

**UNIQUE IDENTITY PROJECT:
INTERROGATING THE CLAIM OF INCLUSIVE SOCIAL CITIZENSHIP**

*Dissertation submitted to Jawaharlal Nehru University
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MASTER OF PHILOSOPHY

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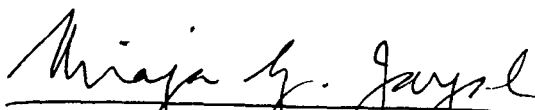
DECLARATION

I declare that the dissertation entitled “**Unique Identity Project: Interrogating the Claim of Inclusive Social Citizenship**” submitted by me in partial fulfilment of the requirements for the award of the degree of Master of Philosophy of Jawaharlal Nehru University is my own work. This dissertation has not been submitted for the award of any other degree in this University or any other University.



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CERTIFICATE


I recommend that this dissertation be placed before the examiners for evaluation.


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List of Abbreviations

APL	Above Poverty Line
BC	Business Correspondent
BPL	Below Poverty Line
CIDR	Central ID Repository
EBT	Electronic Benefit Transfer
EGoM	Empowered Group of Ministers
e-KYC	Electronic Know Your Customer
EPIC	Electoral Photo Identity Card
ePOS	e-Point of Sale
FIR	First Information Report
FPS	Fair Price Shop
GoM	Group of Ministers
KYC	Know Your Customer
KYR	Know Your Resident
MNIC	Multipurpose National Identity Card
MMP	Mission Mode Project
NeGP	National e-Governance Plan
NIDAI	National Identification Authority of India
NISHAN	National Identification System Home Affairs Network
NPR	National Population Register
NRIC	National Register of Indian Citizens
NPCI	National Payment Corporation of India
NREGS	National Rural Employment Guarantee Scheme
OTP	One-time-pin
PDS	Public Distribution System
PF	Provident Fund

RGI	Registrar General of India
RTI	Right to Information
RSBY	Rashtriya Swasthya Bima Yojna
TCS	Tata Consultancy Services
TPDS	Targeted Public Distribution System
SSN	Social Security Number
UPA	United Progressive Alliance
UID	Unique Identity
UIDAI	Unique Identification Authority of India

Introduction

The topic of my dissertation is ‘Unique Identity Project: Interrogating the Claim of Inclusive Social Citizenship’. I seek to evaluate the claims made by the Unique Identification Authority of India (UIDAI) regarding the Unique Identity (UID) project through the lens of ‘inclusive social citizenship’. UID, now more commonly known as *Aadhaar*, is a 12 digit unique number being assigned to residents of India. It is being issued by UIDAI, an office under the aegis of the Planning Commission, Government of India.

Social citizenship basically refers to the gamut of welfare schemes or benefits provided by the state. By inclusive social citizenship, I imply an attempt to make the welfare network more inclusive. I evaluate the claims made by UIDAI on three parameters of inclusion:

- Making those who deserve welfare assistance, but have slipped out of the welfare network, eligible for them i.e. addressing undue or erroneous exclusion.
- Ensuring hassle-free services to those entitled to welfare assistance, since mere eligibility for a welfare scheme does not guarantee efficient delivery or easy access.
- Another kind of inclusion can take place through the identification of those who have hitherto remained non-existent in various government records.

It becomes important to clearly state these parameters because the term ‘inclusion’ has become an oft-quoted cliché, and in the process has become devoid of its essence. While the first two parameters refer to improving inclusion within welfare programmes, the third refers to incorporation of those who have been widely referred to as the “identity-less” in the discourse around UID.

The primary rationale of UIDAI has been that it is the absence of identification that prohibits access of the underprivileged to state-sponsored benefits and services. While the reasoning behind this claim can be questioned, the value one attaches to ‘identification’ may differ in accordance with one’s life experiences. For those whose quality of life is greatly determined by their access to welfare benefits, the stark difference between personal ‘identity’ and state-assigned ‘identification’ that promises entitlements may not be sacrosanct.

As illustrated in chapter 2, the project of social citizenship in India remains largely unrealised. The errors of undue exclusions and inclusions contribute significantly towards the

inefficiency of our welfare programmes. The reason for choosing ‘inclusive social citizenship’ as a conceptual framework to evaluate the claims of UID is to determine whether it can address this challenge.

The UIDAI claims that ‘inclusion of the vulnerable groups being the *summum bonum* and metaphorically speaking, the heart and soul of Aadhaar project’¹ [sic]. By vulnerable groups, it refers to those who ‘subsist on the margins of society and are often deprived of access to basic necessities such as, health, education, housing, food, security, etc. owing to their inability to prove identity’.² In addition, The National Identification Authority of India Bill (NIDAI) 2010 states,

*‘the Authority shall take special measures to issue aadhaar number to women, children, senior citizens, persons with disability, migrant unskilled and unorganised workers, nomadic tribes or to such other persons who do not have any permanent dwelling house and such other categories of individuals as may be specified by regulations’*³ (emphasis added).

The main thrust of the above mentioned claims seems to be on ‘inclusion’, especially of those who have slipped through the welfare network of the state. ‘Inclusion’ and ‘social citizenship’ seem to provide the *raison d’être* for the claims being made by UIDAI. Therefore, inclusive social citizenship lends itself as a useful tool to study the UID project.

On one hand, the UIDAI categorically states that Aadhaar does not confer nationality, citizenship benefits, entitlements or rights. The number only guarantees identity and enables authentication of a person ‘X’ if he claims to be ‘X’. On the other hand, as we shall see in chapter 3, Aadhaar is increasingly being linked to welfare programmes in order to bolster enrolments, and in the process making enrolment compulsory. Moreover, Aadhaar also makes a range of claims with respect to its role in ‘re-engineering’ welfare programmes. Therefore, in the process, it is inevitably assuming the contours of a project of social citizenship.

¹Document Number: Social Inclusion and Aadhaar-Introduction & Concept Paper, New Delhi: Unique Identification Authority of India, Planning Commission, Government of India, April 30, 2012, p. 3.

²Ibid

³The National Identification Authority of India Bill, 2010: Bill No. LXXV of 2010, p. 3.

Providing ‘strong identity for residents’, ‘largest governance related exercise’ and ‘world’s biggest social inclusion program’ are just few of the grandiose claims that have been made about UID by the UIDAI and various commentators. Chapter 1 comprises an elucidation of the nuts and bolts of the project, its processes and functions, its rationale, its checkered antecedents, its precarious constitutional status and its turf war with the National Population Register, another enrolment-related exercise. This chapter lays down the *sine qua non* of the project, necessitated by the widespread ambiguity and apprehensions surrounding the project at the moment.

As aforementioned, Chapter 2 is a theoretical elaboration of the concepts of ‘social citizenship’ and ‘inclusive citizenship’, and how the two ideas can be amalgamated to address the flaws of the former. At present, our welfare framework is ridden with such enormous shortcomings that even new initiatives succumb to the old ways. Breaking this trend is imperative, and if achieved, could prove to be transformative.

Aadhaar inspires hope in this direction, given its claim to metamorphose the delivery mechanism and therefore becomes an important subject of research and enquiry. This is a project that envisions the enrolment of a population of over a billion into a technologically very advanced biometric-enabled database. Observers from not just India, but across the world are keeping a close watch on the unravelling of this project of mammoth proportions.

In Chapter 3, I examine some of these claims from the perspective of the three possible modes of inclusion, as earlier mentioned. The array of schemes that UIDAI makes claims about is interesting in itself. I have chosen to look at the National Rural Employment Guarantee Scheme (NREGS) and the Public Distribution System (PDS) since they provide employment and subsidised food respectively, two extremely critical benefits.

Here, it is important to keep in mind that most claims about welfare programmes are still in the realm of ideas and there is only so much inference that one can draw from policy pronouncements, rather than actual implementation on ground. Even post-implementation, the gestation period for the Aadhaar-integrated schemes to begin showing perceivable and measurable results could be a few years. In the same chapter, two central planks of Aadhaar, ‘financial inclusion’ and ‘electronic benefit transfer’ (EBT) are also delved into. The overall aim of the chapter is to ascertain various strains of inclusion as well as exclusion in the entire scheme of things.

In the last chapter, I look at the larger discourse of ‘identification’ and biometric-enabled national identification systems across the world. Globally, there is an evolving phenomenon, where incorporation of biometrics and more pervasive forms of identification are being increasingly experimented with. Aadhaar seems to be in consonance with this trend. Concerns about loss of privacy and surveillance that this movement has evoked have also shaped the debate surrounding Aadhaar. It has almost been portrayed as a zero sum game, where the alleged welfare benefits of Aadhaar can materialise only by the sacrifice of privacy and confidentiality. Opinions that tread the middle ground are rare to come across.

For my research on UID, I have utilised primary as well as secondary sources of information. Primary sources comprised government documents such as ‘strategy’ and ‘vision’ documents of the UIDAI, and the report of the Standing Committee on Finance on the National Identification Authority of India Bill, 2010 and the text of the Bill. Secondary sources consisted of some scholarly articles as well as articles written in mainstream media such as newspapers, magazines and web portals.

Since the subject of study is new and still evolving, not many scholarly or critical articles can be found on the subject, although commentaries and news reports are galore in the popular media. The fact that it is still a project in the pilot and rollout phase makes staying abreast with the constant developments and flip flops a task in itself. To that extent, it comes across as a dynamic project taking a leap of faith to experiment with unconventional methods. It is commendable that the UIDAI has made several approach papers readily available on its website. However, this could also be perceived as part of an “evangelization” process, a term often used by the Chairman of UIDAI, Nandan Nilekani.

Therefore, the research question that I seek to answer is: Can UID facilitate ‘inclusive social citizenship’? There are two parts to this question. First, can UID address the errors of exclusion within welfare schemes? Second, can it facilitate inclusion by providing identification to the “identity-less”? My hypothesis is in consonance with UIDAI’s claim that by providing identification, UID can facilitate inclusion.

Chapter 1

Solving the Identity Conundrum

Introduction to the Unique Identity Project

Introduction

Hailed by supporters as the ‘world’s biggest social inclusion program’¹ and dismissed by critics as superfluous and as yet another tool to bolster the powers of the state, the Unique Identity Project merits a critical look. Dubbed as probably the largest governance related exercise in the world², the primary charter of the Unique Identity (UID) Project is to provide identities to residents of India and to authenticate them on request. The Government of India claims that UID will create an ‘identity infrastructure’ that will lay the foundation to ‘re-engineer’ public services. Having generated 21 crore UID numbers within a span of two years,³ the project also stands out because of its scale and its claim to be using biometrics for developmental purpose rather than security concerns for the first time.⁴ Having captured the imagination of proponents and opponents alike, it is being portrayed as part of a larger governance overhaul, with the government spending over one lakh crore rupees to change governance through technology in the country.⁵

The project has evoked sharp reactions. The divide between assent and dissent is stark and rarely does one come across opinions about the project that take the middle ground. All aspects of the project have been debated upon, questioned and critiqued. Ever increasing confusion over whether UID is a number or a card, its alleged claims and benefits and its overlap with other identity projects, makes it necessary to present an outline of UID and the processes involved. Reserving a more critical approach for subsequent chapters, this chapter lays down the absolute basics about the project.

¹‘Nandan Nilekani on What It Takes to Build the World’s Biggest Social Inclusion Program’, India Knowledge@Wharton, November 4, 2010, <http://knowledge.wharton.upenn.edu/india/>

²*UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India*, New Delhi: Unique Identification Authority of India, Planning Commission, Government of India, April 2010, p. 37.

³*Press Release on 2nd Anniversary of Aadhaar: Launch of Aadhaar Enabled Service Delivery*, New Delhi: Planning Commission, Government of India, October 20, 2012.

⁴India Knowledge@Wharton, *op. cit.*

⁵‘Government spending 1 lakh crore to change governance through technology, says Sam Pitroda’ in *The Economic Times*, September 16, 2012.

The following section is an elucidation of the concept of UID, the process involved and the functions it claims to perform. In the next two sections, the government's rationale behind this project and its antecedents are discussed in depth. The last two sections focus on UID's precarious constitutional status and its constant tug of war with the National Population Register (NPR). The fact that as recently as February 1, 2013, the Cabinet constituted a Group of Ministers (GoM)⁶ to delve into the confusion over UID is indicative of the project trying to find its feet on the shaky grounds.

1.1 The Unique Identity Number – Nuts and Bolts

Under the UID project, a 12 digit unique number will be assigned to every resident of India.⁷ A UID number is said to be unique across all 1.2 billion residents of the country. It will be issued by the Unique Identification Authority of India (UIDAI), an office under the aegis of the Planning Commission. The authority has been entrusted with developing and implementing the necessary institutional, technical and legal infrastructure required to issue UID numbers.⁸ The stated objective of the authority is to issue UID numbers that can be easily verified and authenticated and are robust enough to eliminate duplicate and fake identities.⁹

UIDAI has adopted the name 'Aadhaar' for UID, which literally means 'foundation'. The number will be linked to basic demographics and biometric information of individuals. It will be stored in a centralized database known as the Central ID Repository (CIDR).¹⁰ Unlike older identity numbers, which were loaded with information about date of birth and location, UID will be a random number containing no intelligence and hence is claimed to be less susceptible to misuse.¹¹

The strategy document of the UIDAI categorically states that its purview is limited to issuing UID numbers. The number only guarantees identity¹² and does not confer nationality, citizenship benefits, perquisites, entitlements and rights. It is just a number to identify a

⁶'Confused over Aadhaar, Cabinet clears GoM' in *The Times of India*, February 1, 2013.

⁷BB Nanawati, 'UID Technology System' in *Yojana*, vol 55, June 2011, p. 9.

⁸*UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India*, op. cit., p. 10.

⁹Ibid, p. 1.

¹⁰Nanawati, op. cit., p. 9.

¹¹*UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India*, op. cit., p. 10.

¹²Ibid, p. 1.

person 'X' if he claims to be 'X'.¹³ It is claimed by the government that the Aadhaar number represents a sharp transition from paper-based to IT-enabled identity systems. Stored in a central database, it is supposed to enable identity authentication from anywhere in the country.¹⁴

The core services assigned to UIDAI, i.e. to store resident records, issue UID numbers, verify, authenticate and amend resident data, are to be implemented through the CIDR. The UIDAI emphatically asserts that the CIDR will hold only the minimum information required to identify a resident and ensure no duplicates.¹⁵ On being approached for authentication, the database will only give 'yes' or 'no' replies and share no further information.¹⁶

The UIDAI is being led by Nandan Nilekani since July 2009. Known as one of India's 'most visible new-age entrepreneurs'¹⁷ and having co-founded the country's second-largest IT services firm, Nilekani has displayed alacrity in garnering support across party lines. He personally visited 24 states in a whirlwind trip of 87 days, made presentations and signed up support from every chief minister and chief secretary in 28 states and seven union territories of the country.¹⁸ In his own words, he wants to be a 'change agent'¹⁹ and aims to run the project in the 'spirit of public participation'.²⁰ In keeping with this theme, the authority has at least officially encouraged participation by volunteers, professionals on a sabbatical and interns. Even the logo of Aadhaar was determined through an open competition, which received more than 2,000 entries.²¹

For the purpose of enrolment, the UIDAI will collect the following data fields and biometrics:²²

- Name
- Date of birth
- Gender
- Father's/Husband's/ Guardian's name and UID (optional for adult residents)

¹³Samir Sachdeva, 'I just want to be a change agent-Nilekani' in *Governance Now*, April 19, 2010.

¹⁴Nandan Nilekani, 'The possibilities of the Aadhaar Number' in *Yojana*, vol. 55, June 2011.

¹⁵*UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India, op. cit.*, p. 10.

¹⁶Sachdeva, *op. cit.*

¹⁷India Knowledge@Wharton, *op. cit.*

¹⁸Ibid.

¹⁹Sachdeva, *op. cit.*

²⁰Ibid.

²¹Ibid.

²²*UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India, op.cit.*, p. 25.

- Mother's/ Wife's/ Guardian's name and UID (optional for adult residents)
- Introducer's name and UID (in case of lack of documents)
- Address
- All ten finger prints, photograph and both iris scans

In addition, individuals will have to produce valid proof of identity (PoI) and proof of address (PoA) during enrolment.²³ For cases where such documents are not available, the UIDAI has made a provision where residents can be 'introduced' by pre-designated 'introducers'. These can be individuals such as elected representatives, members of local administration, postmen, teachers, doctors, *anganwadi* workers and representatives of local NGOs, who are registered in the CIDR as introducers.²⁴ Another mode of enrolment that the authority has conceptualised is 'co-resident' enrolment. In the absence of requisite documents, enrolment can take place if the head of the family or business allows the domestic help or employee to get enrolled with the address proof of the family or business.²⁵

It is noteworthy that enrolment into the UID database is not stipulated by any mandate. The UIDAI seems to believe that enrolment will be 'demand driven' and benefits and services associated with UID will create the requisite momentum.²⁶ However, there is no mandate that prevents various government ministries and agencies from making UID compulsory either.²⁷ The authority insists that once enrolment reaches a critical mass, a larger number of service providers will adopt the UID platform.²⁸ When benefits start flowing from UID enabled services, enrolment will automatically receive a boost. Thus, the adoption of UID for authentication and enrolment is said to have a 'direct correlation'. However, this will depend on service providers adopting the platform.²⁹

To carry out enrolment, UIDAI has partnered with agencies and service providers across the country. These partners are known as 'registrars' in UIDAI's nomenclature. They can either be state or central government agencies such as the Oil Ministry and Life Insurance Corporation or private sector participants such as banks and insurance firms.³⁰ According to

²³ See Appendix for a list of permissible documents

²⁴ 'FAQs', Unique Identification Authority of India, Planning Commission, Government of India, <https://portal.uidai.gov.in/ResidentPortal/faqLink#enrol>

²⁵ *UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India*, *op. cit.*, p. 18

²⁶ *Ibid*, p. 14.

²⁷ *Ibid*, p. 2.

²⁸ *Ibid*, p. 21.

²⁹ *Ibid*, p. 26.

³⁰ *UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India*, *op. cit.*, p. 11

Nilekani, this model provides the wherewithal to enrol a population as large as ours. Since each partner would have a certain constituency, this arrangement seems to provide a 'leveraged model to reach everybody'. While UIDAI is primarily the 'number-issuing authority',³¹ the actual enrolment is being carried out by registrars.

As per this model, enrolment is to be further delegated to 'sub-registrars'. For instance, these can be line departments of state governments such as the Rural Development and Panchayati Raj department. In most cases, enrolment is further delegated to 'enrolling agencies', which directly interact with residents and enrol them into the CIDR. In its strategy document, the UIDAI also states its plan to partner with civil society groups and community networks in order to reach marginalised populations.³²

Due to the multiplicity of actors involved, the authority emphasises the need to standardise the demographic and biometric information collected from across the country.³³ Towards this end, the UIDAI will sign memoranda of understandings (MoU) with individual registrars, who would be entrusted to aggregate clean and correct data from sub-registrars and enrolling agencies and forwarding it to the CIDR.³⁴ To ensure accuracy, the UIDAI also claims to carry out periodic audits of random samples of information coming in from the registrars.³⁵

The enrolment process for Aadhaar is said to proceed in the following steps. It begins with a resident submitting her information and supporting documents to the enrolling agency. Once the resident's information is verified, the enrolling agency submits the application through the registrar to the CIDR. The CIDR runs a de-duplication check, comparing the resident's biometric and demographic information to the records in the database.³⁶ Once the UID number is assigned, the UIDAI forwards a letter to the resident containing her registered demographic and biometric details. This letter may also have a tearaway portion mentioning the UID number, name, photograph and a 2D barcode of the finger print minutiae digest. In case of mistakes in the demographic details, the resident can contact the relevant registrar or enrolling agency.³⁷

³¹India Knowledge@Wharton, *op. cit.*

³²UIDAI Strategy Overview - *Creating a Unique Identity Number for Every Resident in India*, *op. cit.*, p. 12

³³Ibid, p. 12.

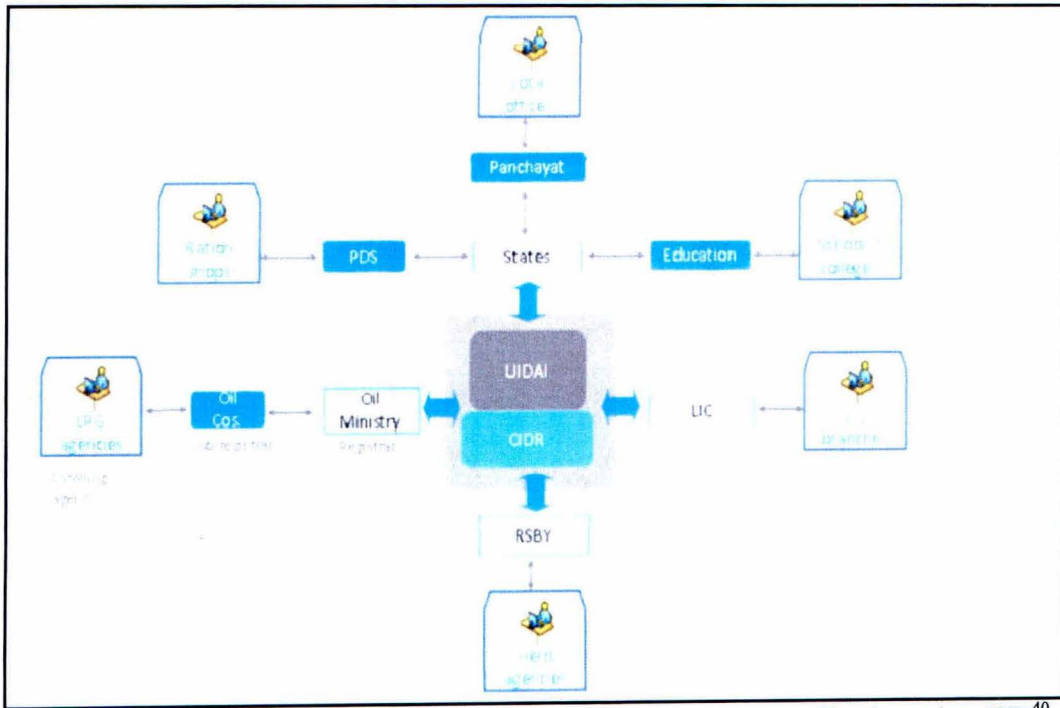
³⁴Ibid, p. 11.

³⁵Ibid, p. 20.

³⁶Ibid, p. 14.

³⁷Ibid, p. 15.

in addition also print details related to their services. For instance, if the enrolling agency is a bank, it may print its customer ID and the biometric of the applicant. This way the cards will become interoperable for offline verification as well.³⁸ The UIDAI hopes that once almost the entire population is enrolled, enrolment will reach a steady state, whereonly births, deaths and immigrants will have to be accounted for.³⁹

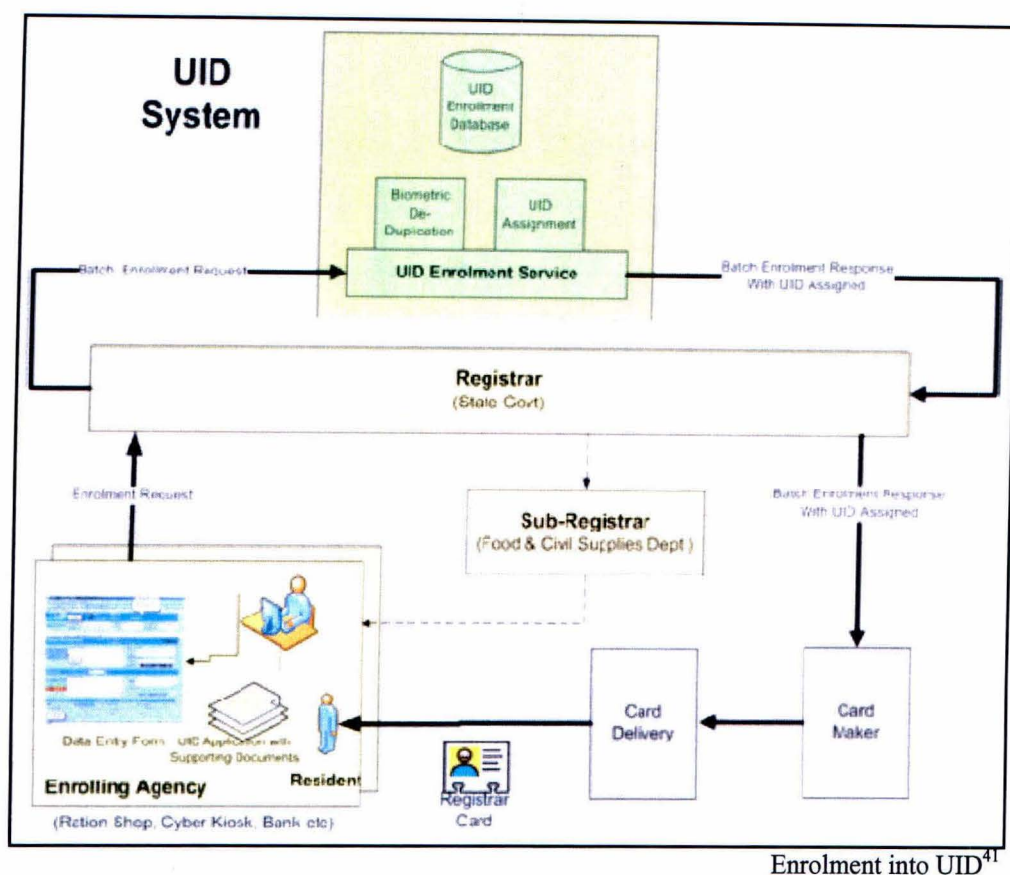


Enrolment into UID⁴⁰

³⁸Ibid.

³⁹Ibid, p. 23.

⁴⁰Ibid, p. 11.



The strategy document elucidates the central role technology will play in the UIDAI's infrastructure. The UID database is stored in a central server. Enrolment of residents is computerized and information exchange between registrars and the CIDR is over a network. Authentication of residents will also be carried out online.⁴² However, the authority admits that the biggest challenge for this technology will be to perform the biometric de-duplication on a population of India's size. The difficulty in predicting the workload on the system would further compound this challenge. Notwithstanding this, the UIDAI makes a significant claim of providing 'mobility of identity' through its 'anytime, anywhere' authentication service.⁴³

The UIDAI envisages the provision of multiple forms of authentication services.⁴⁴ In the first format, the authenticating agency compares the UID number and demographic information of the UID holder to the information stored in the CIDR. Here, the assurance level is said to be medium. Second, the biometrics of the UID holder, his UID and key demographic details are compared to the details in the CIDR. The assurance level in this case is claimed to be high.

⁴¹Ibid, p.15.

⁴²Nanawati, *op. cit.*, p. 9.

⁴³Ibid, p. 11.

⁴⁴UIDAI Strategy Overview - *Creating a Unique Identity Number for Every Resident in India*, *op. cit.*, p. 26.

