

Notification no.: F.NO.COE/PhD/(Notification)/575/2025
Date of Notification: 28-02-2025
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The topic of Research: The Politics of Biometric Identification in India (Aadhaar):
Issues of Welfare, Surveillance and Privacy

Findings

The progress in information and biometric technology and its application in the daily affairs are in its own way unique to twenty first century. Computers in the twenty first century have profoundly changed the world, and affected the daily routine function thus becoming the lifeline of every action or function. State, its apparatuses and the private institutions or market also tried its ways to use these technological changes in new manner to carry out its daily business. State used these technological changes mainly the computers, biometrics and information technology for revamping its population registers or identification systems. The modern identification systems are centralised around the biometrics and permanent numbers harnessing the power of computers making them function like automated systems to ascertain the identification of any individual within the state territories. As the states began to update their identification systems with biometrics, the questions were raised against these systems. Historically the population registers were maintained to control the populaces. Therefore, the acceptance of such systems remains deeply entrenched in the history and culture of the said places. India being one of the largest countries in the world with huge expenditure on social welfare benefits; lack of data for development and the border security prompted it to launch its biometric identification system in 2009. As the state initiated this programme, it has to pass through various controversies surrounding the issues of welfare, surveillance and privacy.

The question dealt in the thesis remained why biometric Aadhaar when there is multiple identification documents available to the State. What is impact of expansive reach of Aadhaar through welfare governance on the foundations of privacy? What are the possibilities and implications of Aadhaar as a potential tool for surveillance? How can Aadhaar be secured from assuming the potential of turning into a coercive measure? Why and how does the system play with legality, where it is voluntary in law but, actually turns out to be a compulsory in reality?

With the emergence of the digital infrastructure, most importantly the digital platforms dominating the daily life of every individual, the requirement of state for this new infrastructure increased. State has to remain Omnipower over its population and cannot lag in this aspect of power. So the requirement of updating of its population register became necessity as population register is the basic state infrastructure on the basis of which identification documents are issued. State usually remains crippled without population register are pivotal for the state to carry out its functions. Besides population register India has a rich liberal legacy of legal identification documents for specific purposes. These multiple databases have both its negative as well as positive aspects. The government apparatus set the recommendation for the biometric identification documents.

Aadhaar is required by the state despite there being multiple identification documents. Aadhaar as such have no value but when seeded to the other databases it becomes functional. There is a genuine requirement of a renewed identification document to record and distribute of state services through the new technologically upgraded digital or online platforms. Moreover, state requires its subjects to be legible to it and biometric identification documents are considered apt for such state functions in terms of the technology. The politics with Aadhaar is that state was keen for legibility of its subjects for various reasons but distribution of welfare benefits and inclusion of marginal communities lacking identification documents were made its face in order to make this project work as legibility project. There was no other identification document with biometrics or any permanent number that was valid throughout India, which was emphasised as panacea against leakages, ghost cards, and be enough foolproof as Aadhaar.

The core issues that remained attached to the biometric identification systems are privacy breaches and it being architecture of surveillance. Surveillance and privacy are the two issues which are invoked together by those who oppose these systems. Privacy was mainly invoked against the mass collection of the biometric and personal data without being necessary. Aadhaar was also claimed to be surveillance architecture. The problematic parts of Aadhaar remained that it does not define meta-data concretely. Moreover, retention period of the data remained long and require to limitation to six months. Beyond these measures the data aggregation still remain problematic and over all the absence of an independent oversight mechanism for this program also is absent both in statute and in function. Moreover, it establishes that this architecture can locate an individual. Aadhaar has been developed as a centralised architecture with real-time access to the data associated with Aadhaar number. The log history of authentication also remains with the UIDAI. The legal policy as Aadhaar

Act is not robust enough as required by such biometric identification programs. The possibilities for surveillance are there in the structure of the Aadhaar program as has been established in the thesis. Aadhaar contested features remained its permanent number, data aggregation, data creep, and then the statute through its various overbreadth features.

Aadhaar being a potential surveillance system does affect the rights and liberties of an individual which remains a proved fact. Privacy gets infringed when any system works as surveillance architecture through the electronic trails of data. It remains possibility to access and build up his digital persona.

As per the statute of Aadhaar it is voluntary, but it has become an unavoidable instrument by attaching it to the public distribution services mainly food and other subsidies. It is also compulsory for tax returns as well. The voluntary nature withers away and become powerful sanctions against those who fail to produce such a card. The card becomes necessity despite there being a clause stating that it voluntary.

In the present times, in terms of the surveillance capacities, the biometric identification programs can take a form of coercive system. In terms of technology nothing works to stop such systems becoming coercive. It can turn out to be powerful sanction against any individual when excluded from this system. The exclusion remains only a click away without any visibility till one finds out of the system. The only remedy remains a proper robust legal policy with working oversight mechanism to check such systems for the harms and abuses. As such system wields and accumulates enough power over the individuals life, the policy governing such programs require to be responsive, accountable and easily available grievance redressing mechanism which if present are least responsive. These systems despite being criticised have survived as these remain the requirements of time. Despite its negatives it definitely serves positively in public distribution services providing efficiency and speed.