book does it quite convincingly. It also endorses Aadhaar mastermind UIDAI's reliance on private players to develop the technology and work on enrolments in the initial days.

Next, Aadhaar is placed in the IndiaStack ecosystem where it can impact eKYC, act as a payment bridge, used for e-signing and be a consent layer for sharing personal data to revolutionise the financial services sector. The book quotes a 2017 Morgan Stanley report titled *India's Digital Leap* to suggest that Aadhaar and related technologies are offering a multitrillion opportunity for businesses. Finally, it does spare some space for naysayers, and at least two contributors to *Dissent* prominently figure in this book. Khera is mentioned as well as Jean Drèze, an economist of repute who has made India his home. The attempt, however, is to conclude that Aadhaar promises much more than what the 'naysayers' want us to believe. Ramnath and Assisi also provide a list of pain points, with their justification on expected lines. It does cover almost all the points highlighted in *Dissent* although one will have to go through the naysayers' collection of essays to make an informed decision.

Jamaica's Supreme Court did just that. Its verdict depended heavily on the dissenting note of India's Supreme Court judge D.Y. Chandrachud who was one of the five-judge Bench that handed out the Aadhaar verdict late last year. *Dissent's* foreword by retired Supreme Court Justice Ajit Prakash Shah also relies heavily on Chandrachud's statement that shows greater sensitivity to issues of privacy and freedom. When the new government takes charge in India or when another country attempts to introduce a digital identity project for its citizens, these books could be handy references for their perspectives and well-researched articulation. **BT**