Offline authentication may be supported by the registrar and does not use the authentication service provided by the UIDAI. These are basically of two kinds. First, photo match authentication, where the photo on the card is compared with the cardholder. This is the most basic form of authentication and the assurance level here is evidently low.⁴⁵ Second, comparing the scanned fingerprint of the cardholder to the biometric stored on the registrar-issued card. The assurance level here is officially stated to be medium.⁴⁶

The UIDAI plans to charge a minimum fee for providing authentication services. The most basic authentication, where the UID number, name and one other parameter is fed into the system and the CIDR gives a 'yes' or 'no' response, will be free of cost. Chargeable authentication services would be of two kinds.⁴⁷ First, address verification, where the UID number, name and address are submitted to the CIDR. Second, biometrics confirmation, where the scanned photograph or fingerprint and other demographic details are provided.⁴⁸

The UIDAI recently launched three online authentication services. First is an iris-based authentication service, where individuals can identify themselves using their iris images. It is claimed that this service can be availed even by the aged, blind and those who have undergone cataract surgery.⁴⁹ Second is e-KYC (Electronic Know Your Customer) service, which will allow service providers to receive electronic copies of proof of identity and address. However, only the demographic information will be shared for a few seconds to prevent misuse. Third is a One-Time-Pin (OTP) service which can be utilised in cases where the mobile number of the individual is registered with the UIDAI.⁵⁰

1.2 Raison d'être of the Unique Identity Number

Emphasizing the importance of identification, the strategy document of the UIDAI states that a crucial factor in the well-being of an individual is the recognition of her identity in the 'eyes of the government'. Vice versa, for the individual too, 'weak identity' becomes a limitation in her claim to basic political and economic rights. The authority avers that the 'inability to

⁴⁵Ibid.

⁴⁶Ibid, p. 27.

⁴⁷Ibid.

⁴⁸Ibid, p. 28.

⁴⁹'UIDAI launches online authentication services' in *The Times of India*, May 24, 2013.

⁵⁰'UIDAI unveils three online authentication services' in *The Hindu*, May 24, 2013.

prove identity is one of the biggest barriers preventing the poor from accessing benefits and subsidies'. Therefore, the lack of identity documentation hurts the poor the most.⁵¹

The authority underscores the absence of a 'nationally accepted, verified identity number' that residents and service providers can rely on with 'ease and confidence'. As a result, individuals have to undergo 'a full cycle of identity verification' each time they approach a service provider with a different set of documentation requirements, thus compounding their inconvenience as well as increasing the overall costs of identification.⁵²

The UIDAI alleges that the problem of identification 'bog(s) down millions of people in India'. The functioning of welfare schemes is adversely affected due to lack of clear identification. Since most of these schemes consider the household as the basis of the beneficiary's identification, the coverage of such identification is specific to the scheme and not universal. As a result, individuals suffer, especially those who are not part of a household such as 'single women or widows', as noted by Nilekani. In addition, exclusion from one welfare scheme such as the Public Distribution System and its identification document such as a ration card can cut off the individual from other services such as banking due to lack of identification.⁵³ In this context, the UIDAI claims that the Aadhaar number will be able to provide a powerful 'identification infrastructure' to every resident in India.⁵⁴

The UID project also claims to take cognizance of the problem of incorrect targeting within welfare schemes. According to the magazine of the Planning Commission of India, *Yojana*, the problem is of 'identifying who are those poorest. The problem emerges because these people are often the last to stand up to ask for their share of anything. Their biggest problem is lack of an identity. They are not identified in any government records'. It is here that the UIDAI project 'comes in handy'. Therefore the 'national endeavour' to provide everyone with an identity number⁵⁵ is to ensure that the benefits of centrally sponsored schemes reach the right beneficiaries and are not misused.⁵⁶

⁵¹Ibid, p. 6.

⁵²Ibid, p. 1.

⁵³Nilekani, *op. cit.*, p. 5.

⁵⁴Ibid, p. 6.

⁵⁵'About the Issue' in *Yojana*, vol. 55, June 2011, p. 3.

⁵⁶*Standing Committee on Finance (2011-2012), Forty Second Report, The National Identification Authority of India Bill, 2010*, New Delhi: Lok Sabha Secretariat, December 2011, p. 7.

Notwithstanding the vacuity of the statement about the poor being ‘the last to stand up’, it is appalling to come across such unfounded claims in a government document. UID may have the capacity to better target existing beneficiaries. However, it cannot determine ‘who are those poorest’ [sic]. Neither can it aid in inclusion of deserving beneficiaries who have slipped out of the welfare network.

The Indian public policy is said to be prejudiced with an ‘acute sedentary bias’.⁵⁷ Mobile populations lose access to their basic entitlements as they change their place of residence. They are left out of Census, NSS and BPL surveys, are unable to vote during elections and cannot access basic public services such as ration, subsidized healthcare and education due to the lack of a portable identity. Even something as basic as getting a SIM card, renting a house in the city and opening a bank account becomes a Herculean task. It is claimed that Aadhaar provides a solution by establishing a portable, nationally accepted identity proof.⁵⁸

The UIDAI is of the opinion that ‘strong identity for residents’ has ‘real economic value’ for the government as well as individuals. It can aid the government in tracking money and resource flows across the country.⁵⁹ Moreover, it avers that ‘technology-enabled identity systems’ like Aadhaar are crucial to ensure that the poor are not excluded from the transition that the country’s banking systems and service-delivery are undergoing while upgrading their technology.⁶⁰

1.3 Evolution and Antecedents

The government of India has been conceptualizing plans to create a ‘massive citizen database’ for a while now. In 2002, the National Identification System Home Affairs Network, also known as NISHAN,⁶¹ was proposed. The Union Ministry of Home Affairs commissioned the Tata Consultancy Services (TCS) to conduct a feasibility study for the National ID card scheme.⁶² The TCS report suggested that the whole exercise should be made market friendly.⁶³ Similar identity cards have existed in Jammu & Kashmir and other border

⁵⁷Divya Varma and Zaineb Ali, ‘Providing Identity Solutions to Migrant Workers: Experiences of Ajeevika Bureau’ in *Yojana*, vol. 55, June 2011, p. 19.

⁵⁸Ibid.

⁵⁹Nilekani, *op. cit.*, p. 6.

⁶⁰Ibid, p. 7.

⁶¹Shuddhabrata Sengupta, ‘Everyday Surveillance: ID cards, cameras and a database of ditties’ in *Sarai Reader 2002: The Cities of Everyday Life*, p. 297.

⁶²Priya Sahgal, ‘Resolving Some Identity Crises’ in *Outlook*, September 23, 2002.

⁶³Sengupta, *op. cit.*, p. 298.

areas for a while now.⁶⁴ Simultaneously, the government of Gujarat also commissioned TCS to conduct a pre-feasibility study and determine the need for a citizen card and its alignment with the National Identity Card programme.⁶⁵

After the Kargil conflict, a GoM had recommended that all citizens be given a Multipurpose National Identity Card (MNIC).⁶⁶ In 2003, a pilot project was launched in 20 districts of 12 states to gauge the viability of issuing MNIC to citizens. The first UPA government that came to power in 2004 carried forward the plans of the NDA government under a new name. The MNIC project was replaced by the UID project in January 2009.

While some trace the antecedents of UID to the above mentioned projects which were conceptualised primarily to address security concerns, the UIDAI claims its own roots in the 'Unique ID for BPL families' project of the Department of Information Technology, Ministry of Communications and Information Technology. In 2006, a 'Strategic Vision on the UID Project' envisaged a close linkage between UID and the electoral database. It advocated the creation of a UID Authority by an executive order under the aegis of the Planning Commission to ensure its pan-departmental and neutral identity.⁶⁷

It is noteworthy that at the same time, the Registrar General of India (RGI) was engaged in the creation of NPR and issuance of MNIC. The genesis of NPR can be traced back to a 1986 project to issue identity cards in border areas of Rajasthan. Based on this, the Specified Areas (Issue of Identity Cards to Residents) Bill was introduced in the Parliament in 1993, but could not be passed. The Citizenship Act 1955 was amended in 2004, allowing the central government to compulsorily register every citizen and issue a national identity card. In addition, the Citizenship (Registration of Citizens and issue of National Identity Cards) Rules, 2003 were framed.⁶⁸ After the completion of the pilot project launched in 2003, it was realized that 'determination of citizenship was a complicated issue'. Hence, NPR would now enlist all residents and not just citizens. The NPR would be a biometrics based identity database.⁶⁹

⁶⁴Ibid, p. 299.

⁶⁵*Citizen Card - Pre-feasibility Study Final Report*, Gujarat Infomatics Limited, Tata Consultancy Services, July 2002, p. 6.

⁶⁶R. Swaminathan, *UIDAI-NPR row: Identity politics of a different kind*, Observer Research Foundation, April 7, 2012.

⁶⁷*UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India*, op. cit., p. 7.

⁶⁸Swaminathan, op. cit.

⁶⁹Sarkar, op. cit., p. 5.

In 2006, the government had adopted the National e-Governance Plan (NeGP) and envisioned 27 Mission Mode Projects (MMPs) within it. These were conceptualized as 'high priority citizen services' offered by various government departments who would modify their mode of delivery from manual to electronic. The NPR and the UID are two instances of such MMPs.⁷⁰

It was decided to constitute an Empowered Group of Ministers (EGoM) in 2007 to collate NPR and UID data. The group recognised the need to create such a database, regardless of whether it is based on a *de novo* collection of data or existing data. In 2008, the group decided to notify the UIDAI as an executive authority and to take up the issue of providing it statutory authority later. It suggested that the UIDAI may create the initial database from the electoral roll/EPIC (Electoral Photo Identity Card) data. The UIDAI would be anchored in the Planning Commission for five years, after which its location within the government would be decided. It proposed that the UIDAI consist of a core team of 10 personnel at the central level and three personnel at the state level.⁷¹

The UIDAI was constituted and notified on January 28, 2009 as an attached office under the aegis of Planning Commission with an initial core team of 115 officials. It was given the responsibility to lay down plan and policies to implement UID scheme, to own and operate the UID database and to update and maintain it on an ongoing basis. Subsequently on July 2, 2009, Nandan Nilekani was appointed the Chairman of the authority.⁷²

The government also constituted a Cabinet Committee on UIDAI on October 22, 2009 to look into its organisation, plans, policies, programmes, schemes, funding and methodology. While the Planning Commission had recommended enrolment by relying on existing databases, the UIDAI chose to carry out *de novo* enrolments, citing inaccuracies in existing databases as the reason.⁷³

As things stand now, the UID number does not substitute any existing form of identification. It is issued on the basis of extensive biometric information (facial photograph, two iris scans, and ten fingerprints) and a thin set of demographic information.⁷⁴ Those being enrolled

⁷⁰Swagato Sarkar, 'The Unique Identity (UID) Project and the New 'Bureaucratic Moment' in India' in *QEH Working Paper Series*, Working Paper Number 194, October 2011, p. 2.

⁷¹*UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India*, *op.cit.* p. 7.

⁷²*Ibid.*, p. 8.

⁷³*Ibid.*, p. 9.

⁷⁴Sarkar, *op. cit.*, p. 6.

through the NPR will also be issued UID.⁷⁵ However, the logic behind conducting these two similar exercises separately remains unclear, especially when both of them are relying on *de novo* collection of data. It remains unexplained as to why the EGoM did not suggest measures to collate the two projects. With the authorities in charge of UID and NPR casting aspersions on each other, the claims about the authenticity of the data being collected is already being questioned. In addition, as will be discussed in a subsequent section, the decision to implement the UID project through an executive order remains a bone of contention for critics. Explanation about the decision to take the executive rather than the legislative route remains elusive.

1.4 The NPR-Aadhaar Turf War

The official website of the National Population Register (NPR) describes it as ‘a comprehensive identity database to be maintained by the Registrar General and Census Commissioner of India, Ministry of Home Affairs, Government of India (RGI)’. It is claimed that the database will aid ‘in better utilization and implementation of the benefits and services under government schemes, improve planning and improve security’.⁷⁶ The stated objective of NPR is to issue every adult resident an identity card, a feature that apparently distinguishes it from UID since its mandate is to issue Aadhaar numbers only and ‘not a Card’. The number is to be communicated to the resident through a letter from UIDAI.⁷⁷

It is claimed that during Census 2011, enumerators had visited every household and collected details required for NPR in paper format. These forms were then scanned to create an electronic database. Biometrics such as photograph, ten fingerprints and two iris images are now being added to the NPR database at enrolment camps. In cases where households or individuals were missed out during the Census, the policy provides for such individuals to apply afresh. Two camps are to be held in every area. If an individual misses the first camp, she can attend the second camp. In case the second camp is also missed, the individual can enrol at camps at the sub-district level until the designated date, after which her name will be struck off the NPR. A person whose name has been struck off will have to apply afresh with

⁷⁵‘How to Get an Aadhaar’, Unique Identification Authority of India, Planning Commission, Government of India, <http://uidai.gov.in/how-to-enrol-for-aadhaar.html>

⁷⁶‘About Us’, National Population Register, Department of Information Technology, <http://ditnpr.nic.in/Aboutus.aspx>

⁷⁷*Identity Card to Every Adult Resident of the Country under NPR; No Card being issued by UIDAI*, New Delhi: Press Information Bureau, Government of India, December 7, 2011.

required documents.⁷⁸ The authority would then send the data collected to UIDAI for de-duplication and generation of Aadhaar number.⁷⁹

As per the law, it is compulsory for every citizen to register in the National Register of Indian Citizens (NRIC) as stipulated by Section 14A of the Citizenship Act 1955 amended in 2004. Out of the universal dataset of residents that is collected, a subset of citizens is to be derived after verification of citizenship status.⁸⁰ The NRIC would be a sub-set of NPR. RGI plans to verify the details of NPR by displaying the biographic data and photographs in the local area for 'inviting claims and objections'. The lists are to be scrutinized by local officials, Gram Sabhas and Ward Committees. According to RGI, 'this process of social audit would bring in transparency and equity'.⁸¹ However, this procedure betrays complete disregard of local power politics that may creep in. Neither does it specify how the sub-set of citizens will be derived from the database, leaving scope for a lot of ambiguity and speculation. There is also the question of how far the homeless and the migrant workforce would have been covered by the Census and their likelihood of visiting enrolment camps.

The tussle between UID and NPR began when UIDAI got the finance ministry's approval to enrol 600 million people across 18 states. UIDAI was accused of 'unilaterally' shifting enrolment goalposts. It had also planned to enrol those without IDs using the 'introducer' concept. But the Home Ministry perceived this as a security threat, fearing that illegal immigrants might also get included.⁸² In addition, its method of utilising multiple registrars, enrolment agencies and existing identification documents were questioned. The Home Ministry was of the opinion that this method was not as reliable as NPR's strategy of public scrutiny or social audit. For instance, putting up information for such scrutiny had helped villagers in Gujarat's border areas to report 'strangers' from Pakistan.⁸³ This has import for NPR since it is likely to be used for security applications, while Aadhaar for services and subsidies.⁸⁴ As a result, the home ministry had refused to use UID data for NPR, as per an earlier agreement.⁸⁵ The government had planned that 60 crore Aadhaar cards will be issued

⁷⁸ 'FAQs', National Population Register, Department of Information Technology, <http://ditnpr.nic.in/FAQs.aspx>

⁷⁹ *Identity Card to Every Adult Resident of the Country under NPR*, Press Information Bureau, *op. cit.*

⁸⁰ 'About Us', National Population Register, <http://ditnpr.nic.in/Aboutus.aspx>, *op. cit.*

⁸¹ 'FAQs', National Population Register, ditnpr.nic.in/FAQs.aspx, *op. cit.*

⁸² Raju Rajagopal, 'Aadhaar, NPR and the art of compromise' in *Mint*, February 2, 2012.

⁸³ Arindam Mukherjee and Lola Nayar, 'Aadhar, A Few Basic Issues' in *Outlook*, December 5, 2011.

⁸⁴ Ambika Pandit, 'NPR must even if you have Aadhar number' in *The Times of India*, October 31, 2012.

⁸⁵ Mukherjee and Nayar, *op. cit.*

by the UIDAI, while the remaining 60 crore were to be issued by the NPR.⁸⁶ The obvious question that emerges is why did the Home Ministry not raise these concerns earlier. Moreover, NPR is as likely as UID to enrol “illegal immigrants”.

In January 2012, the stalemate was resolved with the cabinet committee on UIDAI deciding that UID and NPR enrolments would proceed simultaneously. In case a person had already enrolled for Aadhaar, her biometric would not be captured again by NPR. It would be sourced through her Aadhaar number.⁸⁷ This way, duplication would be avoided. In case of discrepancies between UID and NPR data, NPR would prevail. However, friction between proponents of the two projects persisted. The then home minister P. Chidambaram wrote to the Prime Minister complaining about UIDAI ‘not honouring the truce’.⁸⁸

In June 2012, the cabinet directed the home ministry to set up NPR camps in states only after UIDAI had finished the ‘majority’ of its work, with no clarity on the word ‘majority’.⁸⁹ As things stood on August 2012, NPR was likely to be delayed by at least a year beyond its June 2013 deadline.⁹⁰ The existence of these two parallel databases with no plan of reconciliation would imply that if for instance the age and address of a person are different in the two databases, one would never know. There is also no clarification on what happens if information on a smart card conflicts with UIDAI’s online authentication?⁹¹

When UID completes enrolling 600 million people, these individuals would have to visit enrolment camps again for NPR. Reportedly, the public exchequer would spend more than Rs. 900 crore on duplicating enrolments. This is because enrolments with or without biometrics would make a difference of just Rs 3-4 per person. Enrolment camps would still have to provide the facility of capturing biometrics, since there may be individuals who did not enrol in UID. This means that the home ministry, which has to pay about Rs 18-22 per person for capturing biometric and additional details, would still have to pay about Rs. 14-18.⁹² In the present scenario, UIDAI will enrol individuals and collect data across five fields in 18 states and union territories. Then NPR will go to the same place and seek information

⁸⁶Pandit, *op. cit.*

⁸⁷Samir Sachdeva, ‘PM traverses middle path in UID, NPR conflict’ in *Governance Now*, January 27 2012.

⁸⁸Sahil Makkar, ‘NPR likely to be delayed’ in *Mint*, August 7, 2012.

⁸⁹Ibid.

⁹⁰Ibid.

⁹¹Rajagopal, *op. cit.*

⁹²Aloke Tikku, ‘Aadhaar-NPR duplication: A pain, and expensive too’ in *Hindustan Times*, November 30, 2012.

across 10 more fields. In the remaining states, only NPR camps will be held and Aadhaar numbers will be issued on the basis of this database.⁹³

The privacy concerns that critics of UID share are equally valid for NPR as well. The RGI plans to make its own 'mother database' available for use within the government and does not give any privacy assurances. Moreover, displaying NPR lists in prominent places could be another violation of individual privacy.⁹⁴ Overall, the puzzle that continues to elude comprehension is why two parallel exercises of population enrolment were sanctioned by the government in the first place?

1.5 Constitutional Status

The National Identification Authority of India Bill, 2010 was introduced in Rajya Sabha on December 3, 2010 by the Ministry of Planning⁹⁵ and was referred to the Standing Committee on Finance on December 10, 2010.⁹⁶ The Committee, in its Forty-Second Report released on December 11, 2011, pronounced the bill unacceptable in the present form. It urged the government to review the scheme 'in all its ramifications and bring forth a fresh legislation before (the) Parliament'. It also recommended that the government may transfer the data collected by the UIDAI to the NPR.⁹⁷ The Chairperson of the Committee was Mr. Yashwant Sinha. Three members of the Committee dissented.⁹⁸

As noted in the report, the purpose behind the National Identification Authority of India Bill, 2010 is to provide for the establishment of the National Identification Authority of India (NIDAI) so as to issue identification numbers to individuals residing in India and to provide authentication of such individuals to facilitate access to benefits and services'.⁹⁹

The NIDAI Bill, 2010 seeks to provide:

- (a) For issue of Aadhaar numbers to every resident by the Authority on providing his demographic and biometric information.
- (b) Authentication of the Aadhaar number of an Aadhaar number holder.

⁹³Tikku, *op. cit.*

⁹⁴Rajagopal, *op. cit.*

⁹⁵Rohit Kumar and Kaushiki Sanyal, *Legislative Brief-The National Identification Authority of India Bill, 2010*, PRS Legislative Research, Centre for Policy Research, June 2, 2011, p. 1.

⁹⁶*Standing Committee on Finance (2011-2012)*, Lok Sabha Secretariat, *op. cit.*, p. 5.

⁹⁷*Ibid*, p. 35.

⁹⁸Vivake Prasad, *Standing Committee Report Summary-The National Identification Authority of India Bill, 2010*, PRS Legislative Research, Centre for Policy Research, December 14, 2011, p. 1.

⁹⁹*Standing Committee on Finance (2011-2012)*, Lok Sabha Secretariat, *op. cit.*, p. 7.

- (c) For establishment of the NIDAI consisting of a Chairperson and two part-time members.
- (d) The Authority to exercise powers and discharge functions which, *inter alia*, include:
- (i) Specifying the demographic and biometric information for enrolment and the processes for collection and verification.
 - (ii) Collecting demographic and biometric information from any individual seeking an Aadhaar number.
 - (iii) Maintaining and updating the information of individuals in the CIDR.
 - (iv) Specifying the usage and applicability of the Aadhaar number for delivery of various benefits and services
- (e) The Authority shall not require any individual to give information pertaining to his race, religion, caste, tribe, ethnicity, language, income or health.
- (f) The Authority may engage one or more entities to establish and maintain the CIDR.
- (g) For constitution of the Identity Review Committee consisting of three members (including the chairperson) to prepare an annual report for the Central Government on the extent and pattern of usage of Aadhaar.
- (h) To take measures (including security safeguards) to ensure that the information in the possession of the Authority is secured and protected against any loss or unauthorized access or use or unauthorized disclosure
- (i) For offences and penalties for contravention of the provisions of the proposed legislation.¹⁰⁰

In November 2012, the Supreme Court issued notices to the Ministry of Finance, Planning Commission and the UIDAI for rolling out the UID project without legislative approval of NIDAI Bill, 2010 and its subsequent rejection by the Standing Committee on Finance. The Supreme Court bench comprising Chief Justice Altamas Kabir and Justice J. Chelameswar was responding to a public interest litigation (PIL) petition filed by retired Karnataka high court judge Justice K.S. Puttaswamy and advocate Parvesh Khanna. The petitioners questioned 'whether the executive power vested in the Union under Article 73 of the Constitution could be exercised by avoiding the consideration of a Bill on the same subject

¹⁰⁰Ibid, p. 8.

pending before the Parliament and after its rejection by the Standing Committee and circumventing the Parliament?’¹⁰¹

In addition, the petition also referred to a letter written by Justice M. Rama Jois, member of Rajya Sabha, to the Prime Minister on January 19, 2011. The letter took note of ‘the constitutional impropriety of issuing Aadhaar numbers even when the Bill was pending before the Parliament’. The PIL also argued that collecting biometric information as a prerequisite for issuing Aadhaar number amounted to invasion of privacy, permissible only when a law is enacted by the Parliament. It was also disapproving of the fact that the number was being issued to all residents, irrespective of citizenship, thus posing a danger to national security.

Hence, the petition requested the court to issue

‘a writ in the nature of mandamus restraining the respondents from issuing Aadhaar Numbers by way of implementing its executive order dated 28.01.2009 which tantamount to implementing the provisions of the National Identification Authority of India Bill, 2010 pending before the Parliament until and unless the said Bill is considered and passed by the Parliament and becomes an Act of Parliament.’¹⁰²

In a scathing report, the Finance Committee expressed its ‘unhappiness’ with the ‘lack of clarity’ about the basic purpose of issuing Aadhaar numbers.¹⁰³ It was ‘at a loss to understand’ how the UIDAI could function and initiate proceedings against defaulters and penalize them without statutory power.¹⁰⁴ Neither was it satisfied with the explanation provided by the Ministry of Law and Justice for giving clearance to UIDAI to issue Aadhaar numbers, despite the bill being pending in the Parliament. The Ministry had contended that the powers of the Executive are ‘co-extensive’ with the legislative power of the government. The government was not debarred from exercising its executive power in areas which were not regulated by legislation.

Further reinforcing this view, the Attorney-General of India had opined that ‘the competence of the Executive is not limited to take steps to implement the law proposed to be passed by Parliament. Executive Power operates independently’. The UIDAI was functioning under

¹⁰¹Surabhi Agarwal, ‘SC seeks Centre’s response on implementing Aadhaar’ in *Mint*, November 30, 2012.

¹⁰²Gopal Krishna, ‘Questionable Nature of UID-NPR Initiatives Merit Probe By Media’ in *Countercurrents.org*, December 4, 2012, <http://www.countercurrents.org/krishna041212.htm>

¹⁰³*Standing Committee on Finance (2011-2012)*, Lok Sabha Secretariat, *op. cit.*, p. 31.

¹⁰⁴*Ibid*, p. 30.

valid authority. The fact that the bill sought to convert UIDAI from an executive authority to a statutory authority underscored the supremacy of the Parliament.¹⁰⁵

Contrarily, the Committee was of the view that since the bill is pending, any executive action would be unethical and violative of Parliament's prerogatives to the same extent as 'promulgation of an ordinance while one of the Houses of Parliament being (is) in session'.¹⁰⁶ Notwithstanding the above mentioned polemic, a fundamental question remains unanswered. Why wasn't statutory sanction for UIDAI sought in the first place rather than notifying it with an executive order?

According to the Committee, the scheme had been conceptualized with 'no clarity of purpose', 'leaving many things to be sorted out during the course of its implementation'. It remains unexplained why a scheme initially meant just for BPL families was extended to all residents. The EGoM that had been constituted to collate UID and NPR database failed to take concrete decisions on important issues.¹⁰⁷

It lamented that although the scheme claimed to be voluntary, 'apprehension' was widespread that in future, services and benefits would be denied unless the Aadhaar number is presented.¹⁰⁸ Moreover, even if the Aadhaar project links entitlements to targeted beneficiaries, it cannot ensure that beneficiaries are correctly identified.¹⁰⁹ Inefficiency of targeted welfare schemes is primarily due to faults with the eligibility determination process, rather than lack of identification alone.¹¹⁰ In addition, the claim of providing almost full coverage of marginalized sections cannot be achieved since the UIDAI does not have statistical data relating to them. Reliance on manual labour for livelihood by a large section of population will lead to failure to read biometrics. The proportion of such exclusion is estimated to be as high as 15 per cent.¹¹¹

The Committee was strongly opposed to the passing of any law dealing with large scale collection of information from individuals as long as the national data protection law, which is at the draft stage with the Ministry of Personnel, Public Grievances and Pensions, was not

¹⁰⁵Ibid, p. 12.

¹⁰⁶Ibid, p. 28.

¹⁰⁷Ibid, p. 29.

¹⁰⁸Ibid, p. 31.

¹⁰⁹Ibid, p. 32.

¹¹⁰Ibid, p. 17.

