

UID: Facility or Calamity?

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Quite likely, someone will be knocking at your door a few weeks from now and asking for your fingerprints. If you agree, your fingerprints will enter a national database, along with personal characteristics (age, sex, occupation, and so on) that have *already been collected* from you, unless you were missed in the “Census household listing” earlier this year.

The purpose of this exercise is to build the National Population Register (NPR). In due course, your UID (Unique Identity Number, or “Aadhaar”) will be added to it. This will make it possible to link the NPR with other Aadhaar-enabled databases, from tax returns to bank records and SIM registers. This includes the Home Ministry’s NATGRID, smoothly linking 21 national databases.

For intelligence agencies, this is a dream. Imagine, everyone’s fingerprints at the click of a mouse, that too with demographic information and all the rest! Should any suspicious person book a flight, or use a cybercafé, or any of the services that will soon require an Aadhaar number, she will be on their radar. If, say, Arundhati Roy makes another trip to Dantewada, she will be picked up on arrival like a ripe plum. Fantastic!

So, when the Unique Identification Authority of India (UIDAI) tells us that the UID data (the “Central Identities Data Repository”) will be safe and confidential, it is a half-truth. The confidentiality of the Repository itself is not a minor issue, considering that UIDAI can authorize “any entity” to maintain it, and that it can be accessed not only by intelligence agencies but also by any Ministry. But more importantly, the UID will help to integrate vast amounts of personal data, available to government agencies with few restrictions.

Confidentiality is not the only half-truth propagated by UIDAI. Another one is that Aadhaar is not compulsory – it is just a voluntary “facility”. UIDAI's concept note stresses that "enrolment will not be mandated". But there is a catch: "... benefits and services that are linked to the UID will ensure demand for the number." This is like selling bottled water in a village after poisoning the well, and claiming that people are buying water voluntarily. The next sentence is also ominous: "This will not, however, preclude governments or Registrars from mandating enrolment."

That UID is, in effect, going to be compulsory is clear from many other documents. For instance, the Planning Commission proposal for the National Food Security Act argues for “mandatory use of UID numbers which are expected to become operational by the end of 2010” (don’t miss the optimistic time frame). No UID, no food! Similarly, UIDAI’s concept note on NREGA assumes that “each citizen needs to provide his UID before claiming

* Originally published (with minor corrections) in *The Hindu* 25th November 2010.

employment”. Thus, Aadhaar will also be a condition for the right to work - so much for its voluntary nature.

Now, if the UID is compulsory, then everyone should have a *right* to free, convenient and reliable enrolment. The enrolment process, however, is all set to be a hit-or-miss affair, with no guarantee of timely and hassle-free inclusion. UIDAI hopes to enrol 600 million people in the next four years. That's about half of India's population in the next four years – what about the other half?

Nor is there any guarantee of reliability. Anyone familiar with the way things work in rural India would expect the UID database to be full of errors. There is a sobering lesson here from the BPL Census. A recent World Bank study found rampant anomalies in the BPL list: “A common problem was erroneous information entered for household members. In one district of Rajasthan, more than 50 per cent of the household members were listed as sisters-in-law.”

Will the UID database be more reliable? Don't bet on it. And it is not clear how the errors will be corrected as and when they emerge. Under the proposed National Identification Authority of India Bill (“NIDAI Bill”), if someone finds that her “identity information” is wrong, she is supposed to “request the Authority” to correct it, upon which the Authority “may, if it is satisfied, make such alteration as may be required”. There is a legal obligation to alert the Authority, but no right to correction!

The Aadhaar juggernaut is rolling on regardless (without any legal safeguards in place), fuelled by mesmerizing claims about the social applications of UID. A prime example is UID's invasion of the National Rural Employment Guarantee Act. NREGA workers are barely recovering from the chaotic rush to bank payments of wages. Aadhaar is likely to be the next ordeal. The local administration is going to be hijacked by enrolment drives. NREGA works or payments will come to a standstill where workers are waiting for their Aadhaar number. Others will be the victim of unreliable technology, inadequate IT facilities, or data errors. And for what? Gradual, people-friendly introduction of innovative technologies would serve NREGA better than the UID *tamasha*.

The real game plan, for social policy, seems to be a massive transition to “conditional cash transfers” (CCTs). There is more than a hint of this “revolutionary” (sic) plan in Nandan Nilekani's book *Imagining India*. Since then, CCTs have become the rage in policy circles. A recent Planning Commission document argues that successful CCTs require “a biometric identification system”, now made possible by “the initiation of a Unique Identification System (UID) for the entire population...”. The same document recommends a string of mega CCTs, including cash transfers to replace the Public Distribution System.

If the backroom boys have their way, India's public services as we know them will soon be history, and every citizen will just have a Smart Card - food stamps, health insurance, school

vouchers, conditional maternity entitlements and all that rolled into one. This approach may or may not work (that's incidental), but business at least will prosper. As *Wall Street Journal* says about Rashtriya Swasthya Bhima Yojana (a pioneer CCT project, for health insurance), "the plan presents a way for insurance companies to market themselves and develop brand awareness."

The biggest danger of UID, however, lies in a restriction of civil liberties. As one observer aptly put it, Aadhaar is creating "the infrastructure of authoritarianism" – an unprecedented degree of state surveillance (and potential control) of the citizens. This infrastructure may or may not be used for sinister designs. But can we take a chance, in a country where state agencies have such an awful record of arbitrariness, brutality and impunity?

In fact, I suspect that the drive towards permanent state surveillance of all residents has already begun. The UIDAI is no Big Brother, but could others be on the job? Take for instance Captain Raghu Raman (of Mahindra Special Services Group), who is quietly building NATGRID on behalf of the Home Ministry. His columns in the business media make for chilling reading. Raman believes that growing inequality is a "powder keg waiting for a spark", and advocates corporate takeover of internal security (including a "private territorial army"), to enable the "commercial czars" to "protect their empires". The Maoists sound like choir boys in comparison.

There are equally troubling questions about the "NIDAI Bill", starting with why it was drafted by UIDAI itself. Not surprisingly, the draft Bill gives enormous powers to UIDAI's successor, the NIDAI, with minimal safeguards. To illustrate, the Bill empowers NIDAI to decide the biometric and demographic information required for an Aadhaar number (Section 23); "specify the usage and applicability of the aadhaar number for delivery of various benefits and services" (Section 23); authorize whoever it wishes to "maintain the Central Identities Data Repository" (Section 7) or even to exercise any of its own "powers and functions" (Section 51); and dictate all the relevant "regulations" (Section 54). Ordinary citizens, for their part, are powerless: they have no right to a UID number except on the NIDAI's terms, no right to correction of inaccurate data, and – last but not least - no specific means of grievance redressal. In fact, believe it or not, the Bill states (Section 46) that "no court shall take cognizance of any offence punishable under this Act" except based on a complaint authorized by NIDAI!

So, is UID a facility or a calamity? It depends for whom. For intelligence agencies, bank managers, the corporate sector, and NIDAI, it will be a facility and a blessing. For ordinary citizens, especially the poor and marginalized, it could well be a calamity.