¹¹¹Ibid, p. 30.

enacted.¹¹² It was also concerned that the technology being used for the scheme was ‘untested, unreliable’ and based on several assumptions. By the UIDAI’s own admission, the technical architecture of the UID scheme is based on high-level assumptions.¹¹³

The Committee ‘regret(ted) to observe’ that despite differences of opinion within the government, the scheme had been implemented in an ‘overbearing manner without regard to legalities and other social consequences’. For instance, the Ministry of Finance had expressed concern about the lack of coordination leading to duplication of effort and expenditure among at least six agencies (NPR, MGNREGS, BPL census, UIDAI, RSBY and Bank Smart Cards). The Ministry of Home Affairs had also raised ‘serious security concern’ about the introducer system and the involvement of private agencies.¹¹⁴ The Committee also felt that the issuance of smart cards containing information about individuals by registrars would increase the likelihood of ID fraud.¹¹⁵ There also needs to be greater clarity about UIDAI’s plans to engage entities ‘to establish and maintain the CIDR’.

The Committee rebuked the UIDAI for implementing the scheme without any comprehensive feasibility study, cost-benefit analysis, comparison of costs between the UID and various existing forms of identification, financial implications and prevention of identity theft.¹¹⁶ It observed that if various other forms of identity continued to exist and were required to be furnished as proof of address despite the Aadhaar number, then the very logic of the entire exercise was negated.¹¹⁷ This assumes importance since the estimated cost of Phase-I was Rs.147.31 crore and Rs.3023.01 crore for Phase-II, a total of Rs.3170.32 crore over five years. The Budget for Phase-III of the scheme to the tune of Rs.8861 crore has been approved.¹¹⁸

It censured the Ministry of Planning for not taking into account lessons learnt from global experiences such as the Identity Cards Project in the United Kingdom. The project had been shelved due to huge costs involved, complexity, untested and unreliable technology and risks posed to the safety and security of citizens.¹¹⁹ In response, the UIDAI had argued that it was

¹¹²Ibid, p. 33.

¹¹³Ibid, p. 25.

¹¹⁴Ibid, p. 31.

¹¹⁵Ibid, p. 30.

¹¹⁶Ibid, p. 33.

¹¹⁷Ibid, p. 30.

¹¹⁸Ibid, p. 24.

¹¹⁹Ibid, p. 32.

unfair to compare projects based in developed countries that were primarily focused on security rather than delivering welfare benefits to the masses.¹²⁰

According to the bill, the NIDAI can disclose information of individuals under four exceptions.¹²¹ First, an individual may ask the NIAI to provide access to information about her own identity and about authentication requests of her UID number. Second, based on written consent of individuals, the NIDAI may share information with agencies engaged in delivery of public benefits and services. This, however, does not specify whether consent should be taken only once or at each instance. A one-time consent may be prone to misuse and thus affect an individual's privacy. Third, it may reveal information in response to a court order. Fourth, information may be revealed 'in the interest of national security, if directed by an authorised official of the rank of Joint Secretary or above in the central government'. There is no review mechanism for such orders. The bill does not specifically prohibit intelligence agencies from engaging in data mining or using the UID as a link while running computer programmes across datasets (such as telephone records, air travel records etc.) in order to recognise patterns of behaviour. This can lead to harassment of innocent individuals.

The bill requires all persons with access to Aadhaar related information to keep it secure and confidential. It prescribes penalties for unauthorised access or intentional disclosure of information. However, it does not penalise any negligence that leads to loss of information. Also, it does not have specific provision to compensate an individual in case her personal information is misused. The Bill also states that no court shall take cognizance of any offence punishable under the Act, except on a complaint made by the NIAI. This could lead to conflict of interest situation if the offence is committed by an employee of the NIAI.¹²²

It is noteworthy that although the bill prohibits the collection of information regarding race, religion, caste, tribe, ethnicity and language, in India a person's name is enough to give away these details. Therefore, with regard to concerns about social profiling, both UID and NPR could become potent tools in the hand of sinister forces and must be addressed via stringent regulation in this area.

Accuracy of data being collected remains a cause of worry. Since the entire logic behind a *de novo* exercise was to maintain accuracy, the issue assumes importance. Relying on a

¹²⁰Ibid, p. 16.

¹²¹Kumar and Sanyal, *op. cit.*, p. 3.

¹²²Ibid, p. 4.

decentralized model and placing the onus of accuracy and verification of information on registrars does not inspire much confidence.

Interestingly, while a lot of legal ire has been directed against the UID project, the NPR project has had it relatively easy. This seems odd since both the projects are fundamentally about collecting large scale demographic and biometric information. Concern about registrars issuing smart cards is equally applicable to the NPR project since it plans to issue ID cards.

It is noteworthy that while the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 does not approve of linking biometrics with personal information, the annual reports of the Ministry of Home Affairs states that integration of photographs and finger biometrics of 17.2 lakh out of 20.6 lakh records had been completed.¹²³

1.6 Conclusion

The picture at present appears complex. The lucidity of the vision documents of UIDAI has not translated into clarity even within the top ranks of the government. When the leadership is itself not sure of what the project entails, its promises do not inspire confidence. Even a casual conversation with a layperson is enough to gauge the widespread confusion regarding Aadhaar and NPR. The rationale behind conducting two similar exercises simultaneously escapes commonsensical understanding. Having to queue up twice for enrolments only adds up to the aversion towards the bureaucratic maze that at least Aadhaar claims to disentangle by streamlining public services.

As observed by the Finance Committee, several key issues have not been conceptualized with foresight. Given that existing identification cards will remain valid, collecting accurate information could have been a legitimate justification for creating a new database. However, the decentralized model of partnering with registrars for enrolment raises doubts over the accuracy of information collected. Nevertheless, to capture a population of India's size, no other method seems feasible. Therefore, the UIDAI ought to have had stringent checks in place, besides placing the onus of accuracy of information on registrars.

Notwithstanding the fact that several promising legislations fall victim to the expediency of politics in the Parliament, the legislative route has the advantage of bringing to the table

¹²³*Standing Committee on Finance (2011-2012)*, Lok Sabha Secretariat, *op. cit.*, p. 18.

various opinions and expertise that should be incorporated, rather than bypassed through the executive route. While duplication of efforts and expenditure should have been avoided through better coordination between UID and NPR, the project should not be ruled out at the outset given the fact that it has displayed alacrity like no other government-run project. The conflict between UID and NPR is one about duplication of enrolments, and in the process the concept of UID should perhaps not be written off without carefully examining its claims about 'reengineering' welfare services. Constructive criticisms levied against it must be addressed and incorporated into the project. However, measured and calculated steps should be taken while venturing into drastic overhaul of the public delivery system through Aadhaar enabled services, rather than implementing them wholesale.

Chapter 2

Inclusive Social Citizenship

Addressing the Exclusions of Inclusion

Introduction

In this chapter, I seek to elaborate the conceptual framework of this dissertation. I begin with a literature review, elaborating the intricacies of ‘inclusive citizenship’ and ‘social citizenship’ as two disparate ideas. My objective here is a theoretical elucidation of the continued relevance and the constant reworking of these concepts, evoking the notion of ‘citizenship’ as a ‘momentum concept’.¹ Through a continuous revision, a ‘momentum concept’ leads to the increasing realization of its ‘egalitarian’ and ‘anti-hierarchical’ potential.²

However, my personal endeavour is to amalgamate ‘inclusive citizenship’ and ‘social citizenship’ in order to provide a conceptual tool to address the exclusions of social citizenship. I refer to this amalgam as ‘inclusive social citizenship’.

Originally, ‘citizenship’ was conceived as a status bestowed on those who are *full* [emphasis added] members of a community. As suggested by T.H Marshall, all who possess the status are considered to be equal with respect to the rights and duties endowed by the status.³ It is noteworthy that the definition mentions the word *full* and does not take into account those who have been relegated to the status of “not full” i.e. “lesser” citizens. It would amount to stating the obvious if I said that in India, despite being granted the status of citizenship, there is a significant section of the population that is deprived of several benefits supposedly attached to the status.

For those left outside the pale of mainstream citizenry, social citizenship provides a conceptual tool to make claims to state organized welfare schemes. This translates on the ground into various government schemes seeking to alleviate poverty, hunger and illiteracy. By providing these benefits to the poor, social citizenship demonstrates strong tendencies towards inclusion.

¹John Hoffman, *Citizenship beyond the State*, London: Sage Publications, 2004, p. 138.

²Ibid

³T.H Marshall, ‘Citizenship and Social Class’ in Marshall, T.H (ed.), *Citizenship and Social Class and Other Essays*, Cambridge University Press, 1950, pp. 84, 92.

However, more often than not, these benefits do not always reach the intended beneficiaries. I seek to conceptualise 'inclusive social citizenship' in order to address such exclusions. In this chapter, I rely on the example of the prevalent method of welfare targeting in India to explicate this notion, thus embedding the concept of 'inclusive social citizenship' in concrete instances, rather than consigning it to the realm of theoretical enunciation.

2.1 Social Citizenship

2.1.1 What is Social Citizenship?

Any work on 'social citizenship' cannot begin without the mention of the seminal work of T.H Marshall. He was the first to argue that 'social and economic rights of citizenship provided the twentieth century's contribution to the idea of rights'.⁴ Marshall is the principal theorist of the 'social citizenship' concept. In his essay titled 'Citizenship and Social Class', published in 1949, he contended that 'social provision constituted one of the three sets of rights associated with citizenship....the others being civil and political rights'.⁵

In his theory, Marshall linked civil (rights to liberty and equality before law), political (the right to vote and to participate in the political process) and social rights (rights to basic welfare and full participation in society).⁶ He differentiated between the three layers of citizenship rights and the institutions which supported them. The first layer comprised civil rights i.e. rights concerning individual freedom such as freedom of speech, thought and faith, the right to own property and the right to justice. Civil rights were associated with institutions of legal justice. The second layer comprised political rights i.e. democratic rights of participation. The third layer comprised social rights. By these, Marshall implied economic and welfare rights i.e. rights to a minimum standard of welfare and income.⁷

Marshall suggests that the three kinds of citizenship rights were originally part of a single core of citizenship. It was only in the eighteenth century that the rule of law was established. Political rights emerged in the nineteenth century when voting rights were steadily extended.

⁴Raymond Plant, 'Citizenship, Rights and Welfare' in Franklin, Jane (ed.), *Social Policy and Social Justice*, Cambridge: Polity Press, 1998, p. 57.

⁵Desmond S. King and Jeremy Waldron, 'Citizenship, Social Citizenship and the Defence of Welfare Provision' in *British Journal of Political Science*, vol. 18 no. 4, 1988, p. 418.

⁶Peter Dwyer, *Understanding Welfare: Social issues, policy and practice - Understanding Social Citizenship - third edition: Themes and perspectives for policy and practice*, University of Bristol, Policy Press, 2003, p.2.

⁷King and Waldron, *op. cit.*, p. 419.

Social citizenship is largely a twentieth century phenomenon, when social rights underwent expansion and welfare rights became the legitimate attribute of citizenship.⁸

Marshall is credited for introducing a positive notion of rights into citizenship by advocating for rights to welfare such as health, education and a dignified level of socio-economic wellbeing.⁹ Until the twentieth century, rights had only meant a set of immunities and procedures. From there on, the concept of rights was expanded to include rights to resources and welfare such as health, education, income and social security. Until then, it was believed that civil and political rights alone were central to the status of citizenship. Economic well-being, education and health were private matters to be attained through the market by the individual's own effort.¹⁰ The idea that citizens had a right to welfare emerged as a 'fundamental challenge' to the civil and political notion of citizenship.¹¹

Marshall suggests that social rights emerge from a widely shared notion of ideal citizenship. He contends that 'societies in which citizenship is a developing institution create an image of an ideal citizenship against which the achievement can be measured and towards which aspiration can be directed'.¹² However, Desmond King and Jeremy Waldron point out the limitation of this argument since it requires the imposition of some sort of teleology on what may be purely accidental or the result of evolution.

For Marshall, citizenship was about broadening and providing substance to society's notion of equality by extending its scope through civil, political and social rights. He believed that citizenship was about a 'progressive enlargement and enrichment' of people's life chances by altering existing patterns of social inequality.¹³

Marshall believed that universal social rights have the potential to make citizenship compatible with capitalism by 'universalising identity' and 'civilising the impact of the market'. Steadily increasing wealth and the expansion of the welfare state could ameliorate class inequalities.¹⁴ He argued that the principles of citizenship and the principles of

⁸Ibid, p. 421.

⁹Emma Jones and John Gaventa, 'Concepts of Citizenship: a review' in *IDS Development Bibliography 19*, 2002, p. 9.

¹⁰Plant, *op. cit.*, p. 57.

¹¹Ibid, p. 58.

¹²Marshall, *op. cit.*, p. 84.

¹³King and Waldron, *op. cit.*, p. 424.

¹⁴Robert Lawy and Gert Biesta, 'Citizenship-as-Practice: The Educational Implications of an Inclusive and Relational Understanding of Citizenship' in *British Journal of Educational Studies*, vol. 54 no. 1, 2006, p. 35.

capitalism were 'at war' and the former operated to 'civilize' the latter.¹⁵ Social citizenship would promote the 'decommodification of labour by de-coupling the living standards of individual citizens from their 'market value', so that they are not totally dependent on selling their labour power in the market.'¹⁶

However, he has been criticized as 'naive' for placing excessive faith in individual agency without considering the structural constraints of the market and the possibility of the state working in the interest of a particular class.¹⁷ More importantly, it has been said that the history of citizenship described by him pertains exclusively to the white, male working class in industrialising Britain, without taking into consideration internal inequalities besides class. He remains 'silent' on the questions of gender, race and rights of those whose lands were colonised.¹⁸

2.1.2 Weighing its Merits

Critics of social citizenship argue that social and economic rights differ significantly from civil and political rights. The latter correspond to negative liberties or immunities that require non-interference and abstinence in order to be upheld. Contrarily, social and economic rights require the commitment of resources that involve costs. Moreover, it is argued that the 'rights' component of social and economic rights is an oxymoron. Faced with resource constraints, welfare always has to be rationed. But, if something is a right, should it not be unconditionally available?¹⁹

The idea that social citizenship can set the agenda for welfare rights is vehemently dismissed. They believe that in a pluralistic society, there can never be a consensus on any 'uniquely compelling criterion' for welfare. Also, if poverty results from individual acts of free exchange in the market, then no injustice is done.²⁰ Besides, a regime of social justice runs the risk of strengthening the bureaucracy in charge of doling out welfare.²¹

¹⁵Maurice Roche, 'Social Citizenship: Grounds of Social Change' in Isin, Engin F. and Turner, Bryan S. (eds.), *Handbook of Citizenship Studies*, London: Sage Publications, 2002, p. 70.

¹⁶Jones and Gaventa, *op. cit.*, p. 9.

¹⁷Lawy and Biesta, *op. cit.*, p. 36.

¹⁸Naila Kabeer, 'Citizenship, Affiliation and Exclusion: perspectives from the South' in *IDS Bulletin*, vol. 37 issue 4, 2006, p. 2.

¹⁹Plant, *op. cit.*, p. 60.

²⁰Ibid, p. 61.

²¹Ibid, p. 62.

Interestingly, Stephen Holmes and Cass R. Sunstein have criticised the distinction between negative and positive liberty. They argue that assuming only positive rights require the state to spend money would imply that it does not cost anything to ensure property rights, the right to life or freedom of speech. Contrarily, enforcement of legal rights inevitably involves costs. Both positive and negative rights require the expenditure of resources. This implies 'non-welfare' rights are welfare rights too. Therefore, they proclaim that all rights are positive.²²

Those on the other end of the spectrum argue that freedoms and immunities guaranteed by civil and political rights remain meaningless unless accompanied by a set of social and economic rights. Most criticisms levied against social and economic rights are equally applicable to civil and political rights. For instance, if distributing social goods gives public officials a lot of power, then this is as much a problem with those in charge of ensuring that civil and political rights are upheld. The concern that social rights involve costs and scarce resources is also valid for civil and political rights. Their enforcement involves resources in terms of police, courts, prisons etc.²³

It is frequently claimed that duties pertaining to civil and political rights are clearly defined and those regarding social and economic rights are vague and open ended. However, the former are just as contingent upon political negotiations and decision-making as are the latter.²⁴ They are also equally susceptible to the problem of the lack of consensus that generally plagues issues of social justice.

More importantly, the accusation that social rights are based on a false conception of liberty that conflates freedom with ability does not take into account the fact that if there is no possibility of performing an action, then the question of whether one is free to do it or not does not arise. Freedom and ability are thus not categorically different. Rather, freedom is valuable precisely because of what we are able to do with it.²⁵

Negative rights are generally favoured by those on the Right of the political spectrum. Positive social rights are usually supported by those on the Left. Nevertheless, the Left-Right divide is a crude representation of a more complex reality.²⁶ There is also increasing recognition that one's ability to claim rights often depends on the realization of other rights.

²²Stephen Holmes and Cass R. Sunstein, *The Cost of Right: Why Liberty Depends on Taxes*, New York: W.W. Norton and Co, 1999, p. 219.

²³Plant, *op. cit.*, p. 63.

²⁴*Ibid*, p. 65.

²⁵*Ibid*, p. 68

²⁶Dwyer, *op. cit.*, p. 6.

Therefore, political, civil and social rights are now understood as being indivisible and need to be pursued simultaneously.²⁷

King and Waldron examine two distinct lines of defence of welfare services. According to the first argument, it is not enough to simply grant universal suffrage. Citizens should be able to enjoy economic security. This is a necessary precondition for good citizenship since those preoccupied with hunger and destitution will not be able to engage productively in politics.²⁸

The other line of defence argues that the idea of citizenship is flexible and constantly expands with an enhancement in the state's capacity to offer various services. In addition, once a certain form of provision is established, people build their expectations and life plans around it.²⁹ Publicly guaranteed provision of welfare services are not perceived as contingent upon the policies of the incumbent administration. Rather, it is associated with the idea of social citizenship and is taken to be as important as the other aspects of citizenship.³⁰

King and Waldron support the public provision of a minimum level of welfare as a universal entitlement, defining a threshold below which people will not be allowed to fall without diminishing their sense and their capacities of citizenship.³¹

2.1.3 Claims, Welfare and Citizenship

Hartley Dean locates the origin and development of welfare rights within two different conceptual frameworks. The first school of thought bases its assumption on the equal worth of each individual. Rights are viewed as being inherent to human beings. It seeks equal opportunity through redistribution of resources. The second school of thought understands social rights to have originated from the political struggles of various marginalized groups.³²

Welfare rights are integral to the contemporary understanding of citizenship. Welfare provisions are now conceived as a core element of citizenship. Collective provision for welfare is associated with the idea of social citizenship and is taken to be just as important as other aspects of citizenship.³³ However, they are also the most contentious aspect of

²⁷Jones and Gaventa, *op. cit.*, p. 9

²⁸King and Waldron, *op. cit.*, p. 431.

²⁹*Ibid*, p. 433.

³⁰*Ibid*, p. 417.

³¹*Ibid*, p. 436.

³²Dwyer, *op. cit.*, p.5.

³³King and Waldron, *op. cit.*, p. 417.

citizenship as there is no consensus about which welfare services should be made available to citizens.

From the perspective of social citizenship, the ‘citizen’ can be understood as a link between the state and the individual. Thus, citizenship is a social status that allows people to make claims to state organized welfare services.³⁴ Citizenship becomes a way to define personhood which links rights and agency. It enables people to act as agents and bears connotations of respect, rights and dignity.³⁵ In addition to ‘claims’, welfare rights also bring in the concept of ‘positive obligations’, beyond mere non-interference, through just distribution of resources, correction of market outcomes and economic and social status outside the market arena.³⁶

Citizenship has also been conceptualized as a ‘three-legged stool’. Civil and political rights must be backed by entitlements to welfare for citizenship to have a substantive meaning.³⁷ Rights of welfare are indispensable to any notion of ‘effective citizenship’, which implies being included in the systems of rights and welfare provisions.³⁸

Contemporary social rights seek to address and minimise risks due to poverty, gross inequality, problems of health and social exclusion in modern capitalist societies.³⁹ However, in the context of globalisation, it is contended that the nation-state is no longer the adequate unit of analysis. ‘National’ citizenship is under substantial challenge from several quarters such as the New Right, the New Left and social movements such as feminism, environmentalism, multiculturalism, the politics of identity and recognition, anti-racism and sexuality to name a few.⁴⁰ Thus, the scenario of welfare schemes is increasingly being characterised by the emerging trend of ‘contracting out’ welfare services to private players through state-private sector partnerships.⁴¹

³⁴Dwyer, *op. cit.*, p.2.

³⁵Kabeer, *op. cit.*, p. 1.

³⁶Plant, *op. cit.*, p. 58.

³⁷Dwyer, *op. cit.*, p. 4.

³⁸Ibid

³⁹Roche, *op. cit.*, p. 71.

⁴⁰Ibid, p. 70.

⁴¹Ibid, p. 75.

2.2 Inclusive Citizenship

2.2.1 What is Inclusive Citizenship?

The concept of 'inclusion' originated from the notion of 'social exclusion', which is derived from the French term 'les exclus' (the excluded) which refers to 'the condition of certain groups on the margins of society who were cut off from both regular sources of employment and the income safety nets of the welfare state'.⁴² 'Social exclusion' found mention for the first time in French social policy debates in the 1970s, where it largely referred to the exclusion of people who slipped through the network of social policies of the state.⁴³ In popular parlance, inclusion is perceived as the panacea for social exclusion.

The concept of inclusive citizenship argues that all the elements of citizenship i.e. membership and belonging, the rights and obligations that flow from that membership and equality of status, should apply to all citizens equally.⁴⁴ Inclusive citizenship has also been understood to refer both to people's ability to claim their legally recognised rights on an equal basis as well as to the extent to which the law deals with them in a way which guarantees their equality.⁴⁵ However, the disjuncture between citizenship as a status informed by these principles and, citizenship in reality determined by the extent to which these principles actualise on ground, leaves much to be desired.

Naila Kabeer elaborates four values of inclusive citizenship from the standpoint of those excluded. These are:

- Justice in terms of when it is fair for people to be treated the same and when it is fair that they should be treated differently.
- Recognition of the intrinsic worth of all human beings and respect for their differences. The search for recognition often takes the form of the demand that Hannah Arendt called 'the right to have rights' i.e. to be recognized as full persons, despite their differences, and hence as full citizens.⁴⁶ Inclusive citizenship is as much about recognition as about

⁴²Niraja Gopal Jayal, 'The Challenge of Human Development: Inclusion or Democratic Citizenship?' in *Journal of Human Development and Capabilities: A Multi-Disciplinary Journal for People-Centered Development*, vol. 10:3, p. 363.

⁴³John Baldock, 'Social policy, social welfare, and the welfare state', http://www.oup.com/uk/orc/bin/9780199570843/baldock4e_ch01.pdf, p. 16.

⁴⁴Ruth Lister, 'Inclusive Citizenship, gender and poverty: some implications for education for citizenship' in *Citizenship Teaching and Learning*, vol. 4 no. 1, 2008, p. 4.

⁴⁵Naila Kabeer, 'Introduction' in Kabeer, Naila (ed.), *Inclusive Citizenship: Meanings and Expressions*, London: Zed Books, 2005, p. 1.

⁴⁶*Ibid*, p. 3.

access to formal rights. Therefore, the emphasis is not only on legal rules, but also on norms, practices, meanings, and identities.⁴⁷

- Self-determination or people's ability to exercise some degree of control over their lives.
- Solidarity, i.e. the capacity to identify with others and to act in unity with them in their claims for justice and recognition. The form that solidarity takes varies, not only according to the degree of inclusion or exclusion of particular individuals or groups, but also the extent to which they hope to transcend their excluded status. For those who do not have such hope, solidarity takes a very narrow form, limited only to those who experience similar struggles such as one's own family and kin.⁴⁸

Ruth Lister draws attention to the similarity between these values and the principle of 'participatory parity' enunciated by Nancy Fraser.⁴⁹ According to Fraser, participatory parity is the ability of all members of society to interact with one another as peers. This requires a distribution of material resources that would ensure 'independence', 'voice' and 'institutionalized patterns of cultural value which express equal respect for all participants and ensure equality of opportunity for achieving social esteem'.⁵⁰

2.2.2 Challenges

Several factors pose challenge to the achievement of inclusive citizenship. These include attempts to formulate citizenship rights and duties in a postcolonial context characterized by diversity. Such societies are fraught with aggravated pre-existing differences due to colonial manoeuvrings. These are sought to be addressed through differentiated principles of citizenship. However, trying to achieve a balance between conflicting local and national interests and individual and collective rights becomes problematic.⁵¹

Collective identities of caste, class and gender are dynamic and compete with each other for material resources and for social and political space. These identities are constantly reconstructed, mobilized and manipulated and influence the mobility of their members through inclusion and exclusion. However, identities based on economic positioning are more

⁴⁷Ruth Lister, 'Inclusive Citizenship: Realizing the Potential' in *Citizenship Studies*, vol. 11, no.1, 2007, p. 51.

⁴⁸Kabeer, *op. cit.*, p. 7.

⁴⁹Lister, 'Inclusive Citizenship: Realizing the Potential', *op. cit.*, p. 51.

⁵⁰Nancy Fraser, 'Social justice in the age of identity politics: redistribution, recognition and participation' in Fraser, Nancy and Honneth, A (eds.), *Redistribution or Recognition? A Political-Philosophical Exchange*, London: Verso, 2003, p. 36.

⁵¹Kabeer, *op. cit.*, p. 10.

conducive to the mobility of their members than ascriptive identities.⁵² Identities which have their roots in the social structure are more difficult to transcend. For instance, it is legally possible to transcend ones' caste identity, in reality it seldom happens.⁵³ The capabilities required for such mobility remain restricted in accordance to ascriptive identities. As a result, citizenship comes to privilege those who are socially and materially better placed to actualize their citizenship rights than others. These inequalities characterize not only the relationship between people, but also their interactions with the state.⁵⁴ Poverty poses another mammoth challenge. In situations of extreme scarcity, the formal guarantee of rights becomes irrelevant.⁵⁵

Nancy Fraser talks about multiple and interlocking forms of exclusions, which give rise to what she terms as 'bivalent collectivities', where disadvantages of recognition and redistribution often overlap. For instance, injustices faced by collectivities such as caste, gender and race not only legitimize but maintain each other as well. This accentuates the tension between calls for redistribution of resources and calls for recognition of diversity.⁵⁶

Conflict between citizenship's universalizing aspect and respect for particularity and diversity poses another challenge to inclusive citizenship. For instance, citizenship as a universal legal status does not take into account the particular disadvantages of marginalized groups.⁵⁷ Lister seeks to address this tension through the concept of 'differentiated universalism' in which 'the achievement of the universal is contingent upon attention to difference'. Jodie Dean suggests a similar idea that she refers to as 'reflective solidarity', which 'projects a universalist ideal urging the inclusion of our concrete differences in order to break through the opposition between difference and universality'.⁵⁸

In addition, definitions and practices associated with citizenship often reinforce pre-existing forms of social inequality. For instance, several multicultural practices reproduce various forms of inequality which reflect the social relations of the private sphere in the public sphere. Another challenge posed to inclusive citizenship comes from the paradox between the ways citizenship seeks to define personhood as opposed to identities within hierarchical

⁵² Ranjita Mohanty and Rajesh Tandon, 'Introduction' in Mohanty, Ranjita and Tandon, Rajesh (eds.), *Participatory Citizenship: Identity, Exclusion, Inclusion*, New Delhi: Sage Publications, 2006, p. 9.

⁵³ Ibid, p. 14.

⁵⁴ Ibid

⁵⁵ Kabeer, *op. cit.*, p. 11.

⁵⁶ Fraser, *op. cit.*, p. 15.

⁵⁷ Mohanty and Tandon, *op. cit.*, p. 10.

⁵⁸ Lister, 'Inclusive Citizenship, gender and poverty', *op. cit.*, p. 7.

social relationships. Citizenship seeks to replace claims based on norm, charity, benevolence or patronage with rights guaranteed by the state.⁵⁹

2.2.3 Citizenship - Inherently Exclusionary?

The history of citizenship has largely been a struggle over how it is to be defined and who it is to include.⁶⁰ Tension between citizenship's inclusionary and exclusionary aspects is integral to the concept itself since the very act of including somebody produces exclusion. As a result, inclusion relentlessly produces exclusion.⁶¹

Many writers argue that universalization of the concept of the 'citizen' serves to hide the realities of exclusions under a veil of formal equality. Not only do different people have different capabilities and opportunities, the formulations of state policy often exclude the needs and experiences of particular groups.⁶² Therefore, citizenship has been as much about exclusion as it has been about inclusion.⁶³ It works simultaneously as a force for both inclusion and exclusion. However, this dichotomy has been ignored by traditional citizenship theory that underscored the inclusionary side and ignored the exclusionary.⁶⁴

Iris Marion Young challenges the conventional understanding of citizenship as a status that 'transcends particularity and difference'. This is because in a society with pronounced differences between the privileged and oppressed, asking citizens to 'leave behind their particular affiliations and experiences to adopt a general point of view serves only to reinforce that privilege.'⁶⁵

The concept of citizenship has been conventionally associated with the membership of the nation state and the formal rights and duties accruing to it. However, this conventional understanding has been vehemently contested. Critics have argued that such straightjacket understanding may mean little to those who identify more strongly with other forms of affiliations besides membership.⁶⁶ As a result, over the past decade, attempts have been made

⁵⁹Kabeer, *op. cit.*, p. 11.

⁶⁰Ibid, p. 1.

⁶¹Lister, 'Inclusive Citizenship: Realizing the Potential', *op. cit.*, p. 49.

⁶²Jones and Gaventa, *op. cit.*, p. 15.

⁶³Kabeer, *op. cit.*, p. 1.

⁶⁴Lister, 'Inclusive Citizenship, gender and poverty', *op. cit.*, p. 4.

⁶⁵Iris Marion Young, 'Polity and Group Difference: A Critique of the Ideal of Universal Citizenship' in *Ethics*, vol. 99 no. 2, January, 1989, p. 257.

⁶⁶Kabeer, *op. cit.*, p. 1.

to address citizenship's exclusionary tendencies and reinvent it from perspectives as varied as feminist, cultural, the disabled, children, the intimate and domestic, sexual and ecological.⁶⁷

Additional drawbacks emerge as inclusive citizenship demarcates 'the outside from the inside'⁶⁸ and creates 'immanent others who are not entirely outside the realm of socialisation or association, but are positioned as those lacking the properties required of fully-fledged citizens, in order that the claimants present themselves as righteous citizens'.⁶⁹

However, this binary insider-outsider distinction misses the 'overlapping, fluid, contingent nature of group formation'. Therefore, E.F Isin suggests 'logics of alterity' as an alternative to 'logics of exclusion'. The term 'alterity' means 'to constitute the relationship between oneself and others, without the intent of effacement', unlike 'exclusion' that posits others as opposites to be eliminated.⁷⁰ 'Exclusion' believes that a sovereign body forms its identity by establishing an exclusive space and restricting 'others' who do not belong to that sphere. The logics of alterity would approach outsiders as immanent identities, rather than as 'transitive or exterior identities'. Contrarily, Isin argues that citizenship must be approached from the viewpoint of the 'mixedness or impurity of a group identity, rather than inside/outside dichotomies'.⁷¹

On similar lines, Young proposes the concept of 'differentiated citizenship as the best way to realize the inclusion and participation of everyone in full citizenship'. She is of the opinion that people with varied worldviews can never completely understand and adopt the ways of each other. However, commitment to the need and desire to decide policies together can foster communication across such differences.⁷²

2.2.4 Problematizing Inclusion

It has been argued that the term 'inclusion' has been appropriated to the extent that it has now lost its meaning. It has become a 'hurrah word' and a 'weak and pallid political instrument'.⁷³ Even the term 'social exclusion' is shrouded in ambiguity over its actual meaning. Some have

⁶⁷Lister, 'Inclusive Citizenship: Realizing the Potential', *op. cit.*, p. 58.

⁶⁸Katsuhiko Masaki, 'Inclusive citizenship' for the chronically poor: exploring the inclusion-exclusion nexus in collective struggles, Chronic Poverty Research Centre, Seisen University, Working Paper 96, 2007, p.1.

⁶⁹Ibid, p. 2.

⁷⁰E.F. Isin, *Being Political: Genealogies of Citizenship*, 2002, Minneapolis: University of Minnesota, p. 29.

⁷¹Masaki, p. 4.

⁷²Young, *op. cit.*, p. 258.

⁷³Jayal, *op. cit.*, p. 359.

argued that 'it is just another word for poverty, but one that is preferred in a political context where governments are unwilling to be explicit about the existence of poor people'.⁷⁴

Niraja Gopal Jayal is of the view that 'inclusion' has a 'disconcerting propensity' to get appropriated as a political and rhetorical slogan, especially in India, where phrases such as 'inclusive growth' and 'inclusive governance' are often used without questioning the value addition the prefix makes.⁷⁵ She refers to the vocabulary of 'exclusion' and 'inclusion' as 'rhetorical elisions'.

Amartya Sen too has referred to the 'the plasticity of the language of exclusion' that is 'so versatile and adaptable that there may be a temptation to dress up every deprivation as a case of social exclusion'. Iris Marion Young has emphatically argued in favour of limiting the scope of 'exclusion' and 'inclusion' to the political, lest they lose meaning if used to label all problems of social conflict and injustice. She asserts that 'where the problems are racism, cultural intolerance, economic exploitation, or a refusal to help needy people, they should be so named'.⁷⁶

The trend of labelling every form of deprivation as exclusion and its obverse as inclusion is indicative of its increasing association with identity-related problems rather than its original reference to class inequality.⁷⁷ Questions have also been raised about the uncritical endorsement of inclusive citizenship as a way to address exclusion. In the garb of equal citizenship, the poor are often compelled to conform to the dominant norms of civility. This places them at considerable disadvantage, thus replicating the oppressive circumstances they had sought to fight in the first place.⁷⁸

2.3 Inclusive Social Citizenship

'Social citizenship' and 'inclusive citizenship' in their current forms are two disparate concepts. I attempt to marry the two ideas in order to explicate the concept of 'inclusive social citizenship'.

⁷⁴Baldock, *op. cit.*, p. 15.

⁷⁵Jayal, *op. cit.*, p. 363.

⁷⁶Ibid, p. 364.

⁷⁷Ibid, p. 366.

⁷⁸Masaki, *op. cit.*, p.1.

The link between citizenship and welfare has been well established by now. The provision of welfare by the state provides substance to the concept of citizenship. The perquisites guaranteed by citizenship would remain hollow unless welfare creates the enabling environment to avail them. Therefore, social citizenship should be implicit in any concept of citizenship.

This would imply that the flaws of citizenship would affect the projects of social citizenship as well. This holds greater significance since 'citizenship' status is considered to be the eligibility criterion for 'social citizenship' world over. Given that exclusion is implicit to the concept of citizenship, targeted provisions of social citizenship would automatically exclude the non-target population. While many such exclusions may be deemed justified depending on the nature of welfare, others could be the result of misplaced policy, oversight or other ulterior reasons. In addition, class, caste, gender, various other categories and the amalgam of these, referred to as 'bivalent collectivities' by Nancy Fraser, seem to create conditions that prevent the optimum realization of social citizenship. These 'multiple and interlocking'⁷⁹ exclusions adversely affect access and delivery of various welfare programmes. Such exclusions can defeat the purpose of social citizenship. Contrarily, citizenship's tendency to universalise may also influence policy implementation of social citizenship. The "one scheme fits all" approach may in fact prove to be counterproductive if requisite attention is not paid to diversity of needs. Therefore, making social citizenship truly inclusive is a policy imperative of utmost significance.

While citizenship may not be the primary identity of several individuals, large segments of population remain connected to projects of social citizenship, either through contribution or receipt. This is the reason that the issue of social citizenship holds sway over dynamics of politics world over. Nevertheless, due to factors stated above, there are significant sections that still remain outside the welfare network. This shortcoming becomes further accentuated in circumstances where the delivery mechanism of the state is weak and inefficient.

Looking at projects of social citizenship from the perspective of inclusion becomes important to minimise undue and erroneous exclusions. Inclusive social citizenship can provide an important conceptual tool to prevent existing and new welfare initiatives from succumbing to existing patterns of exclusion.

⁷⁹Fraser, *op. cit.*, p. 15.

The following section is an empirical elucidation of exclusions within projects of social citizenship currently operational in India and the need to make welfare programmes inclusive on the ground.

Social policy in India has found articulation through schemes targeting agrarian reform, food procurement and distribution, education, employment creation through public works, affirmative action in the form of reservation for public services employment and educational institutions, antipoverty programmes directed towards small asset creation or micro credit, and decentralisation and devolution of resources.⁸⁰

The gamut of welfare schemes in India can be broadly summarized as ‘set-asides’ that seek to redistribute end products (such as jobs and housing) and intermediate inputs (such as education). Then, there are ‘income augmenting’ schemes such as the ones providing subsidies and minimum support price to agriculturalists, creating jobs for the rural poor and redistribution of assets (through land reform for instance).⁸¹ There has also been the provision of ‘safety nets for old age’, though limited to the organized labour sector. In addition, there are schemes for the ‘direct provision of basic needs’ such as education, health, nutrition, water and sanitation.⁸²

Despite such an extensive welfare infrastructure, India’s performance on most welfare indicators is abysmal. India ranks a lowly 134 among 187 countries in the human development index (HDI) and fares much worse than war-torn countries such as Iraq as well as the Philippines. Appallingly, India has the world’s largest number of multidimensionally poor, more than half of the population at 612 million.⁸³ It ranks 129 out of 147 countries on the Gender Inequality Index, behind Pakistan, Bangladesh and Rwanda.⁸⁴

Notwithstanding an economic growth rate of 6.3%, 43.5% of children under the age of five are underweight in India.⁸⁵ Only four countries (Afghanistan, Cambodia, Haiti, Myanmar and Pakistan) have worse child mortality rates than India. Only three countries (Bolivia,

⁸⁰ Jayati Ghosh, *Social Policy in Indian Development*, United Nations Research Institute for Social Development, 2002, p. 11.

⁸¹ Devesh Kapur and Partha Mukhopadhyay, *Instruments of Social Policy and Mechanisms of Welfare Delivery in India*, Paper Prepared for Conference on Welfare Regime and Social Actors, University of Texas, 2006, p. 3.

⁸² *Ibid*, p. 5.

⁸³ ‘India ranks 134 in human development index’ in *Hindustan Times*, November 02, 2011.

⁸⁴ Anahita Mukherji, ‘Why is an emerging economy like India doing so badly on human development index?’ in *The Economic Times*, June 3, 2012.

⁸⁵ Gargi Parsai, ‘“India lags behind Bangladesh in improving Global Hunger Index despite economic growth”’ in *The Hindu*, October 12, 2012.

Cambodia and Haiti) have lower levels of access to improved sanitation. Only five countries outside Africa (Afghanistan, Bhutan, Pakistan, Papua New Guinea and Yemen) have a lower youth female literacy rate than India.⁸⁶

Quite evidently, social citizenship is still a largely unrealized project in India. Clearly, simply increasing the catchment area is not the only concern. Several exclusions seem to have seeped into our welfare schemes. An analysis of the projects of social citizenship in India will abundantly demonstrate the need to make social welfare schemes more inclusive. However, the jury remains out on whether a targeted approach or universal access will improve the reach of welfare schemes.

If one takes note of the patterns of 'claim-making practices' or strategies employed when seeking services and resources from state agencies,⁸⁷ the aforementioned point about multiple and interlocking identities playing a significant role becomes apparent. For instance, those with ownership of land and other assets, with higher levels of education, male members of higher castes, are more likely to engage in frequent and various forms of claim-making,⁸⁸ which could be direct, mediated or contentious.⁸⁹ 'Direct' claim-making would involve face to face interaction with government officials. 'Mediated' engagement is routed through local brokers. 'Contentious' claim-making involves an element of conflict.⁹⁰

It is noteworthy that there is not much difference in the variety or the occurrence of claims being made by members of Scheduled Tribes, Scheduled Castes, Other Backward Classes, and the General Castes. However, those belonging to the Scheduled Tribes are less likely to indulge in contentious claim-making in comparison to those belonging to the General Castes.⁹¹ Similarly, women consistently make fewer claims than men.⁹²

This shows that ascriptive and material identities coalesce to create patterns of prejudices and injustices that prevent members from availing state sponsored welfare schemes. As a result, those who are materially and socially better placed are more likely to actualize their

⁸⁶Jean Dreze and Amartya Sen, 'Putting Growth in Its Place' in *Outlook*, November 14, 2011.

⁸⁷Gabrielle Kruks-Wisner, *Making Claims: Citizenship and Service Delivery in Rural India*, Massachusetts Institute of Technology, Political Science Department, Working Paper No. 2011-16, 2011, p. 7.

⁸⁸Ibid, p. 3.

⁸⁹Ibid, p. 13.

⁹⁰Ibid, p. 8.

⁹¹Ibid, p. 15.

⁹²Ibid, p. 16.

citizenship rights. Material and social identities overlap to produce situations that are deeply skewed in favour of the dominant and powerful.

Often exclusions are underwritten within welfare schemes. On the one hand, exclusions could arise by virtue of benefits being targeted. While the selection of a target group may be well justified, there may also arise undue exclusions. On the other hand, exclusions may take place within the targeted group due to oversight and complexities, making it difficult for the intended beneficiaries to avail them. In addition, collusion of vested interests could lead to undue exclusions as well as inclusions. The Below Poverty Line (BPL) card is a case in point.

Possession of a BPL card entitles a household to access welfare schemes such as the public distribution system that makes food grains, kerosene, cooking gas and edible oil available at subsidised rates, free housing, old age pension, free or subsidised healthcare services,⁹³ stipend for skill training, 'assured' work at minimum wages, access to free textbooks, free uniform and allowance for sending children to school,⁹⁴ to name a few.

So far, three BPL surveys have been conducted in the country, in 1992, 1997 and 2002 respectively. The annual household income was used as the selection criteria for the 1992 survey, with Rs 11,000 as the upper limit. The 1997 BPL survey used two schedules for identifying poor households. The first schedule used five variables to exclude non-poor households. These included ownership of a *pucca* house, or annual income more than Rs 20,000, or the ownership of more than two hectares of land, or consumer durables such as a television, refrigerator, ceiling fan, motorcycle/scooter, three-wheeler, or farm equipment such as a tractor, power tiller and combined threshers/harvester. The consumption expenditure of these non-poor households was ascertained using the next schedule, in addition to other demographic and social information. If the monthly per capita household expenditure was less than the Planning Commission's estimates of the poverty line, the household was categorised as poor.⁹⁵

The 2002 BPL survey scored households on the basis of 13 socio-economic indicators such as the size of the operational landholding, type of house, availability of clothes, food security, sanitation, ownership of consumer durables, literacy status, status of household labour force,

⁹³F Ram, S K Mohanty, Usha Ram, 'Understanding the Distribution of BPL Cards: All-India and Selected States' in *Economic & Political Weekly*, vol. xlv no. 7, 2009, p. 66.

⁹⁴Indira Hirway, 'Identification of BPL Households for Poverty Alleviation Programmes' in *Economic & Political Weekly*, vol. 38 no. 45, 2003, p. 4805.

⁹⁵Ram, Mohanty and Ram, *op. cit.*, p. 66.

means of livelihood, status of school-going children, type of indebtedness, reason of migration and preference of assistance. However, this list was not operationalised until 2006, due to a stay order by the Supreme Court on a writ petition alleging that this methodology would drastically reduce the number of persons identified as BPL and a large number of the poor families would lose their entitlements.⁹⁶

The BPL survey has received severe criticism from several quarters. It is noteworthy that in 2006, there were 61 million BPL cards in the country. Out of these, 34 million were distributed to poor households and 27 million to non-poor households. This implies 44% of BPL cards or four out of every 10 BPL cards were in possession of non-poor households.⁹⁷ The proportion of BPL cards with non-poor households is as high as 84% in Assam, 43% in Uttar Pradesh, 50% in Rajasthan, 40% in Bihar and 38% in Chhattisgarh.⁹⁸ It is astonishing that 11% households with *pucca* houses having three or more sleeping rooms, 10% households owning motorised vehicles and 8% of those owning both television and refrigerator possess BPL cards. Contrarily, 60% of households living in abject deprivation⁹⁹ do not possess BPL cards.¹⁰⁰

Evidently, two kinds of errors are most common in BPL lists: first, errors of inclusion of non-poor households, and second, errors of exclusion of the poor. The first error occurs due to loopholes in the methodology of the survey. Errors of exclusion of the poor occur when poor households have no information about BPL lists or do not know how to get enrolled. Often, the poor are not in a position to get the required documents and forms. They are unable to convince or assert themselves with the local officials or bribe their way through. Clearly, as underscored by Indira Hirway, targeting is not just a statistical exercise, it is a major political activity.¹⁰¹

Moreover, India's poverty line is abysmally low. As a result, even if all BPL cards were accurately allocated to poor households only, large numbers of those in dire need of social

⁹⁶Ibid, p. 67.

⁹⁷Ibid, p. 69.

⁹⁸Ibid, p. 67.

⁹⁹ Abject deprivation has been defined as 'a situation where a household does not have any adult literate member, lives in a *kaccha* house in rural areas and in *kaccha* or semi *pucca* in urban areas, no land in rural areas and no toilet facility in urban areas, no drinking water facility of his or her own, not owning any consumer durables such as a bicycle, television or radio and no electricity for his/her house. The deprivation score ranges from 0 to 6 where the score 0 is termed as abject deprivation' (Srinivasan and Mohanty 2002).

¹⁰⁰Ram and Mohanty, *op. cit.*, p. 68.

¹⁰¹Hirway, *op. cit.*, p. 4084.

assistance would remain deprived.¹⁰² Also, a large number of the poor are bunched so close to the poverty line that a slight increase in income can push them above the line and exclude them from welfare entitlements. Therefore, it has been argued that the number of persons below poverty line is an incomplete depiction of those in need of welfare services.¹⁰³ One is bound to suspect the politics behind keeping the number of those “officially poor” low. Failure to enlist oneself as a BPL household can lead to exclusion from all those welfare schemes that rely on these lists to identify their targets. This is not to say that inclusion in BPL lists implies panacea for all the problems faced by the poor.

Errors of incorrect exclusion and inclusion depend not so much on the survey methodology, as on the efficiency and sincerity of the local administration, as well as the awareness and assertiveness of the poor. Even after being identified as a BPL household, the poor do not enjoy easy access to poverty alleviation programmes. Further hurdles are created by unsympathetic local administration and banks.¹⁰⁴

Another example of welfare schemes leading to erroneous inclusions and exclusions is the Public Distribution System (PDS) in India. Since the BPL card forms the very premise based on which PDS targets its beneficiaries, such errors are bound to happen. This bears significant consequences to say the least, since India has the world’s largest number of people facing chronic hunger.

There has been a definite decline in the average calorie intake per capita per day from 2,266 Kcal in 1972-73 to 2,183 Kcal in 1993-94 to 2,149 Kcal in 1999-2000. Appallingly, the calorie intake per day was less than or equal to the poverty line norm of 2400 calories for almost 77% of the rural population in 1999-2000.¹⁰⁵

In the year 1997, universal PDS was abolished and Targeted PDS (TPDS) was introduced. The policy targeted BPL households, leaving out those households considered to be above-poverty-line (APL). It also introduced a system of dual pricing: one price for BPL consumers and another for APL consumers.¹⁰⁶

¹⁰²Dreze and Sen, *op. cit.*

¹⁰³Kapur and Mukhopadhyay, *op. cit.*, p. 7.

¹⁰⁴Hirway, *op. cit.*, p. 4806.

¹⁰⁵Madhura Swaminathan, ‘Ending Endemic Hunger’ in *Social Scientist*, vol. 32 no. 7/8, 2004, p. 42.

¹⁰⁶*Ibid*, p. 43.

The rationale behind the transition from universal to targeted may well have been to reduce the error of wrong inclusion. However, as contended by Madhura Swaminathan, the immediate effect of the transition has been to increase the error of wrong exclusion, leading to huge 'welfare costs'. While fiscal costs are easy to measure, welfare costs such as undernutrition are not just difficult to gauge, their implications may be passed on to future generations.¹⁰⁷

Since it forms the very basis of targeting, various drawbacks of the BPL system become implicit in PDS as well. Had nutritional status been the selection criterion, instead of the abysmally low poverty line, a much larger population would have become eligible to receive the benefits of PDS. In addition, the exclusion of the APL population from PDS has made running fair price shops an economically unviable option for individuals. For instance, in 1991, 20.8 million tons of rice and wheat were distributed through the PDS network. In 2000-01, this quantity came down to 11.7 million tonnes. Distribution of smaller quantities has made running fair price shops an unprofitable venture.¹⁰⁸ Moreover, the decrease in the quantity of food grains distributed through the PDS network no longer allows it to play the role of stabilizing market prices.¹⁰⁹

Recognizing the pitfalls of targeting, many states have moved towards 'a more inclusive PDS'. For instance, PDS is universal in Tamil Nadu, where every household is entitled to 20 kg of rice per month free of cost. Andhra Pradesh, Chhattisgarh, Himachal Pradesh, Kerala, Odisha and Rajasthan have also taken substantial steps towards universal or near-universal PDS.¹¹⁰

Jean Dreze and Reetika Khera have argued that making PDS universal can help bridge the poverty gap. Adding the PDS subsidy to its Monthly Per Capita Expenditure brings a household that much closer to the poverty line. They contend that at present, PDS helps bridge the poverty gap by 18% at the national level. The bridging effect can be further accentuated if PDS is made universal. PDS is also likely to create 'stabilization benefits' since it brings a sense of security to the lives of people.¹¹¹

¹⁰⁷Ibid, p. 44.

¹⁰⁸Ibid, p. 45.

¹⁰⁹Ibid, p. 46.

¹¹⁰Jean Dreze and Reetika Khera, 'A Bill that asks too much of the poor' in *The Hindu*, September 5, 2012.

¹¹¹Ibid.

Despite the hindsight about the drawbacks of TPDS, the proposed National Food Security Bill seeks to impose a rigid targeting formula, based on the division of the population into 'priority', 'general' and 'excluded' groups. India now faces an uncanny situation, where the government procurement of food grains has crossed 70 million tonnes per year, but the country faces a situation of endemic undernutrition.¹¹²

The above mentioned instances draw attention towards the shortcomings of our welfare network. Although many such examples can be conjured up, I refrain from doing so in order to limit the scope of this chapter, lest it may become unwieldy. Given the fact that it is no small feat to address the welfare needs of such a huge and diverse population, the aforementioned cases illustrate the need to make our welfare programmes foolproof. It is no longer sufficient to just have a policy of social citizenship. Making it more inclusive is the need of the hour.

2.4 Conclusion

As illustrated above, the welfare network in India is plagued with erroneous exclusions as well as inclusions. If welfare programmes are the manifestation of the principle of social citizenship, then by addressing these flaws, the project of social citizenship can be made more inclusive. Thus, 'inclusive social citizenship' presents itself as an interesting prism to examine the claims of the Unique Identity Project (UID). The mainstay of UID's claims is that it can streamline various welfare schemes, such as the National Rural Employment Guarantee Scheme (NREGS) and PDS, by eliminating ghost beneficiaries, duplication, corruption, leakage and middlemen. However, what remains unanswered is whether it can address erroneous inclusions and exclusions in these schemes. How will UID provide assistance to those who have already slipped through the welfare network, for instance those who deserve but do not possess BPL cards? The following chapter will delve into this query.

¹¹²Ibid.

Chapter 3

Identification and Inclusive Social Citizenship

Assessing the Welfare Potential of Aadhaar

Introduction

With a target of enrolling 600 million people by 2014,¹ contrasting claims about UID ushering in a new 'regime of social welfare' on one hand, versus welfare schemes now being linked to Aadhaar only to salvage the project on the other hand, are constantly doing the rounds. Keeping these conflicting points of view in mind, this chapter will critically examine the alleged claims and benefits of UID through the prism of 'inclusive social citizenship'.

Social citizenship can broadly be understood as network of welfare schemes implemented by governments to improve the overall quality of life of its population. However, as elucidated in Chapter 2, many such welfare schemes in India have fallen prey to erroneous inclusions and exclusions. Therefore the significant question that arises is can UID facilitate better inclusion into welfare schemes?

Inclusion into the welfare network can be improved in two significant ways:

- Making those who deserve welfare assistance, but have slipped out of the welfare network, eligible for them i.e. addressing undue or erroneous exclusion.
- Ensuring hassle-free services to those entitled to welfare assistance, since mere eligibility for a welfare scheme does not guarantee efficient delivery or easy access.

Another kind of inclusion can take place through the identification of those who have hitherto remained non-existent in various government records. While the extent to which such identification impacts individual privacy is examined in the next chapter, there seems to be a trade-off between social rights in terms of the alleged improved access to welfare schemes that UID claims to facilitate, and civil liberties in terms of its adverse impact on privacy. Whether such identification and the much touted improvement in access and delivery of welfare schemes can enhance the sense of inclusion of such sections remains to be seen.

¹Rakhi Mazumdar, 'UIDAI targets 400 million enrolments by mid 2013, Aadhar hopes to give unique identity to some 1.2 bn residents' in *The Economic Times*, December 7, 2012.

The government claims that Aadhaar will help design better welfare programmes, enable easy access to resources and allow agencies to deliver services more effectively and transparently.² With Aadhaar enabled service delivery being touted as a ‘game changer’ for the national elections due in 2014, there seems to be a lot of undue pressure on the project to yield immediate results, something that may in reality require years of gestation. Similar apprehensions have been expressed by international voices as well, nevertheless acknowledging UID as the ‘most advanced identity concept in the world’ with a ‘moon-shot feel’.³

In the following section, Aadhaar’s claim about providing identification to the “identity-less” is examined. Subsequently, the veracity of UIDAI’s claim about enrolment being voluntary is looked into. In the next section, the welfare-quotient of Aadhaar’s claims is delved into. The Public Distribution System (PDS) and the National Rural Employment Guarantee Scheme (NREGS) are discussed as two cases in point. Following this, ‘financial inclusion’ and ‘electronic benefit transfer’ (EBT) – two central planks of the Aadhaar project – are discussed.

3.1 Exploring Inclusion through Identification

The Aadhaar project is being portrayed as ‘a massive inclusion programme’ to incorporate the poor and marginalized, and millions of such people ‘who do not have a formal identity or acknowledgement of their existence by the state’ into the formal economy.⁴ Inclusion through identification may take place in two possible ways, first through the very act of being accounted for, and second, through the benefits that may accrue through such identification.

A study to analyse the state of identity in India and to measure the socioeconomic impact of UID over the next decade is being conducted in collaboration with scholars from the New York University’s Stern School of Business, University of Minnesota’s Carlson School of Management and the Indian School of Business.⁵ It seeks to ascertain the ‘determinants of successful execution of nationwide infrastructure efforts’ like Aadhaar and measuring its

²Nandan Nilekani, ‘The possibilities of the Aadhaar number’ in *Yojana*, vol 55, June 2011, p. 6.

³Uttam Sengupta, ‘UID is like iPhone’ in *Outlook*, January 23, 2013.

⁴‘Fingerprinting India - Fareed Zakaria with Nandan Nilekani’, Fareed Zakaria GPS, CNN, July 3, 2012, <http://www.youtube.com/watch?v=b0bELVMvk6c>

⁵‘India’s Unique Identity (UID) Reaching Underprivileged Households That Have No Existing ID’, NYU Stern, Experience Faculty & Research, April 24, 2012, <http://www.stern.nyu.edu/experience-stern/faculty-research/sundararajan-uid-results>

welfare impact.⁶ The study comprises a multi-year national survey to be carried out by the National Council for Applied Economic Research. The first phase of the survey was conducted in 2011 and the second phase is currently in the field.⁷

The study believes that Aadhaar is 'creating an entirely new segment of those who are attaining portable ID for the first time'.⁸ Early results of a survey of 5,14,000 households indicated that UID is bringing 'underprivileged and excluded households' into the mainstream economic system. The data revealed that less than 30% of households in India have even one resident with any one form of portable ID. This is noteworthy, since households with portable ID have higher incomes and are more likely to have a college-educated resident than those without. Remaining households rely on documents like ration cards or NREGA job cards, which are valid within a limited geographical area. Incidentally, the rate of illiteracy is four times higher among those without portable IDs.⁹ More than 56% of the enrollees did not previously have a portable ID such as a passport, driver's license or PAN card and 87% of such households had an annual income of less than \$2,000.¹⁰

For someone who hitherto did not have an ID, identification may bring a certain sense of inclusion, albeit an intangible aspect that is difficult to gauge. It would also be subject to whether such collection of data is perceived as harassment and strengthening the tentacles of the state, or simply gathering information about one's population to aid better services. However, the sense of inclusion may be momentary and may translate into disillusionment if the identification is reduced to a piece of paper and the benefits promised are not delivered. In the case of UID, its linkage with welfare schemes is a time consuming process, which may lead to disenchantment if tangible results are not produced immediately. This nuance is difficult to convey to those who turn up at the enrolment centres. For instance, Ranjana, the first individual to receive a UID was apparently under the impression that the number would get her travel concession, and ultimately dubbed it useless when it proved futile.¹¹

⁶'The Identity Initiative', Indian School of Business, Srinu Raju Centre for IT and the Networked Economy, <http://www.isb.edu/SRITNE/IDI/Research.html>

⁷Johanna Martinsson, "'Aadhaar' is Reaching India's Poor, but at What Price?", [blogs.worldbank.org](http://blogs.worldbank.org/publicsphere/aadhaar-reaching-india-s-poor-what-price), July 17, 2012, <http://blogs.worldbank.org/publicsphere/aadhaar-reaching-india-s-poor-what-price>

⁸NYU Stern, Experience Faculty & Research, *op. cit.*

⁹*Ibid.*

¹⁰Amol Sharma, 'Study Shows Unique ID's Reach to India's Poor' in *The Wall Street Journal*, April 24, 2012.

¹¹Simi Chacko and Pratiksha Khanduri, 'UID for Dummies', *Kafila*, August 2011, <http://kafila.org/2011/09/12/uid-for-dummies-simi-chacko-and-pratiksha-khanduri/>

‘Inclusion’ being inherently ‘exclusionary’, it becomes important to take note of certain exclusionary patterns in case they are being produced. Exclusion may take place during enrolment due to lack of documents and inability to register one’s biometrics. While the latter aspect is examined in detail in the next chapter, as mentioned in Chapter 1, the UIDAI has put in place the ‘introducer’ and ‘co-resident’ systems to enrol individuals who do not possess the requisite documents. However, introducers are not obliged to confirm the identity of all individuals who approach them.¹² Strangely, there is no information in the public domain about situations where an individual can be “rightly” denied enrolment and what steps this aggrieved individual can take. Moreover, those without a fixed address will not have access to introducers who know them. In addition, the liability of introducers in scenarios where information provided by enrolees is found to be false remains a grey area. This may prove to be a disincentive for them to vouch for certain individuals. In a much cited case, an NGO in Delhi stopped enrolment at its shelters for the homeless due to confusion over its liabilities. Therefore, it is not surprising when the UIDAI itself admits¹³ that the introducer concept has not been fully implemented. In fact, an incident about officials at a particular enrolment camp being caught completely unaware about the introducer system has also come forward.¹⁴

Besides the inherent value of identification, other benefits that it may be able to provide by addressing problems of erroneous exclusions from welfare schemes and, better access and delivery of services may also foster a sense of inclusion. In the subsequent sections, the role played by Aadhaar in enabling inclusion through the above mentioned modes is examined by taking examples of specific welfare schemes.

While the study quoted above claims that a significant section of those enrolling for UID will be obtaining any form of portable identification for the first time, the real question that emerges is how far is UIDAI being able to reach and enrol those who do not have any form of prior identification? With warranted amount of scepticism surrounding the introducer system and the constantly building pressure on enrolling agencies to “crank up” enrolments, the chances of those without the requisite documents being turned away are quite high.

¹²*Training Module on UIDAI and Aadhaar*, New Delhi: Unique Identification Authority of India, Planning Commission, Government of India, May 19, 2011, p. 15.

¹³Manu Moudgil, ‘Missing the masses’, *The Hoot*, January 28, 2013,

<http://www.thehoot.org/web/home/story.php?sectionId=15&mod=1&pg=1&valid=true&storyid=6574>

¹⁴Rijul Kochhar, ‘The lives of documents: on the sorrows of AADHAR’, *Kafila*, April 13, 2013, <http://kafila.org/2013/04/13/the-lives-of-documents-on-the-sorrows-of-aadhar-rijul-kochhar/>

Therefore, while Aadhaar is providing yet another ID, although portable, to those already in possession of some form of IDs, the “identity-less” seem to be left out of the picture all over again.

3.2 The Illusion of Voluntariness

As noted in Chapter 1, enrolment into the UID database is not stipulated by any mandate. The UIDAI is of the belief that enrolment will be ‘demand driven’ and benefits and services associated with UID will create the requisite momentum. However, the question that arises is how does one create momentum unless at least a threshold number of individuals are enrolled who can avail these benefits and services?

Aadhaar is an open platform which will find utility only when applications are linked to it. To that extent, it has been argued that just like an iPhone, the more Aadhaar is used, the more applications will be developed.¹⁵ However, these applications will remain futile unless individuals can make use of them. It is almost akin to a ‘chicken-and-egg situation’.¹⁶ As a result, a dichotomy has emerged, where although technically Aadhaar is not mandatory, yet in order to provide impetus to enrolments, various government departments have made it compulsory to avail their services.

Several state governments and their ministries, for instance the Jharkhand government, have made Aadhaar compulsory to access entitlements such as salary and pension of state employees.¹⁷ Enrolments received a boost in Maharashtra after the government made Aadhaar numbers mandatory for driving licences,¹⁸ similar to the Chandigarh Administration’s directive that made it necessary for driving licences as well as vehicle registration.¹⁹ To encourage enrolments in Delhi, the revenue department of the state government made the Aadhaar number compulsory for any work related to property and marriage registration.²⁰ Soon other departments also followed suit, making Aadhaar

¹⁵Sengupta, *op. cit.*

¹⁶Ibid.

¹⁷Jaideep Deogharia, ‘No salary after October for govt employees without Aadhaar card’ in *The Times of India*, August 28, 2012.

¹⁸Nisha Nambiar, ‘UID: After changes in norms, officials expect more response in Phase II’ in *Indian Express*, September 6, 2012.

¹⁹‘UID card must for driving licence, RC’ in *Tribune*, December 6, 2012.

²⁰Neelam Pandey, ‘Keep your UID cards ready to get married, buy house’ in *Hindustan Times*, November 28, 2012.

compulsory for accessing most of the state government's services,²¹ such as all cash subsidies and scholarships to the tune of about Rs 250 crore for school children. This also entailed opening bank accounts for 17 lakh government school children. The project has been portrayed as 'a passport to the future' by the Delhi government, with promises about Aadhaar facilitating better job opportunities for children.²² However, the substance of some of these promises is highly questionable.

Various other applications of the Aadhaar platform are being explored. For instance, the government has decided to make use of it in property transactions to curb fraudulent or *benami* deals i.e. deals where the actual owner fronts an unrelated person as the buyer.²³ Similarly, the Employees Provident Fund (PF) Organisation has also made the Aadhaar number mandatory for all new PF accounts and for withdrawal of PF and pension by existing members. This will apparently ensure that the money reaches the right beneficiaries and to also discontinue the practice of bulk payments to employers.²⁴

States such as Haryana²⁵ and Punjab²⁶ had set themselves the deadline of March 2013 to enrol their entire populations, subject to constant revision of goalposts.²⁷ The Rajasthan government decided to make Aadhaar mandatory in a phased manner for ten of its schemes, namely pension schemes of old age, widow, differently abled, NREGA job card, ration card, driving license, water and electricity connections, property registration, Indira Awas Yojna and scholarships.²⁸ However, most such deadlines have already been extended multiple times due to insufficient enrolments. For instance, the deadline for Aadhaar-LPG subsidy linkage in Hyderabad has been extended thrice, with the previous deadline being May 15, 2013.²⁹

However, declarations such as those prohibiting the disbursement of scholarships and grants to school students who do not have the Aadhaar number by March 31, 2013 have led to panic.³⁰ Similarly, several government employees ran the risk of not getting their salaries on time since they did not have the Aadhaar number. Several enrolling agencies were caught

²¹Neelam Pandey, 'From Jan 1, UID must for most govt dealings' in *Hindustan Times*, December 16, 2012.

²²Ambika Pandit, 'Students chase Aadhaar dream' in *The Times of India*, February 18, 2013.

²³Neha Sethi, 'Aadhaar to be used to curb benami deals' in *Mint*, February 3, 2013.

²⁴Sreelatha Menon, 'UID must for all new PF accounts' in *Business Standard*, January 25, 2013.

²⁵Aadhaar for Haryana residents by Mar 2013: CM' in *Press Trust of India*, October 12, 2012.

²⁶Punjab to cover entire population under 'Aadhaar' in *Press Trust of India*, October 12, 2012.

²⁷Varinder Bhatia, 'To help all in Haryana get Aadhar card, govt launches introducers, verifiers' in *The Indian Express*, May 26, 2013.

²⁸Aadhaar to be made mandatory for 10 schemes: Gehlot' in *Press Trust of India*, October 22, 2012.

²⁹Aadhaar-LPG link deadline extended' in *Deccan Chronicle*, April 12, 2013.

³⁰No Aadhaar, no scholarship' in *The Hindu*, November 20, 2012.

unprepared with the sudden upsurge of people flocking enrolment centres after declaration of such rules.³¹ Most centres were found to be lacking sufficient equipment and manpower to handle such massive turnouts.³² There were scuffles reported from enrolment centres in Mysore³³ and Hyderabad, prompted by the linking of Aadhaar to LPG subsidy. There have also been reports of people being injured³⁴ and the demise of an individual³⁵ due to stampedes at enrolment centres in Andhra Pradesh. There were also reports of corruption, with personnel from enrolling agencies allegedly demanding money from applicants.³⁶

On one hand, hurried efforts to complete enrolments and ultimatums to the public have reportedly led to panic. On the other hand, if deadlines are not set, enrolments may not gather the requisite steam. Therefore, the dilemma between linking various forms of service delivery to Aadhaar to encourage enrolments, versus threshold enrolments required to link these very services continues. Moreover, hasty execution of Aadhaar-enabled service delivery may lead to undue exclusions of those who are unable to get their UID numbers on time due to various reasons.

In real terms, if services continue to be linked to Aadhaar, enrolling into it will no longer remain an option, unless individuals can completely escape the reach of the state. Instead of inviting acrimony about the voluntariness of Aadhaar being a myth,³⁷ the UIDAI would do well to revise its stance and accept that, sooner or later, enrolment will become necessary. This may also prevent undue exclusions of those individuals under the impression that Aadhaar is in fact voluntary. As noted by Usha Ramanathan, the 'vener of voluntariness' is torn down by the fact that enrolling into the National Population Register (NPR) is compulsory as per the law, and in the process all those registering for NPR will be issued the UID number automatically.³⁸

³¹'Tardy issue of UID cards may delay salaries' in *Press Trust of India*, January 25, 2013.

³²'Govt tries to ramp up Aadhaar Enrolments, but centres ill-equipped' in *The Times of India*, March 3, 2013.

³³Niranjan Nikam, 'Chaos continues in Aadhaar registration' in *Deccan Herald*, January 31, 2013.

³⁴'Minor Stampede at Aadhaar Enrolment Centre' in *The Times of India*, March 7, 2013.

³⁵'Man dies at Stampede at Aadhaar Centre in Andhra Pradesh' in *The Times of India*, April 11, 2013.

³⁶'Mad rush at Aadhaar enrolment centres in Old City' in *The Times of India*, February 6, 2013.

³⁷'Several questions on UID unanswered, say experts' in *The Hindu*, January 24, 2011.

³⁸Usha Ramanathan, 'A Unique Identity Bill' in *Economic & Political Weekly*, vol. xlv no. 30, July 24, 2010, p.12.

3.3 Inclusive Social Citizenship through Aadhaar - Scope and Possibility

Nandan Nilekani has asserted time and again that the UID project is crucial 'for the huge number of people who are outside the system' with 'no identity, no birth certificates, degree certificates, driver's licence, passport, no address'³⁹ [sic]. He argues that 'without a formal acknowledgement of existence, individuals can't get a bank account or a loan, you can't get a mobile phone, your entitlements, job, rent a house, so everything is linked to your basic identity'⁴⁰ [sic]. He claims that Aadhaar as an identification number can facilitate access of the "identity-less" segment to welfare schemes. Therefore, in order to include the poor, UIDAI has enrolled authorities responsible for the implementation of the National Rural Employment Guarantee Scheme (NREGS), Rashtriya Swasthya Bima Yojna (RSBY) and the Public Distribution System (PDS), among several others,⁴¹ to conduct enrolments.

In addition to this "exercise of inclusion", Aadhaar also claims to make welfare programmes more efficient. It aims to do so by shifting from indirect to direct transfer of benefits, verifying receipt of subsidies and eliminating fraud and duplicate identities, thus leading to significant savings of the state exchequer.⁴² By ensuring that, for instance, scholarships of students are transferred into the right bank accounts or wages for the employment guarantee scheme go directly to the right person, Aadhaar claims to hold the potential to ensure that the annual government expenditure of 60 billion dollars towards entitlements and benefits is put to 'efficient, effective and equitable' use.⁴³ It claims that by creating accountability⁴⁴ and eliminating duplicate and fake identities through its remote verification system,⁴⁵ it can create savings up to Rs. 20,000 crores a year.⁴⁶

It is claimed that linking service delivery with Aadhaar will create a 'paradigm shift' in the welfare architecture with 'game-changing' potential.⁴⁷ A cost benefit analysis conducted by the National Institute of Public Finance and Policy revealed that the investment on Aadhaar project would provide a return of 52.85 per cent to the government. By the year 2015-16, the

³⁹Moudgil, *op. cit.*

⁴⁰'Fingerprinting India - Fareed Zakaria with Nandan Nilekani', Fareed Zakaria GPS, *op. cit.*

⁴¹UIDAI Strategy Overview - *Creating a Unique Identity Number for Every Resident in India*, New Delhi: Unique Identification Authority of India, Planning Commission, Government of India, April 2010, p. 2.

⁴²Ibid, p.1.

⁴³'Fingerprinting India - Fareed Zakaria with Nandan Nilekani', Fareed Zakaria GPS, *op. cit.*

⁴⁴Martinsson, *op. cit.*

⁴⁵Nilekani, *op. cit.* P. 7.

⁴⁶UIDAI Strategy Overview - *Creating a Unique Identity Number for Every Resident in India*, *op. cit.*, p. 4.

⁴⁷Pratap Bhanu Mehta, 'Laying a new aadhaar' in *The Indian Express*, October 25, 2012.

benefits emanating from Aadhaar-linked service delivery is likely to exceed the expenditure on the project. By the year 2020-21, the total benefits would amount to Rs 25,100 crore as against the expenditure of Rs 4,835 crore.⁴⁸ However, the study has generated an acrimonious debate, with questions being raised over its methodology and motivation, as discussed ahead in the chapter.

To begin with, the UIDAI rolled out five pilots or proof of concepts. Direct cash transfers were conducted in Jharkhand, Mysore, Tripura, Aurangabad and East Godavari on pilot basis. Wage payment under NREGS, old age pension, scholarship, payment of LPG subsidy and PDS⁴⁹ were some of the schemes tested for direct transfer into Aadhaar linked bank accounts.

In the following sub-sections, claims of UIDAI transforming welfare schemes are examined through few specific examples. However, a caveat must be added here. Many alleged benefits of Aadhaar such as labour mobility, 'demand-side empowerment' and inclusion have been deemed intangible and difficult to quantify.⁵⁰

3.3.1 National Rural Employment Guarantee Scheme (NREGS)

The National Rural Employment Guarantee Scheme (NREGS) aims to provide 100 days of employment to all rural households. However, the programme has been facing problems such as diversion of funds through ghost beneficiaries, inflated work records, fake job cards and improper maintenance of muster rolls.⁵¹

Aadhaar has been proposed as a platform to enable payments under NREGS directly into the bank accounts of beneficiaries.⁵² These Aadhaar-enabled accounts are supposed to be opened at the time of enrolment into UID.⁵³ The UIDAI claims that by simplifying the Know Your Customer requirements for opening bank accounts, it can facilitate the direct transfer of NREGS wages, instead of the present system of cash payment.

However, Reetika Khera argues that claims of UIDAI about NREGS suffer from lack of understanding about the nuances of the scheme. There seems to be dearth of clarity in the

⁴⁸ 'Large returns expected from Aadhaar project: NIPFP' in *Press Trust of India*, November 12 2012.

⁴⁹ Pratap Vikram Singh, "Aadhaar to help poor save more" in *Governance Now*, December 10 2012.

⁵⁰ *A cost-benefit analysis of Aadhaar*, New Delhi: National Institute of Public Finance and Policy, November 9, 2012, p.3.

⁵¹ *Ibid*, p.8.

⁵² Department of Rural Development (MGNREGA-1Division), Ministry of Rural Development, Government of India, No. K-11011/2/2008-NREGA (Mon)/TS{62S}, July 30, 2012. .

⁵³ Bharat Bhatti, Jean Drèze and Reetika Khera, 'Experiments with Aadhaar' in *The Hindu*, June 27, 2012.

claims made by the authority. Since wage payment through banks and post offices has been a norm since 2008, Khera argues that the UIDAI makes no new claim. By the year 2009-10 itself, 83% of NREGS job-card holders already had bank or post office accounts, much before the conceptualisation of Aadhaar's role in NREGS.

According to Khera, UIDAI's claim about eliminating corruption in NREGS is based on the assumption that payments are still being made in cash. She points out three possible ways of siphoning off money under the system of electronic transfer of wages. First, 'extortion', where inflated wages are withdrawn by the labourer and the middleman takes his share. Second, 'collusion', where the labourer and the middleman agree to share the inflated wages. Third, 'deception', where middlemen operate accounts on behalf of labourers. Khera is of the opinion that Aadhaar can prevent only deception, but not collusion or extortion.⁵⁴ In addition, UIDAI's claim of preventing identity fraud and issuance of fake job cards, according to Khera, are problems that do not exist or are present in miniscule proportion.⁵⁵

However, since no documents are required for issuing job cards,⁵⁶ the existence of fake job cards or more than one card per family cannot be completely ruled out. In Madhya Pradesh alone, out of 1.20 crore job cards, 53 lakh were found to be fake. Given that the state has been receiving around Rs 3,000 crore annually since 2006⁵⁷ for NREGS, the waste can only be colossal to say the least.

It is estimated that approximately 12 per cent of the government's expenditure on NREGS is lost to ghost workers and manipulated muster rolls. The National Institute of Public Finance and Policy estimates that 5 per cent of the leakages can be prevented by utilizing Aadhaar for wage disbursement. Another 7 per cent can be plugged through automation of muster rolls. In addition, several benefits emanating from integration of Aadhaar with NREGS cannot be monetised.⁵⁸ For instance, it can create greater accountability by registering work applications online and recording real time data about number of workers involved in a

⁵⁴Reetika Khera, 'The UID Project and Welfare Schemes', http://www.du.ac.in/fileadmin/DU/Events/sosicalscience_Boon_details_2122011.pdf, p. 2.

⁵⁵Ibid, p. 3.

⁵⁶Siwan Anderson, Ashok Kotwal, Ashwini Kulkarni and Bharat Ramaswami, *Measuring the impacts of linking NREGA payments to UID*, Ideas for Growth-International Growth Centre, London School of Economics and Political Science, January 24, 2013, p. 9.

⁵⁷Chandna C Arora, 'MGNREGA in Madhya Pradesh: A tale of 53 lakh ghost beneficiaries', Firstpost.com, April 11, 2013, <http://www.firstpost.com/india/mgnrega-in-madhya-pradesh-a-tale-of-53-lakh-ghost-beneficiaries-694800.html>

⁵⁸*A cost-benefit analysis of Aadhaar*, National Institute of Public Finance and Policy, *op. cit.*, p. 8.

project and amount of material being utilized.⁵⁹ However, the amount of digitization and spread of computer literacy these features would require can only be imagined in the distant future.

Contrarily, since payments under NREGA are made as per the amount of work completed,⁶⁰ inflation of wages would require the collusion of several individuals, including the worker and the technical officer who examines the work. Hence, even if biometric enabled attendance were to be installed at every job site, which in itself is a Herculean task, it would not really be able to check inflation of wages. This is because attendance can only vouch for the number of hours spent by workers and not the amount of work completed.

Neither can Aadhaar help in reducing delays in wage payments. This is because most of the delay occurs during the submission of muster rolls, work measurement and preparation of payment advice, much before the banks become involved.⁶¹ It can only reduce delay in withdrawal of wages after being credited into bank accounts.⁶²

It has also been argued that in the case of NREGS, UID seems to find utility only through the provision of last mile connectivity. This is to be provided through a network of business correspondents (BC), who will make payments in the villages using a Micro ATM. The Micro ATM will consist of a portable, biometric ID enabled electronic device, connected to GPRS system through cellular networks.⁶³ It is supposed to enable villagers to receive and deposit money, make balance enquiries, generate receipts and make audio announcement of every transaction.⁶⁴ The beneficiary is supposed to first give her Aadhaar number to the BC and then give her fingerprints on the scanner of a Micro-ATM for authentication against UIDAI's CIDR. Subject to confirmation, the transaction would proceed.⁶⁵

Another benefit of the BC model is that unlike post office payments, it allows partial withdrawals. However, this form of last mile connectivity emanates from the BC model in general, rather than UID-linked banking specifically.⁶⁶ Besides expanding the reach of banks and bringing banking facilities to the doorstep, the BC model enables transition from post

⁵⁹Ibid, p. 9.

⁶⁰Anderson, Kotwal, Kulkarni and Ramaswami, *op. cit.*, p. 4.

⁶¹Bhatti, Drèze and Khera, *op. cit.*

⁶²Bharat Bhatti, 'Aadhaar-Enabled Payments for NREGA Workers' in *Economic & Political Weekly*, vol xlvi no 49, December 8, 2012, p. 18.

⁶³Anderson, Kotwal, Kulkarni and Ramaswami, *op. cit.*, p. 8.

⁶⁴Ibid, p. 7.

⁶⁵Bhatti, *op. cit.*, p. 18.

⁶⁶Anderson, Kotwal, Kulkarni and Ramaswami, *op. cit.*, p. 8.

office to bank accounts, the former being more susceptible to corruption,⁶⁷ overcrowded and understaffed.⁶⁸

A few other experiments with local biometric database have been conducted across NREGS work sites. Fingerprints are stored on smart cards that are used for authentication.⁶⁹ It seems that the benefits that UID claims to provide could be availed through local databases as well.

However, Aadhaar claims superiority to other biometric solutions because it allows interoperability among banks and BCs. It also allows for uniformity of biometric standards across the country and across applications, i.e. it does away with the need to collect biometric separately for different programmes. Most importantly, it allows mobility of identity.⁷⁰ Therefore, it seems that the promised benefits of UID are more generic across welfare programmes, rather than specific to NREGS.

However, reliance on centralised versus local enrolment systems makes it difficult to update the database, or to include those who have been left out. Interoperability also raises questions about privacy.⁷¹ In addition, the complexities of technology implementation on the ground, such as ensuring foolproof fingerprint recognition of manual workers and the elderly continues to remain a cause of concern.⁷² Steady connectivity for real-time online authentication in the hinterland remains improbable. Authentication becomes further difficult when connectivity is weak due to bad weather.⁷³ Therefore, further innovation into hybrid online-offline models is required. In addition, while rolling out Aadhaar-linked payments, care needs to be exercised not to exclude anyone without a UID or linked bank account.⁷⁴

Many more pilot projects must be launched and duly evaluated to learn lessons imperative for large scale roll out. An evaluation of a pilot conducted in Ratu block in Ranchi district in Jharkhand found that only three *gram panchayats* were involved, out of 14 in the block. In the three *gram panchayats* put together, the pilot had been implemented only at five worksites, employing just 50 workers. This is too small a sample to draw lessons from.

⁶⁷Bhatti, Drèze and Khera, *op. cit.*

⁶⁸Bhatti, *op. cit.* p. 18.

⁶⁹Bhatti, Drèze and Khera, *op. cit.*

⁷⁰Neelakshi Mann, Varad Pande and Jairam Ramesh, 'Aadhaar and MGNREGA are made for each other' in *The Hindu*, July 4, 2012.

⁷¹Bhatti, Drèze and Khera, *op. cit.*

⁷²Mann, Pande and Ramesh, *op. cit.*

⁷³Bhatti, *op. cit.*, p. 17.

⁷⁴Mann, Pande and Ramesh, *op. cit.*

Nevertheless, a survey of 42 workers was conducted. The payment of wages was found to be regular and on time, albeit under intensive supervision.⁷⁵ Most workers who were interviewed found the new system easier to use and less time-consuming than bank or post office procedures.⁷⁶

However, the most important observation was that none of the workers had received bank passbooks, making it difficult for them to withdraw their wages from the bank when the authentication system failed or when the BC was found to be corrupt. It is crucial that the BC model is treated as an additional option, supplementing access to banking facilities, rather than supplanting them.⁷⁷

The last mile connectivity that the BC model provides, with or without link to Aadhaar, is important for speedy and easy withdrawal of wages. However, it may be possible to implement the BC model minus Aadhaar as well. Instead of feeding in the UID number, the account number of the individual could be entered into the handheld devices. But the supporters of Aadhaar would argue that its utility lies in its ability to prevent duplicate and fake or ghost identities from availing these benefits.

The advantage that Aadhaar-linked payment has over local biometric database is its applicability across welfare schemes. More importantly, it could offer mobility across NREGS worksites. But its utility in checking corruption is limited, in comparison to its ability to improve disbursement of payments. Therefore, the benefit it offers is more generic across welfare programmes, rather than specific to NREGS. It seems more like an effort to provide financial inclusion, rather than streamlining NREGS in particular.

In terms of inclusion, it can play a limited role through improved disbursement of wages. Caution must be exercised before rolling out Aadhaar-linked payment for NREGS on a large scale. Measures against failure in fingerprint scanning, intermittent connectivity, opening of bank accounts and a reliable network of BCs remain critical for such integration.

3.3.2 Public Distribution System (PDS)

⁷⁵Bhatti, Drèze and Khera, *op. cit.*

⁷⁶Bhatti, *op. cit.* p. 17.

⁷⁷Bhatti, Drèze and Khera, *op. cit.*

The UIDAI claims that Aadhaar can be integrated with the existing Public Distribution System (PDS) infrastructure⁷⁸ to address the various exclusions and inefficiencies of the scheme. It asserts that lack of identification documents required to obtain ration cards is one of the main reasons for exclusion of BPL families from PDS.⁷⁹ Due to a large number of fake ration cards in the system, governments are compelled to make verification norms for issuance stringent, thus demanding identification documents, which BPL families usually do not possess.⁸⁰ The problem of duplicate and fake beneficiaries can also be ameliorated through the use of Aadhaar, claims the authority.⁸¹

Another potential utility of Aadhaar in PDS is that it can facilitate the identification of beneficiaries at every Fair Price Shop (FPS). Using its real-time identity verification services,⁸² it can enable the government to transfer entitlements to residents through the electronic system.⁸³ 'Portability of identity' is another much touted benefit of Aadhaar. Since beneficiaries can be identified based on their UID numbers, entitlements can be collected from any FPS, thus decoupling rights and entitlements from the location of the resident.⁸⁴ Beneficiaries will also be able to choose between FPSs, in case certain FPSs are found to be non-cooperative.⁸⁵ Stocks can then be replenished based on authentication-linked offtake i.e. how many beneficiaries collected their entitlements from a particular FPS.⁸⁶

A major source of corruption in PDS is diversion of food grains during their movement from godowns to FPSs. Often, records of quantity of food grains received are fudged in sales and monthly-stock registers. Illegal sale of grains in the open market is a common practice. Beneficiaries are often cheated by being sold lesser quantity and yet being made to sign up for having received full quota.⁸⁷

UIDAI proposes to implement Aadhaar-based authentication across the supply chain. This would enable the government to keep a track on the exchange of food grains between various intermediaries, prevent diversions that take place en-route to FPSs, and remove bottlenecks at

⁷⁸ *Envisioning a role for Aadhaar in the Public Distribution System*, New Delhi: Unique Identification Authority of India, Planning Commission, Government of India, Working Paper – version 1, June 24, 2010, p. 3.

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*, p. 7.

⁸¹ *Ibid.*, p. 6.

⁸² *Ibid.*, p. 4.

⁸³ *Ibid.*, p. 5.

⁸⁴ *A cost-benefit analysis of Aadhaar*, National Institute of Public Finance and Policy, *op. cit.*, p. 4.

⁸⁵ *Envisioning a role for Aadhaar in the Public Distribution System*, *op. cit.*, p. 8.

⁸⁶ *Ibid.*, p. 5.

⁸⁷ Khera, *op. cit.*, p. 7.

various stages in the supply chain. It suggests that procurement orders, records of storage, various monitoring processes and inventory management be made available online⁸⁸ and tracked in real time.⁸⁹ In addition, individual accounts of entitlements can also be maintained online.⁹⁰

The authority goes to the extent of suggesting radical overhaul by changing the extant 'household-based' entitlement-criterion to 'individual-based'. This would ensure availability of food for individuals hailing from large families and those who do not fit into the household-criterion such as single women.⁹¹

Critics have dubbed UIDAI's claim about eliminating bogus cards in PDS as 'inflated'. They argue that UID can only eliminate 'ghost' cards, i.e. cards in the names of nonexistent or deceased persons and 'duplicates', i.e. where one household manages to get more than one ration cards through unfair means. However, there is insufficient evidence to prove that 'ghost' cards are the main source of corruption in PDS⁹² and, therefore requires such large scale redressal.

Contrarily, a cost benefit analysis conducted by the National Institute of Public Finance and Policy revealed positive results. According to its estimates, 16.67 per cent of food grains within PDS are diverted to non-existent or ghost beneficiaries. It claims that Aadhaar can save 12.5 per cent of the subsidy spent by addressing this anomaly alone. In addition, it also has the potential to save 8.3 per cent of the Rs 19,600 crore kerosene subsidy under PDS. Besides, there are several other intangible benefits⁹³ that are not quantifiable, such as portability of benefits and savings of transaction costs of enrolling for a ration card in a new location.⁹⁴

Significantly, Aadhaar has not been conceptualised to address an 'inherent lacuna' in PDS, i.e. its flawed targeting criterion. As discussed in Chapter 2, errors in the process of classification have resulted in denial of the BPL status to eligible households. Since it forms the basis of obtaining ration cards, large quantity of benefits under PDS is directed to households erroneously classified as BPL. This flaw is beyond the scope of Aadhaar to

⁸⁸ *Envisioning a role for Aadhaar in the Public Distribution System, op. cit.*, p. 5.

⁸⁹ *Ibid*, p.9.

⁹⁰ *Ibid*, p. 13.

⁹¹ *Ibid*, p. 6.

⁹² Khera, *op. cit.*, p. 5.

⁹³ *A cost-benefit analysis of Aadhaar*, National Institute of Public Finance and Policy, *op. cit.*, p. 7.

⁹⁴ *Ibid*, p. 4.

address⁹⁵ since UID serves only as proof of identity and not proof of eligibility.⁹⁶ The linkage of Aadhaar to the extant form of PDS may in fact reinforce such exclusions⁹⁷ since it does not say anything about whether the individual is poor or deserving of the subsidy.⁹⁸

The government aims to address the problems of erroneous inclusion and exclusion through a new socio-economic caste census, which is currently underway.⁹⁹ The survey aims to provide a 'clean and updated list of those below the poverty line as well as those who can claim benefits targeted for specific communities'. However, there seems to be lack of clarity about its stage of completion. In the meantime, linking Aadhaar to schemes that rely on the BPL survey will further exacerbate prevalent exclusions.¹⁰⁰ This makes UIDAI's claims about enabling clear targeting of beneficiaries problematic since it would be based on the already flawed and 'poorly implemented' BPL census.¹⁰¹ Therefore, UIDAI's claim of improving targeting, which is flawed in the first place, has been heavily criticised.¹⁰²

While the portability argument 'is perhaps the most enticing aspect of the UID programme', allegedly it has not been 'thought through'. This is because grain allocations to FPSs based on the previous month's sales will not be able to cater to an 'unpredictable demand'.¹⁰³ But an 'unpredictable' influx of beneficiaries seeking entitlements should occur only in the initial stages of implementation. With time, the quantity of offtake should vary within predictable limits.

It has also been contended that the 'last mile' problem in the PDS supply chain can be addressed in several other ways, besides the application of UID. For instance, releasing food grains to FPSs in accordance with the number of coupons deposited by beneficiaries on receipt of designated quota is one option. Biometric enabled smart cards too could serve the

⁹⁵R Ramakumar, 'The Unique ID Project in India: A Skeptical Note' in Kumar, Ajay and Zhang, David (eds.), *Ethics and Policy of Biometrics (Third International Conference on Ethics and Policy of Biometrics and International Data Sharing, ICEB 2010 Hong Kong January 2010, Revised Selected Papers)*, Hong Kong: Springer 2010, p. 165.

⁹⁶M Rajshekhar, 'Direct Cash Transfer scheme: 6 questions UPA need to give convincing answers' in *The Economic Times*, December 13, 2012.

⁹⁷Himanshu, 'Cash transfers and other dreams' in *Mint*, December 6, 2012.

⁹⁸Narendra Pani responds to Jairam Ramesh and Virad Pande - No Need for Hype but Certainly a Hope' in *The Hindu*, December 11, 2012.

⁹⁹Rajshekhar, *op. cit.*

¹⁰⁰Nitin Sethi, 'Poverty survey delay to hit cash transfer plan' in *The Times of India*, December 27, 2012.

¹⁰¹Khera, *op. cit.*, p. 4.

¹⁰²Ramakumar, *op. cit.*, p. 165.

¹⁰³Khera, *op. cit.*, p. 4.

same purpose. Social audits and sending SMS alerts to villagers when supply vehicles leave the godown for FPSs are other options.¹⁰⁴

The ‘main utility’ of UID, as articulated by UIDAI, is that it does away with the need for ‘scheme-by-scheme’ enrolment. But the question that should really be asked is, ‘how many schemes of the Government of India need biometrics for purposes of de-duplication and solving the ‘last mile’ problem?’¹⁰⁵

From the point of view of inclusion, Aadhaar is unable to incorporate those who have slipped through the network of PDS, i.e. those without ration cards. To that extent, improving the present system of targeting may accentuate prevalent forms of exclusion. Mobility of access to subsidised food that Aadhaar promises, when implemented, will truly hold the potential to empower the beneficiary. In terms of ensuring better access, results of pilot schemes are discussed in the next section.

3.3.3 Financial Inclusion and Aadhaar-Enabled Electronic Benefit Transfer

Achieving ‘financial inclusion by providing Aadhaar linked banking services’ and ‘progressively moving’ towards ‘cash transfers for major subsidies’ are two important objectives of the 12th Five Year Plan.¹⁰⁶ Financial inclusion implies the delivery of financial services to sections that were hitherto excluded from the formal financial system.¹⁰⁷ This amounts to approximately 40 per cent of the entire population, with this percentage becoming drastically high¹⁰⁸ as per the development status of various regions.

In the effort to achieve financial inclusion, the UIDAI makes the case for Aadhaar by projecting it as a solution to the problems created by the lack of identification documents with those seeking to open bank accounts. As per the law, banks in India are required to follow customer identification procedures known as Know Your Customer (KYC) while opening new accounts. The UIDAI claims that the Know Your Resident (KYR) standards

¹⁰⁴Ibid, p. 6.

¹⁰⁵Ibid, p. 7.

¹⁰⁶‘Large returns expected from Aadhaar project: NIPFP’, *op. cit.*

¹⁰⁷Deepali Pant Joshi, ‘Financial Inclusion, Financial Deepening and Economic Growth’ in *Yojana*, vol 55, June 2011, p. 14.

¹⁰⁸UIDAI *Strategy Overview - Creating a Unique Identity Number for Every Resident in India*, *op. cit.*, p. 39.

followed during enrolment for UID could do away with the need for individual KYC while opening basic, 'no-frills' bank accounts.¹⁰⁹

At the time of enrolment for UID, the enrolment form gives an option to open an Aadhaar-linked bank account. The UIDAI has empanelled 64 banks, including 25 state-owned, 12 private, one foreign and few regional rural and cooperative banks. Some of the popular ones include State Bank of India, ICICI Bank and Citibank to name a few. Once data is shared with these banks, they have to open the accounts within a month. However, if in a particular area, only one bank has been empanelled, then individuals cannot choose between various banks.¹¹⁰

In order to bring financial services to the grassroots, the government plans to create a network of Business Correspondents (BC) who can facilitate UID-enabled micropayments. As aforementioned, transactions such as withdrawals and deposits in small, micro-amounts can be conducted in remote locations through such a network.¹¹¹ It has been contended that if banks are able to replicate the success of the mobile phone revolution, they stand to gain immensely from such micro-transactions.¹¹²

Multiple BCs at the village level are to be appointed in order to provide choice to the customer.¹¹³ Unlike the earlier scenario, where the distance to the nearest bank and the fear of losing a day's wage due to the commute prompted villagers to withdraw entire balance in one go, the BC system is said to encourage savings since it allows partial and repeated withdrawals at the individuals' doorstep.¹¹⁴

Financial inclusion is being portrayed as a stepping stone for Electronic Benefit Transfers (EBTs), with Aadhaar being used as a 'financial address'¹¹⁵. The UIDAI seeks to promote the UID-enabled bank account as a 'global address for residents', akin to an email address or a mobile phone number.¹¹⁶ The government's rationale for moving to direct cash transfers is to eliminate identity-related frauds and ghost beneficiaries that exist within welfare programmes and reduce transaction costs through a 'central payments switch'.¹¹⁷ At present, according to

¹⁰⁹Ibid, p. 40.

¹¹⁰Surabhi Agarwal and Remya Nair, 'UID-enabled bank accounts in 2-3 months' in *Mint*, May 17 2011.

¹¹¹UIDAI Strategy Overview - *Creating a Unique Identity Number for Every Resident in India*, op. cit., p. 40.

¹¹²'Bank on this' in *The Economic Times*, December 20, 2012.

¹¹³Ibid, p. 41.

¹¹⁴Singh, op cit.

¹¹⁵Ibid.

¹¹⁶UIDAI Strategy Overview - *Creating a Unique Identity Number for Every Resident in India*, op. cit., p. 40.

¹¹⁷Ibid, p 41.

one estimate, the government spends Rs 3 to transfer one rupee to the beneficiaries.¹¹⁸ If implemented successfully, it could amount to a thorough 're-engineering' of the delivery mechanism.¹¹⁹

The Planning Commission has claimed that Aadhaar enabled EBT can cut the government's annual subsidy bill of Rs. 3,20,000 crore by one-third, creating savings up to Rs 1,00,000 crore. It is claimed that cash transfers can eliminate intermediaries and reduce corruption and red tape.¹²⁰

Through EBT to bank accounts of individuals, the government plans to usher in a 'regime of cash transfers'.¹²¹ This would involve the government giving a list of beneficiaries along with their UID numbers to banks. Then, the bank is supposed to link the UID number to the respective bank accounts. When this information is shared with the National Payment Corporation of India (NPCI), money is transferred to the concerned bank accounts. The facility of 'account level portability' could also be made available, which would no longer require individuals to intimate all welfare agencies separately about their change of account. However, for EBT to become operational, database of beneficiaries for various welfare programmes would have to be digitized first, and subsequently 'seeded',¹²² with Aadhaar. This in itself is a staggering task, requiring enormous investment in terms of time, capacity, coordination and money. In addition, once fully operational, the volume of transaction could be overwhelming. For instance, in the case of EBT of LPG subsidy, it could range up to 24 lakh transactions per day for the entire country.¹²³ Therefore, the requisite infrastructure would not only have to be equipped to handle such volume, it would also have to have widespread penetration into the grassroots. Nevertheless, the implementation and operating costs involved, which have been raising several eyebrows, may be outweighed by the socio-economic benefits emanating from increased financial inclusion.¹²⁴

To evaluate the efficacy of EBT, the UIDAI had launched pilot projects in several districts across the country. Mixed results emerged from these projects. The ones launched in East

¹¹⁸SA Aiyar, 'Real and imaginary problems of electronic cash transfers' in *The Times of India*, December 2, 2012.

¹¹⁹Jairam Ramesh and Varad Pande, 'No need for hype but certainly hope' in *The Hindu*, December 11, 2012.

¹²⁰Chetan Chauhan, 'UID plan to cut bill by 33%' in *Hindustan Times*, November 28, 2012.

¹²¹Surabhi Agarwal, 'FM ushers in cash transfers of direct subsidies through UID' in *Mint*, March 16, 2012.

¹²²Singh, *op. cit.*

¹²³*Ibid.*

¹²⁴Ravi Bapna and Arun Sundararajan, 'Building institutions through identity' in *Mint*, September 29, 2010.

Godavari district in Andhra Pradesh and Alwar in Rajasthan showed ‘dramatic fall in off-take’ of subsidised goods under PDS.¹²⁵

In East Godavari, monthly sale of rice fell by approximately 20 per cent and kerosene by 30 per cent. According to the administration, under the new system, fake ration cards could no longer be made use of, and the chances of pilferage had drastically reduced.¹²⁶ Here, when cardholders went to the FPSs, their ration card numbers and UID numbers were punched into an ‘e-Point of Sale’ (ePOS) machine. It is a hand-held mini-computer, with features such as a voice-over facility and receipt printing device. If the two matched, they were asked to authenticate their fingerprint. In case of unsuccessful authentication despite five attempts, a mobile number would be entered, and a ‘one time password’ (OTP) sent to that number. Sale would then proceed after successful use of the OTP. However, for the pilot to roll out and conclude successfully in just five per cent of the ration shops of the district, the local administration had to put in sustained efforts for nearly two years. It had also catered for several contingencies such as failure of biometric authentication of the elderly and incorrect entry of UID and respective ration card numbers. However, it is noteworthy that most ghost and duplicates ration cards were detected during a door-to-door survey, and not through biometric de-duplication.¹²⁷

Similarly in Alwar, kerosene sales dropped by 80 per cent. According to the district administration, kerosene was no longer being diverted to the black market as an alternative to diesel since it was being sold at the market price of Rs 50 a litre, instead of the earlier subsidised price of Rs 15 a litre.¹²⁸ The difference between the market price and the subsidised price was to be put into the bank accounts of the beneficiaries.¹²⁹ Previously, kerosene was sold in bulk to anybody with a ration card. Ration cards were also lent to proxy buyers. In addition, the difference between the market and subsidised price was a huge incentive for shopkeepers to divert supplies.¹³⁰

Another reason for drop in offtake could be attributed to the district administration’s directive that those with two LPG cylinders were no longer entitled to subsidised kerosene. Those with

¹²⁵Chauhan, *op. cit.*

¹²⁶Ibid

¹²⁷Reetika Khera, ‘Lessons from the East Godavari pilot’ in *The Hindu*, April 11, 2013.

¹²⁸Chauhan, *op. cit.*

¹²⁹Veenu Sandhu, Santosh Tiwari and Indulekha Aravind, ‘Cash course’ in *Business Standard*, December 8, 2012.

¹³⁰Ibid.

a gas connection could buy two litres of kerosene, and those without could buy three litres. Initially, the subsidy for the next three months, which ranged from Rs 175 to Rs 263, was deposited in each account. However, subsequent subsidy would be deposited only for those ration-card holders who bought kerosene from the FPSs.¹³¹ This could be a deterrent against diverting money for other purposes, which remains a cause of concern among critics of EBT.

Critics have argued that pilots witnessed drops in offtake only because several beneficiaries were unable to purchase supplies from FPSs at market rates. Not having received the subsidy money, either because they did not have bank accounts or Aadhaar numbers, offtake declined since prices were beyond the purchasing power of most beneficiaries.¹³² As a result, exclusion took place when either of the three was not in place: a UID number, a bank account and the beneficiary's name in the programme rolls. Moreover, if bringing down the level of leakages was the sole motivation of the pilot, then exclusion was bound to occur.¹³³

In addition, FPS owners complained that their ordeal had multiplied. While they were now selling supplies at the market rate, their commission per unit quantity had remained unchanged. This had allegedly brought down their return on investment. Despite this, they had allegedly been forced to stock kerosene by district officials in Alwar. In turn, the FPS owners forced customers to buy kerosene if they wanted to purchase other supplies.¹³⁴

Critics also claim that cash transfer will deprive the poor of essential services since it would be difficult to ensure that the money is utilized for the intended purposes.¹³⁵ Delhi government's cash-for-food programme called the *Annshri Yojana* has displayed some of these lacunae. Launched in December 2012, it entitles the 'lady of the house' to a monthly subsidy of Rs 600, which is to be transferred directly into her 'no-frills' bank account. However, several exclusions have been reported due to denial of Aadhaar numbers in the absence of identity proof. Reports of beneficiaries utilizing the money for purposes other than buying food have also been rife.¹³⁶ This provides a fillip to those who dub the proposed

¹³¹Ibid.

¹³²Chauhan, *op. cit.*

¹³³Rajshekhkar, *op. cit.*

¹³⁴Ibid.

¹³⁵Chauhan, *op. cit.*

¹³⁶Ambika Pandit, 'Cash transfer scheme hits UID wall' in *The Times of India*, December 10, 2012.

transition to direct cash transfer as a 'right-wing, neo-liberal reformist measure' to dismantle the 'social protection architecture for the poor'.¹³⁷

Activists have expressed concern over speculation about cash supplanting food under PDS. This, they argue, would amount to dismantling PDS.¹³⁸ However, the UIDAI advocates transfer of subsidy directly into bank accounts, and not doing away with the network of FPSs. On the contrary, it argues that EBT be made conditional on the purchase of supplies from FPSs. But, the FPSs will now get food grains at a price close to the market price. The difference between the selling price and the subsidised price will be transferred into the bank accounts of the beneficiaries.¹³⁹

Concerns have also been raised about the inflationary impact that cash transfer may have. It may lead to a 'multiplier effect'. This implies that when cash is paid to an individual, she saves some and spends the rest, which in turn becomes someone else's income. The cycle continues with the next person saving some amount and spending the rest, thereby creating income for a third person. However, in the case of in-kind transfer, the chances of multiplier effect are greatly reduced.¹⁴⁰

The opposing school of thought has argued that there is 'nothing inherently right-wing about giving cash to the poor'. Rather, resistance to it serves as a 'justification for persisting with a choked system which does not reach the poor'. EBT could be a step toward freeing them from middlemen and rent-seekers.¹⁴¹ Moreover, problems of inclusion and exclusion are so grave in the existing system that even a flawed cash transfer would be far better.¹⁴²

However, Aruna Roy has expressed grave concern about cash transfer depriving the poor of essential services since it would be difficult to ensure that the money is used for the intended purpose.¹⁴³ Contrarily, Pratap Bhanu Mehta argues that such concerns are informed by a certain sense of 'obtuse paternalism' about the inability of the poor to make rational choices.

¹³⁷Manisha Priyam, 'Cash fights poverty better' in *Governance Now*, December 28 2012.

¹³⁸Nivedita Menon, 'Cash Transfers and UID: Essential Demands', *Kafila*, December 27, 2012, <http://kafila.org/2012/12/27/cash-transfers-and-uid-essential-demands/>

¹³⁹Rituraj Tiwari, 'Direct Cash Transfer to Take Off in Union Territories First, Says Govt' in *The Economic Times*, December 26, 2012.

¹⁴⁰Narendar Pani, 'Cashing in on schemes for poor' in *The Hindu*, November 29, 2012.

¹⁴¹Ibid.

¹⁴²Aiyar, *op. cit.*

¹⁴³Chauhan, *op. cit.*

He accepts that expecting Aadhaar to eliminate all forms of corruption would be ‘a little Panglossian’. But its potential to do away with intermediaries holds enormous promise.¹⁴⁴

Critics of cash transfer argue that in-kind transfers at least ‘nudge’ beneficiaries towards a healthy consumption basket. However, Arvind Panagariya notes that despite such a mammoth food distribution programme, calorie consumption has steadily declined over the decades across the country. He explains that just because a particular food grain, rice for instance, is given out as ration does not mean that the beneficiary will have rice contrary to her preferences. She will sell a part of it to purchase ‘ice-cream’ if that is what she likes. He laments that despite ‘50 years of failure’ of PDS, there is still no consensus about giving cash transfer a fair chance and allowing it at least five years to build the requisite infrastructure.¹⁴⁵

Notably, Amartya Sen is agnostic about the success or failure of cash transfers, albeit he favours giving it a fair chance. He is of the opinion that experiments and departures from the prevalent system are required, which must be empirically tested for their efficacy.¹⁴⁶

Nevertheless, the danger of the effort falling prey to the expediency of politics is high. EBT is being portrayed as a ‘game changer’ to overcome the wave of negativity directed against the ruling political alliance, United Progressive Alliance (UPA), in the run up to the national elections in 2014. The populist tagline accompanying the discourse about EBT, *Aapka paisa aapke haath* (Your money in your hand) is a convenient variation of the Congress Party’s clarion call *Congress ka haath, aam aadmi ke saath* (literal translation – Congress’s hand with the common man).¹⁴⁷ Thus, there is clear blurring of line between a government policy initiative and election sloganeering.

While the Prime Minister announced on October 20, 2012 that the scheme would be launched in 51 districts on January 1, 2013 and extended to the entire country by April 1, 2014, political experts have attributed the real force behind the initiative to the political scion of the Congress Party, Rahul Gandhi.¹⁴⁸ Further to this announcement, the launch of the scheme by the finance minister P. Chidambaram and rural development minister Jairam Ramesh from

¹⁴⁴Mehta, *op. cit.*

¹⁴⁵Arvind Panagariya, ‘Cash Transfers will work’ in *The Economic Times*, December 26, 2012.

¹⁴⁶Amartya Sen, Montek Singh Ahluwalia on the India story: Full transcript’, NDTV.com, February 23, 2013, <http://profit.ndtv.com/news/economy/article-amartya-sen-montek-singh-ahluwalia-on-the-india-story-full-transcript-318427>

¹⁴⁷Subodh Ghildiyal and Mahendra Singh, ‘Will DBT delay hobble Cong in ‘14?’ in *The Times of India*, April 3, 2013

¹⁴⁸Sandhu, Tiwari and Aravind, *op. cit.*

the office of the Congress Party dismissed any scepticism about the political mileage being expected from the effort.¹⁴⁹ This makes the danger of the scheme hastily being extended to the whole country in a half-baked shape simply to help the election prospects of the Congress party quite real and impending.

3.4. Conclusion

Scepticism surrounding the project continues unabated. The cost-benefit analysis of Aadhaar, conducted by the National Institute of Public Finance and Policy, has been questioned on its methodology and motivation. Given that the study has been funded by the UIDAI,¹⁵⁰ doubts over the veracity of its findings have been raised, especially since they are in favour of the project. Both, the authors of the study¹⁵¹ and the critic¹⁵² have staunchly defended their position. However, the jury remains out on the accuracy of the claims, given that both sides enjoy immense credibility.

In this chapter, the central theme has been whether UID can facilitate inclusion. Inclusion has been examined from three different perspectives:

First, whether UID has been able to facilitate inclusion through identification i.e to what extent has UIDAI been able to provide ‘formal identity or acknowledgement’ of existence¹⁵³ to the identity-less? For precisely the identity-less, UIDAI conceptualised the introducer system, which by its own admission has not been quite successful. The only inference one can draw is that the identity-less have been left out of the identification-race, all over again. Unless this anomaly is rectified, the chief mandate of UID will remain unfulfilled.

Second, whether UID is able to include those who have slipped through the welfare network. Aadhaar does not capture information that may prove eligibility for welfare assistance. To that extent, it remains futile in facilitating inclusion of those who remain erroneously excluded. While it may be argued that this was a feature not incorporated into the design of

¹⁴⁹Anil Padmanabhan, ‘Cash Transfer Confusion: How will the Election Commission rule?’ in *Mint*, December 2, 2012.

¹⁵⁰Reetika Khera, ‘On the NIPFP Response’ in *Economic & Political Weekly*, vol xlvi no 10, March 9, 2013, p. 80.

¹⁵¹Sumathi Chandrashekar, Shekhar H Kumar, Smriti Parsheera, Ila Patnaik, Madhavi Pundit, Suyash Rai, Ajay Shah, ‘Response to ‘A Cost-Benefit Analysis of UID’’ in *Economic & Political Weekly*, vol xlvi no 10, March 9, 2013, p. 78.

¹⁵²Reetika Khera, ‘A ‘Cost-Benefit’ Analysis of UID’ in *Economic & Political Weekly*, vol xlvi no 5, February 2, 2013, p. 14

¹⁵³‘Fingerprinting India - Fareed Zakaria with Nandan Nilekani’, Fareed Zakaria GPS, *op. cit.*

the project on purpose, improving the accuracy of a flawed targeting mechanism casts doubts over the entire effort.

Examining claims about financial inclusion from the same perspective, UID does have the potential to incorporate those hitherto excluded into the banking network. However, while legally Aadhaar may fulfil the KYC requirements, a lot remains to be done to ensure compliance of this norm. At present, on one hand, enrollees are being coaxed into enrolments by linking various services to Aadhaar. On the other hand, they continue to be hassled by the dilly-dallying over the acceptance of Aadhaar as a valid proof of ID and address.

Third, whether UID facilitates inclusion by improving access and delivery of welfare services. Mobility of identity is an extremely important promise of Aadhaar, which if delivered, can bring succour to a large segment of migrant population by enabling access to entitlements such as subsidised food. Efficient disbursal of entitlements through Aadhaar-enabled EBT will ameliorate the ceaseless humiliation and haggling the common man has to suffer at the hands of various intermediaries and rent seekers.

Aadhaar does contain some, even if limited, strains of inclusion. It is not a magic bullet, like most critics would argue. However, it would depend on the implementing authority to acknowledge its potential to exclude and work upon them. Several benefits of Aadhaar are intangible, and therefore difficult to substantiate. Nevertheless, it is important to keep in mind that most claims being made by the authority are only in the realm of concepts. Their implementation may reveal aspects that have hitherto not been considered at all.

It is noteworthy that the rollout of EBT has been scaled down from 51 to 43 to eventually 20 districts on the pretext of progressing in a phased manner.¹⁵⁴ This, in my opinion, is a move in the right direction. Subsidies crucial to the common man, or some would say politically sensitive sops, including LPG, diesel, fertiliser and food have been put on hold for the time being. EBT will first be implemented for schemes that involved just cash transfer to begin with, albeit not necessarily directly into bank accounts, such as scholarships and pensions.

Aadhaar makes mobility of rights look like a possibility, if not in the near, then in the distant future. However, unless intent rises above political affiliations, Aadhaar will not be the first out-of-the-box policy initiative that will die with a change of leadership at the helm of affairs, post general elections due in 2014. While the project entails a complete overhaul, right from

¹⁵⁴ Govt launches direct cash transfer scheme in 20 districts' in *Press Trust of India*, January 2, 2013.

the Centre to the village level, this precise aspect may become its nemesis. A project of this scale and ambition faces resistance not just from well-meaning critics, but also from those intermediaries and rent seekers who stand to lose control once the system becomes operational.

Chapter 4

The Identification Stalemate

Privacy versus Welfare

Introduction

In the previous chapter, I examined various strains of inclusion and exclusion within the welfare discourse of Aadhaar. In this chapter, I try and locate the UID project within the larger discourse of ‘identification’ and biometric-enabled national identification systems across the world. I also delve into the ostensible stalemate between the two sharply opposed views on this project: the alleged loss of privacy and increased surveillance that Aadhaar may entail versus its promised welfare benefits.

The following section is a brief discussion on the antecedents of identification and the emerging trends on the global scale. Aadhaar seems to be in sync with some of these trends, though unparalleled on some aspects such as its sheer scale. The next section delves into the inherent value of identification and its implications for human rights and access to welfare services. The subsequent section is an elucidation of some of the fears that a national identification system engenders and similar concerns that Aadhaar has evoked. In the last section, I look at various strains of arguments that perceive the UID project as another tool of the state to entrench its control over the population. I also delve into arguments that explore ways in which Aadhaar holds the potential to transform the conventional interaction between the state, the market and the individual.

4.1 Antecedents of ‘Identification’ and Subsequent Trends

4.1.1 Genesis

Identification of citizens is a crucial mainstay of contemporary nation states. The ability to categorize their populations into citizens and non-citizens has been an important source of power for states world over. While in the post 9/11 scenario, identification has assumed greater significance, its ancestry can be traced back to the sixteenth century when a French peasant named Martin Guerre was impersonated for twelve years by an impostor.¹ The

¹Jane Caplan and John Torpey, ‘Introduction’ in Caplan, Jane and Torpey, John (eds.), *Documenting Individual Identity: The Development of State Practices in the Modern World*, Princeton: Princeton University Press, 2000, p. 7.

practice of registering baptisms, marriages and burials by the English state, prevalent during the same century, has also been well documented.²

The contemporary form of documenting identification emerged in the nineteenth century, which replaced the selective identification of individuals prevalent since the Enlightenment era, for instance by noting marks on the body. Now every citizen, and not just aberrations such as delinquents, was to be made visible to the state through identification, which was to be recorded centrally, in written, visual, portable format.³ Establishing the identification of an individual could now be understood as the creation of a 'legible person', who is open to the scrutiny of officialdom.⁴

Identifying individuals became the 'hallmark of modern statehood'.⁵ It became linked to citizenship with the emergence of mutually exclusive nation states. The notion that only citizens of a country had the right to admittance came to be recognized as intrinsic to international law. Identification documents became indispensable to establish claims of belonging to a country. With the growing salience of nationalism and the emergence of the welfare state, identification became essential for citizens to avail various state sponsored benefits.⁶ Without identification, one could 'neither shoulder responsibilities nor enjoy benefits of citizenship'.⁷

This brings to mind the tiff between UID and NPR, where part of the problem is the former's tendency to club citizens and non-citizens into one cohort, thus fuelling the possibility of welfare benefits reaching non-citizens or illegal immigrants. The debate nevertheless avoids broaching the idea of ensuring the wellbeing of those in need, irrespective of their legal status.

4.1.2 Emerging Trends

There is a new global trend among nation states to create national, digital ID card systems.⁸ Increasingly, these ID card systems are being built as 'platforms' to support variety of applications and services to keep up with continuously evolving technology. They now come

²Simon Szreter, 'The Right of Registration: Development, Identity Registration and Social Security: A Historical Perspective' in *World Development*, vol 35, no. 1. 2007, pp. 67-86.

³Caplan and Torpey, *op. cit.*, p. 8.

⁴Ibid, p. 1.

⁵Ibid.

⁶Ibid, p. 10.

⁷David Lyon, *Identifying Citizens: ID Cards as Surveillance*, Cambridge: Polity Press, 2009, p. 5.

⁸Ibid, p. 4.

in 'credit card' formats that facilitate commercial transactions, giving rise to 'consumer'-like citizenship.⁹ As a side note, it may be useful to recall that the Aadhaar project has also been promoted as a similar platform.

David Lyon has argued that technologies do not have 'effects' on their own. However, once deployed, their usage begins to shape everyday behaviours and outlooks.¹⁰ They also come across as ambiguous since they are built on esoteric technology and bureaucratic base detached from the lives of ordinary people.¹¹ This may also be true in the case of Aadhaar since those enrolling for the ID are largely unaware of the rationale behind the exercise.

Just like Aadhaar, most emerging identification systems are increasingly making use of biometrics. India's move towards biometric-based identification resembles a similar trend among several countries worldwide.¹² These systems rely on the basic characteristics of biometrics such as 'uniqueness' i.e. how well it identifies an individual from another, 'permanence' i.e. measures how far a biometric resists variance over time, 'collectability' i.e. ease of data for measurement and, 'performance' i.e. robustness of technology.¹³ Another noteworthy trend is that several national identity numbers have been compared to 'internal passports',¹⁴ that heavily regulate movement, rather than guarantee labour mobility as is claimed by Aadhaar.

Modern forms of identification tend to conflate the distinction between 'identity' and 'identification'. Name, personal story, commitments to places and people are a few aspects that constitute identity.¹⁵ Contrarily, identification reduces the individual to an element in a long list of individuals.¹⁶ While it establishes unique individual identification, it also simultaneously fosters deindividualization by attributing qualities of collective identity.¹⁷ Identities are dynamic in nature and are never shaped in isolation. Although identity is

⁹Ibid, p. 139.

¹⁰Ibid, p.7.

¹¹Ibid, p. 13.

¹²Rama Lakshmi, 'Biometric identity project in India aims to provide for poor, end corruption' in *Washington Post Foreign Service*, March 28, 2010.

¹³Haricharan Rengmani, Ponnurangam Kumaraguru, Rajarshi Chakraborty, and H Raghav Rao, 'The Unique Identity Number Project: Challenges and Recommendations' in Kumar, Ajay and Zhang, David (eds.), *Ethics and Policy of Biometrics (Third International Conference on Ethics and Policy of Biometrics and International Data Sharing, ICEB 2010 Hong Kong January 2010, Revised Selected Papers)*, Hong Kong: Springer, 2010, p. 149.

¹⁴Kalyani Ramnath, 'On Comparison, Success Stories and the UID', Identity Project, April 15, 2011, <http://identityproject.in/blogs/%5Buser-raw%5D/comparison-success-stories-and-uid>

¹⁵Lyon, *op. cit.*, p.8.

¹⁶Caplan and Torpey, *op. cit.*, p. 8.

¹⁷Ibid, p.3.

affected by identification, unlike the latter, the former cannot be reduced to rules.¹⁸ There is also an increasing tendency to ‘mathematicise’ human bodies that are now recognized by datasets of biometrics. While they are treated as unique bearers of biometrics, they are made to fit into larger database of human bodies. Therefore, biometrics begins to constitute ‘the core of identity and identification’.¹⁹

Across the world, while nation states are attempting to create ID card systems that are even more pervasive and intrusive, these efforts are being met with equally vehement opposition. For instance, the proposed Access Card in Australia, the INES (*identite nationale electronique securisee*) in France and the Real ID in the US had to be shelved due to severe criticism.²⁰ This implies that competing and contrasting forces are at play, with states trying to identify and recognize their populations better, and citizens determined to limit the invasion of their privacy. Besides surveillance through ID cards, some of these states have assumed the role of the “big brother” and have their stinging gaze directed at citizens of other countries through constant covert electronic surveillance.

The global move towards biometric-enabled national identification systems is said to have been facilitated by its portrayal as inevitable by most governments, ostensibly compelled by international obligations to adopt the technology. It is alleged that few of these initiatives had been long-standing proposals that received the requisite momentum only when terrorism became a ‘predominant concern’.²¹

Interestingly, it has been proposed that public debate surrounding any proposed identification scheme is said to undergo the following three stages. During the first stage, the debate is primarily focused on the perceived benefits, terms of possession and utility. Support for the scheme is high during this period, and clandestine motivations behind the project are not suspected. The second stage is characterized by growing awareness about possible threats such as ‘function creep, the potential for abuse by authorities, the problems arising from losing your card’. Rights and responsibilities that the card may engender assume significance in the final stage of the discourse. Such schemes seem to evoke similar apprehensions across countries. These include concerns over their misuse against individuals, the likelihood of an

¹⁸Ibid, p. 12.

¹⁹Pramod K Nayar, ‘I Sing the Body Biometric’: Surveillance and Biological Citizenship’ in *Economic & Political Weekly*, vol xlvii no 32, August 11, 2012, p. 18.

²⁰Lyon, *op. cit.*, p.149.

²¹*The Identity Project: An Assessment of the UK Identity Cards Bill and its Implications, Interim Report*, London School of Economics and Political Science, March 2005, p. 25.

increase in the power of authorities, reduction of individuals to mere numbers, situations where policies become excessively driven by technology and the will of bureaucrats, and an inkling that the government is passing the buck.²² It is noteworthy that while all the above mentioned elements can be noticed in the debate surrounding Aadhaar, the various stages seem to coalesce, rather than stand out distinctly.

Chronologically, Australia was first amongst several countries to attempt implementing a national ID card scheme in recent years. With the stated objective to prevent tax evasion and illegal immigration, the bill had to be eventually withdrawn due to widespread opposition on accounts of violation of privacy and civil liberties. Similar public backlash led Canada, New Zealand and Philippines to withdraw their identification schemes in the early 1990s. In 2006, the Chinese government did away with biometrics for their national ID cards due to doubts over scalability.²³ However, Malaysia, Singapore and Thailand do have similar card systems. Interestingly, the US military in Iraq had developed a biometric system to control access to Fallujah. The United Nations High Commissioner for Refugees deployed an iris biometric system to control refugee traffic across the Pakistan-Afghan border. The UAE also uses an iris system for border control.²⁴

In the case of Europe, public sentiment is said to have determined the nature of their national ID cards. For instance, Sweden and Italy have extraordinary regulations regarding the use of data in citizen registries.²⁵ Denmark has implemented biometric passports, but the biometric information is stored on the chip in the passport and not in a central register. The Swiss have adopted a similar norm.²⁶ In Germany, collection of biometric information is not allowed. In France, the ID card is not mandatory. In Greece, regulators were forced to remove details regarding religious faith, profession and residence after public outcry.²⁷ Here, it is important to note that Aadhaar does not collect information regarding race, religion, caste, tribe,

²²Simon Davies, 'Report: On campaigns of opposition to ID card schemes', Privacy International, January 1, 1996, <https://www.privacyinternational.org/reports/on-campaigns-of-opposition-to-id-card-schemes/introduction>

²³R Ramakumar, 'The Unique ID Project in India: A Skeptical Note' in Kumar, Ajay and Zhang, David (eds.), *Ethics and Policy of Biometrics (Third International Conference on Ethics and Policy of Biometrics and International Data Sharing, ICEB 2010 Hong Kong January 2010, Revised Selected Papers)*, Hong Kong: Springer 2010, p. 158.

²⁴*The Identity Project: An Assessment of the UK Identity Cards Bill and its Implications*, op. cit., p. 27.

²⁵R Ramakumar, op. cit., p. 158.

²⁶*The Identity Project: An Assessment of the UK Identity Cards Bill and its Implications*, op. cit., p. 28.

²⁷R Ramakumar, op. cit., p. 158.

ethnicity, language, income or health.²⁸ However, in India, names of individuals are enough to reveal their ascriptive identities such as religion and caste.

Parallels have been drawn between the shelved identity card project of UK and Aadhaar. The Identity Cards Act, 2006 introduced the idea of a national identity register. It aimed at providing a 'convenient method for individuals to prove their identity and to provide a secure and reliable means of identifying individuals'. The identity card was to contain iris scans, thumbprints and/or an image. However, the scheme was scrapped in December 2010 after a very vocal public campaign against it. The government was directed to cancel all ID cards within a month and destroy the National Identity Register as well.²⁹

An extensive report released by the London School of Economics and Political Science scathingly criticized the ID project for its dubious position on technological, financial and scalability aspects.³⁰ On a similar note, by UIDAI's own admission, the Aadhaar project is unprecedented in terms of its scale, technology, geographic spread and socio-economic diversity. There is no parallel framework available for the purpose of reference.³¹

Similar to UID, which had its origins in a national security project, UK's ID project was also envisioned to combat terrorism, reduce crime and fraud and strengthen national security. As observed by Reetika Khera, several similar tendencies can be observed between the two projects, such as the alleged overplaying of incidences of identity fraud.³²

4.2 Making the Invisible Count - 'Identification' and its Inherent Value

Having a legal identity is akin to one's existence being recognized by the law and the State, an aspect often taken for granted by the privileged.³³ Being able to register one's legal identity securely is an important aspect of human rights. Simon Szreter writes, 'if there is one

²⁸Clause 9, The National Identification Authority of India Bill, 2010, Bill No. LXXV of 2010, p. 3.

²⁹Kalyani Ramnath, 'The UK's National ID Schemes: Summing up views from history, politics and law', The Identity Project, August 14, 2011, <http://identityproject.in/blogs/%5Buser-raw%5D/uks-national-id-schemes-summing-views-history-politics-and-law>

³⁰Reetika Khera, 'The UID Project and Welfare Schemes' in *Economic & Political Weekly*, vol xlvi 42 no 9, February 26, 2011, p. 42.

³¹*Creating a Circle of Trust-Aadhaar Authentication Services-A Strategy Paper*, New Delhi: Unique Identification Authority of India, Planning Commission, Government of India, p. 9.

³²Khera, *op. cit.*, p. 42.

³³Caroline Vandenebeele and Christine V. Lao (ed.), *Legal Identity for Inclusive Development*, Asian Development Bank, 2007, p. v.

single foundational policy that the world's poor require, it is public acknowledgement of their individual existence from birth to death'.³⁴

Szreter bolsters his argument by quoting extensively from the British experience with parochial registers of baptisms, marriages and burials in the sixteenth century that facilitated a nationwide social security scheme for the poor. This form of identity registration propelled the British economy towards growth. Created ostensibly to prevent strife over age, descent, inheritance and disputes over private property, this mandatory registration enabled the English state to promulgate a widespread relief system for the poor. Funded entirely by local taxation, it laid down clear responsibilities on 'those with means to support those without'. While illiteracy is often cited as an impediment for developing countries to develop a comprehensive national population register, it is interesting to note that the literacy rate in England at the time was just 20% for males and under 10% for females. Thus, the English and the Welsh became the first population in the world to rid themselves of famine related mortality. This social security scheme played a crucial role in giving the British agrarian economy high level of labour mobility which ultimately led to the industrial revolution.³⁵

Elucidating the salience of 'identification', Szreter draws attention to article 24, clause 2 of the United Nation's International Covenant on Civil and Political Rights, which states that 'every child shall be registered immediately after birth and shall have a name'. Further, article 7 of the UN Convention on the Rights of the Child states that 'the child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents'.³⁶

The concept of 'legal identity' is mostly evoked in the context of statelessness of refugees, catastrophes, identity theft or struggles of minority groups. However, very little thought has been given to the link between legal identity and access to basic services.³⁷ Besides ensuring human rights, 'identification' facilitates interaction between the marginalized and the state.

³⁴Szreter, *op. cit.*, p. 67-86.

³⁵Ibid.

³⁶Ibid.

³⁷*Legal Identity for Inclusive Development, op. cit.* p. v.

This assumes importance in contexts such as India, where citizenship remains elusive in many parts and ‘the challenge for the poor in fact is one of being seen by the state’³⁸.

Stuart Corbridge et al have argued that the poor often ‘see the state’ because the state has chosen to see them.³⁹ In many parts of rural India, the problem continues to be that the state ‘sees too little’. Large parts of the countryside continue to suffer from ‘state failure or lack of ‘good governance’.⁴⁰ They assert that the extension of state powers should not always be linked negatively to the sense of well-being of ordinary people.⁴¹ Moreover, if states are to be held responsible for ensuring the welfare of citizens, the question of how to reach the target population without identifying it becomes pertinent. The only other alternative is to make state’s resources universally accessible. But how far is that feasible?

The significance of UID in establishing identification has been illustrated by Pratap Bhanu Mehta. He cites the example of migrant workers, who despite having ID documents issued by their domicile governments find it hard to prove their identification in order to avail various services.⁴² Identification in India has been localized to the extent that it has lost its value for migrants who are forced to leave their homes to earn a living.

Contrarily, it is also important to recognize that the marginalized often confront various impediments in obtaining legal identities. Insisting on legal identity as a requirement for accessing services could produce unintended exclusionary effects.⁴³ Aadhaar too has the potential to engender a similar scenario. Moreover, legal identities can deliver only when they are part of a larger reform agenda. Research also shows that the perceived benefits of obtaining legal identity must outweigh the perceived registration costs to encourage enrolments.⁴⁴ Therefore, while identification could be an end in itself for the “identity-less”, its utility remains limited unless accompanied by a more holistic improvement in governance.

³⁸ Anant Maringanti, ‘Sovereign State and Mobile Subjects: Politics of the UIDAI’ in *Economic & Political Weekly*, vol. xlv no. 46, November 14, 2009, p. 38.

³⁹ Stuart Corbridge, Glyn Williams, Manoj Srivastava and Rene Veron, *Seeing the State: Governance and Governmentality in India*, Cambridge: Cambridge University Press, 2005, p.10.

⁴⁰ Ibid, p. 18.

⁴¹ Ibid, p. 262.

⁴² Pratap Bhanu Mehta, ‘Who’s Afraid of Aadhar’, *The Indian Express*, January 25, 2012.

⁴³ *Legal Identity for Inclusive Development, op. cit.*, p. xii.

⁴⁴ Ibid, p. xv.

4.3 The Ominous Side of Identification

Local circumstances, political conditions and the history of the use of identification documents are said to determine how ID cards are perceived.⁴⁵ According to David Lyon, counting, monitoring and documenting are fundamental forms of state power and technologies⁴⁶ and the primary objective of identification is to facilitate exclusion and surveillance.⁴⁷

4.3.1 Exclusion and Social Sorting

Lyon argues that national ID card systems are devices of exclusion.⁴⁸ The mere fact that most ID cards, such as driver's licenses or passports, are not used by everyone leads to exclusion.⁴⁹ However, it is important to interrogate the guidelines for such exclusion. For instance, in the case of UID, on one hand, every resident is entitled to obtain a UID number. The caveat here being that enrolment is technically voluntary. On the other hand, there is no provision that prevents refusal of services due to unavailability of UID number.⁵⁰ Therefore, those without the number stand a chance of exclusion from welfare services that now mandate the possession of Aadhaar. In addition, exclusion of those within the migrant population, who cannot stick around at one place waiting for UIDAI to send the UID number by post, may also take place.⁵¹ Exclusions that may arise from reliance on the introducer system have already been delved into in the previous chapter.

Moreover, identification systems are by definition sorting systems that seek to distinguish between citizens and 'others'.⁵² They enable 'social sorting' that facilitates discrimination between different groups and categories of citizens.⁵³ The UIDAI states categorically that besides the name, address and biometrics of individuals, it will not collect any information that could lead to profiling, such as religion, caste, language and income.⁵⁴ Yet, extreme arguments against lack of safeguards that would prevent Aadhaar from falling prey to

⁴⁵Lyon, *op. cit.*, p.3.

⁴⁶*Ibid*, p. 4.

⁴⁷*Ibid*, p.1.

⁴⁸*Ibid*, p. 5.

⁴⁹*Ibid*, p. 4.

⁵⁰Usha Ramanathan, 'A Unique Identity Bill' in *Economic & Political Weekly*, vol. xlv no. 30, July 24, 2010, p. 13.

⁵¹Moiz Tundawala, 'Aadhar/UID is Against Equality and Democracy: Moiz Tundawala', Kafiya, March 18, 2013, <http://kafiya.org/2013/03/18/aadjaruid-is-against-equality-and-democracy-moiz-tundawala/>

⁵²Lyon, *op. cit.*, p. 143.

⁵³*Ibid*, p. 15.

⁵⁴Ramanathan, *op. cit.*, p. 10.

nefarious forces, which may use the database to target communities in post-Godhra-like or Nazi style execution, have been made. It is alleged that the Anti-Sikh pogrom of 1984 had been administered with the help of electoral registers. The genocide in Rwanda had been facilitated by the recently introduced identity card system that helped distinguish between Hutus and Tutsis.⁵⁵ Therefore, ‘social sorting’ could be characterized as a problem of ‘functionality creep’, where the ID card begins to serve purposes other than its original intent.⁵⁶

The use of biometrics also risks accentuating the exclusionary impact of identification in more ways than one. For instance, the use of biometrics allegedly downplays ‘verbal evidence’ and in the process enhances the difficulties of marginalized groups.⁵⁷ More importantly, those with ‘calloused hands and marred fingerprints’,⁵⁸ or persons with disabilities unable to provide fingerprints or iris scans⁵⁹ may not be able to provide the requisite biometrics. In addition, changes in biometrics over time, such as the fingerprints of those involved in manual labour and the elderly could lead to further exclusion. These factors will play a significant role in the integration of welfare schemes such as NREGS and PDS with Aadhaar. If not taken into account, they could lead to widespread exclusions, more so since quality of ‘fingerprints’⁶⁰ has not been studied in depth in the Indian context.

Although UIDAI has put in place a mechanism to handle ‘biometric exceptions’, i.e. when enrollees are unable to give complete set of biometrics,⁶¹ this has opened up scope for misuse. Manual verification of enrolments done under the ‘full biometric exceptions’ category led to the cancellation of as many as 3,84,237 Aadhaar numbers.⁶² Under the exception clause, photographs of absent biometrics are to be submitted along with demographic details. However, in order to cash in on the fees for every successful enrolment, registrars exploited this provision and enrolled fake individuals.⁶³

⁵⁵Shuddhabrata Sengupta, ‘Everyday Surveillance: ID cards, cameras and a database of ditties’ in *Sarai Reader 2002: The Cities of Everyday Life*, p. 298.

⁵⁶Ramakumar, *op. cit.*, p. 158.

⁵⁷Lyon, *op. cit.*, p.146.

⁵⁸Ramanathan, *op. cit.*, p. 13.

⁵⁹Usha Ramanathan. ‘Enrolment Saga’ in *Frontline*, vol. 28 Issue 24, November 19-December 2, 2011.

⁶⁰Ramakumar, *op. cit.*, p. 164.

⁶¹*Module 9: Training Manual for Handling Exceptions and Grievances*, New Delhi: Unique Identification Authority of India, Planning Commission, Government of India, p. 1.

⁶²‘Over 3.84 lakh Aadhaar numbers cancelled on misuse’ in *Press Trust of India*, March 20, 2013.

⁶³Chetan Chauhan, ‘UIDAI cancels 3.84 lakh fake Aadhaar numbers’ in *Hindustan Times*, December 25, 2012.

By UIDAI's own admission, biometric authentication on such a large scale will face certain technical limitations such as false accepts and false rejects.⁶⁴ In addition, the UIDAI has itself detected 34,015 cases where one person has been issued two Aadhaar numbers. The authority claims that this number is within its estimates. The rate of error amounts to just 0.01% of the enrolment till date, as opposed to 0.035% as predicted by UIDAI through proof-of-concept studies.⁶⁵

4.3.2 Security, Surveillance and Privacy

Identification is also the starting point of surveillance.⁶⁶ Surveillance takes place when organizations pay close attention to personal data in routinized and systematic ways. Since 9/11, there has been a close alliance between identification and surveillance.⁶⁷ Even in countries like Canada and USA, where dissent against 'national ID' has been strong, close correlates based on drivers' licenses are being developed,⁶⁸ which will be interoperable not just in the home country, but in several other countries as well.⁶⁹ The US Social Security Number (SSN), which was earlier used only to track earnings and benefit payments, has become a *de facto* national identification number. It is increasingly demanded by banks, insurance companies and potential employers. A proposal to check the SSN before issuing drivers license and identity card is also gathering steam.⁷⁰

The need to authenticate identity, i.e. to validate the claim that 'you are who you say you are', is symptomatic of a surveillance society.⁷¹ Interestingly, the term 'surveillance' does not even find a mention in UIDAI's documents.⁷² Aadhaar has generated a lot of unease regarding its repercussions on privacy of individuals. This has been fueled by its ability to facilitate convergence of information handed over to various agencies during innocuous transactions such as purchasing a railway ticket, maintaining a bank account or paying the telephone bill. This exposes individuals to market forces in ways that intrude their privacy. It

⁶⁴ *Creating a Circle of Trust-Aadhaar Authentication Services-A Strategy Paper, op. cit.*, p. 9.

⁶⁵ Surbhi Agarwal, 'Duplicate Aadhaar numbers within estimates: UIDAI' in *Mint*, March 5, 2013.

⁶⁶ *Ibid*, p. 4.

⁶⁷ *Ibid*, p. 5.

⁶⁸ *Ibid*, p. 3.

⁶⁹ *Ibid*, p. 144.

⁷⁰ Kalyani Ramnath, 'Notes on the SSN: The United States 'National' Identification Number', Identity Project, April 17, 2011, <http://identityproject.in/blogs/%5Buser-raw%5D/notes-ssn-united-states-national-identification-number>

⁷¹ Nayar, *op. cit.*, p. 17.

⁷² Ramanathan, *op. cit.*, p. 11.

also spells danger in terms of constant surveillance by the state,⁷³ making prospects of Hollywood-style cases of framing individuals by planting evidence quite real. Given that fingerprints can be faked easily by making moulds using glue such as Fevicol for instance, the danger of identity theft seems quite real.⁷⁴

Privacy concerns are further accentuated by UID's linkage to NPR. All those registering for NPR are automatically issued a UID number as well. However, unlike Census i.e. the process through which the demographic data for NPR had been collected, NPR is not governed by any confidentiality provision.⁷⁵ Further, proposed applications of UID, such as tracking school students to assess their performance, have also raised concerns about privacy.⁷⁶ Moreover, the 'safety, security and confidentiality' of data collected during enrolment has been entrusted with the umpteen registrars that the UIDAI has collaborated with,⁷⁷ without specific liabilities in case of data loss, misuse or errors.

Safety and security of the database being generated remains a huge cause of concern. It has been alleged that private foreign companies with links to various intelligence agencies may gain access to this data. Apparently, biometric devices for enrolment are being supplied by two private companies known as Satyam Mahindra and Morpho L1 ID Solutions. While the former is an Indian company, the later was created after merging two American companies - Visage and Identics. Visage is known to have been given the contract for driving licenses in Georgia, USA. However, due to defaults, the contract was terminated.

Later, when CIA and FBI took over and merged the companies into L1 Identity Solutions, it received many US government contracts. Subsequently, it was again merged with a French company called Safran, and is now known as the Morpho Trust. Interestingly, Safran works in the field of intelligence and biometrics in France, and is also providing all biometric equipment to India. Even more noteworthy is the fact that it is providing the same services to Nadra, a Pakistani National Identity Database.⁷⁸

Several concerns regarding safety and security of data were also raised by the joint parliamentary committee on the National Identity Authority of India Bill 2010. In response,

⁷³Ibid.

⁷⁴Geetanjali Minhas, 'Aadhaar a national danger?' in *Governance Now*, January 15, 2013.

⁷⁵Ramanathan, *op. cit.*, p. 12.

⁷⁶Ramanathan, *op. cit.*

⁷⁷Ibid.

⁷⁸Minhas, *op. cit.*

the Ministry of Planning had stated that issues such as access and misuse of personal information, surveillance, profiling, prohibiting other data bases from storing Aadhaar numbers and securing confidentiality of information had to be addressed through a data protection legislation.⁷⁹ Nevertheless, it claimed that the UIDAI has taken appropriate steps to ensure that these apprehensions are adequately addressed. It also asserted that collection of information without a privacy law in place did not violate the right to privacy as long as caution was being exercised during collection and use of information, its safety and confidentiality and the consent of the individual was duly taken into account.⁸⁰

However, vehement critics such as Usha Ramanathan argue that ‘the production of a number accompanied by the use of methods such as fingerprinting and iris scanning is even more invasive than is permitted to be applied to alleged offenders’.⁸¹ Critics have gone to the extent of dubbing the Aadhaar project an antithesis of the Right to Information (RTI).⁸² An analogy has also been drawn between collection of biometrics and phone tapping, where at least the latter is governed by legislation and the former is not.⁸³ Recently, the Bombay High Court directed the UIDAI and the Central government to decide on a representation questioning the lack of safeguards and confidentiality in Aadhaar cards. This was in response to a petition that challenged the establishment of the UIDAI and urged the court to prevent the authority from taking further steps.⁸⁴ This seems paradoxical, given that the same High Court had urged the Maharashtra Police to register the UID numbers of all accused and witnesses while filing first information reports (FIR).⁸⁵

However, in the larger context of identification documents, it has been argued that polarized positions are not advisable since ‘it is unlikely to be a zero-sum game between greater efficiency and greater disadvantage. Social advantage or disadvantage may be reproduced more or less efficiently’.⁸⁶ Even though largely perceived with hostility, the peculiarity of

⁷⁹*Standing Committee on Finance (2011-2012), Forty Second Report, The National Identification Authority of India Bill, 2010*, New Delhi: Lok Sabha Secretariat, December 2011, p. 21.

⁸⁰Ibid, p. 22

⁸¹Ibid.

⁸²Vinita Deshmukh, ‘If RTI Act empowers the citizens against the state, does Aadhaar empower the state against the citizens?’, *moneylife.in*, December 5, 2012, <http://www.moneylife.in/article/if-rti-act-empowers-the-citizens-against-the-state-does-aadhaar-empower-the-state-against-the-citizens/30053.html>

⁸³Pallavi Polanki, ‘Collecting biometric data for Aadhaar worse than phone tapping’, *Firstpost.India*, December 7, 2012, <http://www.firstpost.com/india/collecting-biometric-data-for-aadhaar-worse-than-phone-tapping-548948.html>

⁸⁴Rosy Sequeira, ‘File reply on safety concerns about UID’ in *The Times of India*, March 19, 2013.

⁸⁵Mustafa Plumber, ‘Make UID numbers must in FIRs: Bombay HC’ in *Daily News and Analysis*, October 25, 2011.

⁸⁶Lyon, *op. cit.* p. 134.

identification lies in the fact that ‘it is at the same time enabling and subordinating. While it enhances police powers, it also creates rights’.⁸⁷

Szreter has argued that all tools, institutions and social assets can be used for positive as well as negative purposes. While the ‘ethical implications’ of creating information systems must be taken into account, discarding ID cards out of fear of ‘social sorting’ amounts to something as absurd as relegating the railways as an ‘intrinsically sinister threat’ due to its use as a means of transport by the Nazis’ to expedite the persecution of Jews during World War II.⁸⁸

While all the above mentioned concerns must be addressed, several questions also need to be raised. For instance, prior to the conceptualization of UID, weren’t the state apparatuses in India just as pervasive, albeit in the absence of biometric data collection? With government records increasingly being digitized, was the convergence of information such a farfetched reality in the absence of UID? If UID does pose a real danger to privacy, can it not be sufficiently addressed by legislating stringent privacy laws that prevent the sale of this database to commercial organizations and its misuse by the state? Most importantly, in a country where poverty is still a reality, is privacy not a privilege?

4.4 Aadhaar, a Tool to Entrench Control?

Identification now explicitly characterizes our everyday lives. As noted above, ‘identification’ is now easily conflated with ‘identity’. Even if state-recognized identification does not overtly constitute our personal identity, expectations of welfare services for the sake of individual wellbeing entrenches such identification.

The exercise of enrolment immediately conjures up an image of the state ascertaining citizenship of its population. Although UID only ascertains “identity” and not ‘citizenship’, its linkage to welfare schemes and entitlements gives the impression of a ‘citizenship project’. Parallels can be drawn between UID and the concept of ‘citizenship project’, which implies ways in which authorities think about individuals as potential citizens, and the ways in which they try to act upon them.⁸⁹

⁸⁷Caplan and Torpey, *op. cit.*, p. 5.

⁸⁸Szreter, *op. cit.*, pp. 67-86.

⁸⁹Nikolas Rose and Carlos Novas, ‘Biological Citizenship’ in Ong, Aihwa and Collier, Stephen (eds.), *Global Anthropology*, Oxford: Blackwell, 2002, p. 440.

Whether referred to as enrollment or identification, such campaigns are often perceived as ‘human technologies of rule’ of the state to shape the everyday lives of its citizens. Nikolas Rose’s phrase ‘human technologies of rule’ refers to everyday practices of rule that characterize the conduct of business between the state and its subjects. These could include institutions such as the IAS or the zilla parishad and those forms of knowledge, vocabularies and practices of calculation that produce social groups such as Scheduled Communities or households that are below the poverty line or the Census and the National Sample Survey.⁹⁰ UID can also be conceptualized as a ‘human technology of rule’ since it not only involves the enumeration of the population, but also the creation of subjects who would become more “legible” to the state. In addition, when implemented, it would also come to influence the day to day interaction of the people with the state.

Anant Maringanti invokes the Foucauldian framework of governmentality to draw a linkage between UID and citizenship. He says that the ‘projects of identifying and accounting for every citizen are the essence of modern states’. He elucidates the concept of governmentality as a ‘system of rule wherein the state does not exercise sovereign power on its subjects, but rather, manages the territory and the populations contained within it through technologies of enumeration and calculation that act directly on the bodies (eg, public health)’.⁹¹ However, Ravi Shukla makes a contrary argument that the Foucauldian approach ascribes very little room to the human agency of a population.⁹²

Parallels have also been drawn between Aadhaar and Mahmood Mamdani’s concept of ‘define and rule’, wherein ‘populations are ever so readily classified and enumerated based on empirically observable characteristics in order to make them amenable to effective government’. This involves the reduction of ‘personal and collective identities’ to ‘somewhat arbitrarily determined bare essence which may have no real connection with lived experiences’,⁹³ somewhat reminiscent of the distinction between ‘identity’ and ‘identification’.

On similar lines, Partha Chatterjee draws a distinction between ‘citizens’, which is a theoretical construct and ‘population’, which makes itself available as a category for policy

⁹⁰Corbridge, Williams, Srivastava and Veron, *op. cit.*, p.6.

⁹¹Maringanti, *op. cit.*, p. 36.

⁹²Ravi Shukla, ‘Reimagining Citizenship: Debating India’s Unique Identification Scheme’ in *Economic & Political Weekly*, vol. xlv no. 2, January 9, 2010, p. 32.

⁹³Tundawala, *op. cit.*

making. The latter is 'descriptive', 'empirical', 'identifiable', 'classifiable' and is 'amenable to statistical techniques such as censuses and sample surveys'. The concept presents the government with 'a set of rationally manipulable instruments' that could aid in policy implementation. It allows the state to seek legitimacy by claiming to ensure welfare of the population, justified by a rationale of costs and benefits, rather than 'deliberative openness', aided by 'an elaborate network of surveillance'.⁹⁴ This is reminiscent of Aadhaar, which is basically an exercise to enroll the population. It brings to mind UIDAI's assertion about Aadhaar being a tool to improve welfare targeting and creating savings for the public exchequer.

Contrarily, Caplan and Torpey have argued that although powers of states to classify, codify and identify have grown enormously in the modern period, this does not necessarily imply that all human life 'now proceeds under the heel of an incessant and ill-intentioned surveillance'. They attribute greater credit to human agency that remains decisive in enabling individuals to generate strategies to bypass surveillance.⁹⁵

There are widespread speculations about UID's potential to transform the conventional notion of citizenship in multiple ways. Maringanti believes that UID does not necessarily imply automatic empowerment of the poor or intensifying their survival challenges. Neither does it make the exclusion of social groups or loss of privacy inevitable. UID holds the potential to expand the terrain or space of transactions between citizens, state and market agencies.⁹⁶ Secondly, it may augur the transition of the Indian state from being a contrasting force to the market, to now becoming its mediator and facilitator. Thirdly, by enabling the emergence of the consumer-citizen through debt legibility, UID will mark an evident shift from an inclusive understanding of citizenship which perceived the individual as a political subject to an exclusive understanding of citizenship which perceives the individual as a consumer.⁹⁷

This seems to be in line with UIDAI's active efforts to encourage the private sector to develop Aadhaar-enabled applications.⁹⁸ The project has received enthusiastic support from

⁹⁴Partha Chatterjee, *The Politics of the Governed: Reflections on Popular Politics in Most of the World*, New York: Columbia University Press, 2004, p. 34.

⁹⁵Caplan and Torpey, *op. cit.*, p. 7

⁹⁶Maringanti, *op. cit.*, p. 39.

⁹⁷Shukla, *op. cit.*, p. 31.

⁹⁸'Next Generation Service Delivery-Enabled by Aadhaar', Conference organized by Nasscom, June 22-23, 2011, http://egovreach.in/index.php/pages/aadhaar_conference.html

several economic players and is perceived by many to be a part of the growing trend where the state assumes the role of ‘procuring’ welfare benefits from the market, rather than ‘producing’ them on its own.⁹⁹ In fact, the authority also hired the well-known private firm, Ernst and Young, as a consultant for the project.¹⁰⁰

Further, concerns have been raised about Aadhaar attributing excessive credit to the role of technology in solving problems of inefficient delivery mechanism, some of which could be due to various power relations at play that facilitate corruption. Jayati Ghosh contends that technology cannot be a substitute for social transformation. She argues that if introduced in social and economic contexts of great inequalities, the outcomes are likely to be counterproductive.¹⁰¹ Similarly, R Ramakumar has argued that claims of UIDAI are based on the assumption that technology can enable the state to bypass fundamental reforms of social transformation. It would be erroneous to assume a linear connection between technology and development of society. Moreover, technology-based solutions yield optimal results only in societies that are ready to absorb technology.¹⁰²

4.5 Conclusion

For those struggling to make ends meet, an ID card that comes with the promise of bolstering entitlements and rights, may begin to blur the distinction between ‘identification’ and ‘identity’. However, this would be subject to the actual delivery of benefits that are being claimed. If that happens, will Aadhaar create a “technocratic” understanding of identity, comprising “uniqueness” and a “rights-bearing aspect” as core characteristics, for a large section of the population?

In this chapter, amongst several other things, I delved into arguments that suggest that UID is just another instrument to entrench the hold of the state over its population, although being promoted in the benign garb of a tool to aid welfare. The contrary school of thought could argue that if the state is to be held responsible for the well-being of its citizenry, newer and innovative tools to improve efficiency will have to be experimented with.

⁹⁹Swagato Sarkar, ‘Aadhaar: It’s the Economy, Stupid!’, Identity Project, August 23, 2011, <http://identityproject.in/blogs/swagato>

¹⁰⁰Samir Sachdeva, ‘I just want to be a change agent-Nilekani’ in *Governance Now*, April 19, 2010.

¹⁰¹Shukla, *op. cit.*, p. 31.

¹⁰²Ramakumar, *op. cit.*, p. 157.

Critics of Aadhaar have raised well founded concerns over the loss of privacy and increased surveillance that it may engender. In addition, evidence from across the world does not trigger much optimism about a biometric-enabled national identification number. It would only be judicious to move ahead having taken into account lessons learnt from these case studies. At the same time, critics have also argued that Aadhaar forms a part of a larger scheme, where the state will begin to outsource welfare responsibilities to private players. These two arguments seem to indicate opposing tendencies, where on one hand, the state is seeking to strengthen its control over the lives of people, and on the other hand, relinquish responsibilities pertaining to the domain of welfare. Therefore, Aadhaar can be understood as a ‘citizenship project’ or a ‘human technology of rule’ aiding the state to renounce certain responsibilities. Contrarily, it could also be argued that what is perceived as rollback is in fact an exercise to streamline an unwieldy bureaucracy. This viewpoint would seem to be in consonance with the belief that identification can hold salience for the ‘identity-less’ only when accompanied by a larger governance reform, where the possession of such identification becomes a facilitator, rather than its non-possession becoming an impediment.

However, taking a more balanced position would be more prudent. No policy of the state is entirely altruistic since it could be motivated by political expediencies and a statist inclination to strengthen control over the population. Neither can a policy be entirely sinister and yet see the light of the day in a democracy as vociferous as ours. Every policy instrument has the potential to be manipulated by nefarious forces. Therefore, it becomes important to incorporate voices of dissent and put in place various checks and balances.

Conclusion

I began this dissertation with the central question: Can UID facilitate ‘inclusive social citizenship’? By ‘inclusive social citizenship’, I implied an attempt to make the welfare network more inclusive. Examining projects of ‘social citizenship’ from the perspective of ‘inclusion’ assumes significance in order to prevent existing and new welfare initiatives from succumbing to extant patterns of exclusion. These could be the result of misplaced policy, oversight or other ulterior reasons. As illustrated in Chapter 2, I seek to amalgamate ‘inclusive citizenship’ and ‘social citizenship’ to illustrate the concept of ‘inclusive social citizenship’ as a tool to address the exclusions of inclusion.

Chapter 1 is an attempt to solve the conundrum surrounding the project by laying down the *sine qua non* of Aadhaar. Beginning with its checkered antecedents and its precarious constitutional status, the chapter elucidates the nuts and bolts of the project and various processes and functions involved. As aforementioned, in Chapter 2, I explicate how ‘inclusive social citizenship’ is an important tool to recognize and address errors of exclusion and inclusion within various projects of ‘social citizenship’ in India. Subsequently, Chapter 3 comprises an examination of the welfare-potential of Aadhaar. I analyse some of the claims pertaining to NREGS, PDS, Electronic Benefit Transfer (EBT) and financial inclusion, while at the same time illustrating the paradoxical nature of Aadhaar’s position on voluntariness of enrolments. The last Chapter locates the Aadhaar project within the larger global trend towards biometric-enabled national identification systems. It also takes into account the inherent value identification may hold for the “identity-less”, as opposed to the ominous side of identification. Concerns about loss of privacy and surveillance that the project may engender are also delved into.

I evaluate the claims made by the UIDAI on three parameters of inclusion:

- Making those who deserve welfare assistance, but have slipped out of the welfare network, eligible for them i.e. addressing undue or erroneous exclusion.
- Ensuring hassle-free services to those entitled to welfare assistance, since mere eligibility for a welfare scheme does not guarantee efficient delivery or easy access.
- Another kind of inclusion can take place through the identification of those who have hitherto remained non-existent in various government records.

While the first two parameters refer to improving inclusion within welfare programmes, the third refers to incorporation of those who have been widely referred to as the “identity-less” in the discourse around UID. Although widely perceived as a tool to bolster the power of the state, for the “identity-less”, identification could be an end in itself. This holds true in situations where ‘the challenge for the poor in fact is one of being seen by the state’.¹ In such contexts, legal identity amounts to an individual’s existence being acknowledged by the law and the state.² However, identification is of import only when accompanied by holistic improvement in governance. Hence, the third parameter holds significance in conjugation with the first two parameters.

Although ostensibly Aadhaar only provides an identification number and does not bestow rights accruing to citizenship, its linkage to welfare schemes and entitlements provides it with the contours of a ‘citizenship project’³, understood as ways in which authorities conceptualize individuals as potential citizens and seek to act upon them. Therefore, looking for some of the elements of citizenship within the Aadhaar project could prove to be an interesting exercise. These elements include ‘membership and belonging’, ‘the rights and obligations that flow from that membership’ and ‘equality of status’.⁴

As aforementioned in previous chapters, the Aadhaar project seeks to assign the UID number to all residents, irrespective of their ‘membership’ status. Not differentiating between citizens and non-citizens, although necessitated by the difficulty in distinguishing between the two, could perhaps signify a sense of ‘equality’. While ‘rights and obligations’ are outside the purview of UID, its linkage to welfare schemes inevitably embroils such perquisites with the project. In addition, an identification number and benefits associated with it could enhance the sense of ‘belonging’ of those who have hitherto been “invisible” to the state. Therefore, although officially maintaining a distance from the nuances of citizenship, in effect, the Aadhaar project holds the potential to deliver some of the benefits accruing from the status.

¹Anant Maringanti, ‘Sovereign State and Mobile Subjects: Politics of the UIDAI’ in *Economic & Political Weekly*, vol. xlv no. 46, November 14, 2009, p. 38.

²Caroline Vandenabeele and Christine V. Lao (ed.), *Legal Identity for Inclusive Development*, Asian Development Bank, 2007, p. v.

³Nikolas Rose and Carlos Novas, ‘Biological Citizenship’ in Ong, Aihwa and Collier, Stephen (eds.), *Global Anthropology*, Oxford: Blackwell, 2002, p. 440.

⁴Ruth Lister, ‘Inclusive Citizenship, gender and poverty: some implications for education for citizenship’ in *Citizenship Teaching and Learning*, vol. 4 no. 1, 2008, p. 4.

'Inclusion' and 'social citizenship' constitute a continuous thread running through the discourse surrounding Aadhaar. In addition to these, the first two parameters derive their rationale from the quintessential claim of Aadhaar that 'an inability to prove identity is one of the biggest barriers preventing the poor from accessing benefits and subsidies'.⁵ While the lack of identification could be one of the myriad "barriers" plaguing the welfare network, can it be dubbed as 'one of the biggest barriers'? Most of the major welfare programmes such as PDS, NREGS and Rashtriya Swasthya Bima Yojna (RSBY), among others, do not rely on 'identification' to identify beneficiaries. To that extent, this claim is perhaps overstated.

Moreover, integrating Aadhaar with welfare schemes that continue to rely on the flawed BPL list for determining eligibility runs the risk of further exacerbating prevalent forms of erroneous exclusions and inclusions. This significantly weakens the case for Aadhaar. Therefore, Aadhaar does not satisfy the first parameter of incorporating those who have slipped through the welfare network, except on account of facilitating inclusion of the hitherto "unbanked" into the banking system.

The government aims to ameliorate errors of exclusions and inclusions through the much anticipated socio-economic caste census. However, the question that arises is, is it fair to hold Aadhaar responsible for not addressing these errors, when its primary charter is only to provide an identification number? This criticism levied against Aadhaar tends to conflate the difference between an 'identification number', authenticating the identification of beneficiaries and determining their eligibility. While the first two purposes are served by Aadhaar, determining eligibility for welfare schemes is an aspect not built into the design of the project to begin with. Aadhaar can be understood as a way of linking an individual's identification to her eligibility for welfare benefits, with the latter being subject to periodic revision. If Aadhaar were to also decide eligibility, more intrusive data pertaining to income and socio-economic background would have to be collected, which would further irk the privacy activists.

It seems that Aadhaar seeks to satisfy the second parameter through 'financial inclusion' and EBT. Based on these, several claims have been made about Aadhaar holding the potential to streamline the welfare bureaucracy. However, mere bank accounts cannot provide succour to

⁵*UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India*, New Delhi: Unique Identification Authority of India, Planning Commission, Government of India, April 2010, p. 1.

those who have been erroneously left out of the welfare network. In addition, detractors argue that alternative technologies and less expensive measures can achieve similar levels of efficiency and transparency as claimed by Aadhaar. Contrarily, supporters assert that the benefits of Aadhaar lie in its utility across welfare schemes, rather than individual programmes. Moreover, through financial inclusion and EBT, Aadhaar seeks to do away with the myriad intermediaries and rent-seekers that plague the welfare network at present.

The Aadhaar project has also been perceived as a technologically deterministic solution to problems that are primarily social and political in nature, especially since a technocrat is at the helm of affairs. Such determinism comes with the assumption that technology always results in efficiency and pays little attention to those at the receiving end of technical oversight or errors. In the case of Aadhaar, these could be innumerable such as failure to read biometrics and seeding wrong UID numbers. On one hand, implementing a technologically intensive programme in a society still adapting to technology comes with its own risks. On the other hand, our present system of welfare delivery is so severely flawed that experimenting with new alternatives is imperative. Nevertheless, it would be presumptuous and naïve to expect Aadhaar to be a magic bullet for all the problems ailing governance in India.

To that extent, Aadhaar enabled service delivery provides a departure from past and the present forms of doling out welfare. The move towards financial inclusion and EBT could prove to be the impetus required to expand banking services and modernization of service delivery. However, the sheer scale of this task is intimidating. Digitizing and seeding records across government departments and ministries and creating the requisite technological infrastructure at the grassroots across the country will itself be a Herculean task. Caution must also be exercised to prevent exclusions during the transition to the new system. The non-possession of an Aadhaar number should not be allowed to become ‘an alibi for exclusion’.⁶

The potential of Aadhaar to address the “identification deficit” and its “localized” nature holds promise to suffice the third parameter, i.e. by providing identification to those who have hitherto remained non-existent in various government records. This parameter assumes significance since the value one attaches to identification may differ according to one’s life

⁶Lack of Aadhaar ID should not become an alibi for exclusion: Jairam’ in *The Hindu*, June 1, 2013.

experiences. While state-assigned identification may not influence the personal identity of many, for others, expectations of welfare services from the state may confound this distinction. In addition, based on the success of Aadhaar-enabled service delivery, is there a distant possibility of it engendering a “technocratic” understanding of identity, comprising the biometric-uniqueness of the individual along with her right-bearing aspect as important facets of an individual’s identity?

The provision of the introducer system holds the potential to set the Aadhaar project apart from other identification initiatives. However, the absence of obligation to “introduce” individuals not known to the introducers leaves the most important aspect of Aadhaar in ambiguity. At present, the danger of missing out the “identity-less” i.e. those without any prior identification seems probable. Portability of identification will lose its significance if it remains limited only to those already in possession of some form of ID card.

The claim of providing ‘mobility of identity’, if realised, can prove to be transformational. Access to welfare benefits that have up till now been tied to the place of residence can provide reprieve to the large migrant labour force that has so far remained deprived due to compulsions of livelihood. Until now, exclusion from one welfare scheme such as PDS, and its identification document such as the ration card, also meant denial of other services such as banking, due to lack of identification. While Aadhaar holds the potential to provide respite from similar identification deficit, migrant populations may continue to be left out of surveys such as the BPL, which determine their eligibility for welfare schemes in the first place.

Therefore, while the link between identification and access to welfare programmes is an important one, it holds equal potential to foster inclusion as well as exclusion. Although Aadhaar has the potential to partially fulfill the laid out parameters of ‘inclusive social citizenship’, the realisation of these would depend on careful implementation and appropriate measures to prevent possible exclusions. It is also important to keep in mind that most claims about Aadhaar are in the realm of conjecture since its implementation is only in the pilot phase. Expansion to the national level may have unanticipated implications. Hence, rolling out in a phased, calculated manner is crucial before drastically altering the delivery system.

Aadhaar has also been widely perceived as a tool to strengthen the hold of the state over its population. The prevalent global scenario of heightened surveillance by nation states has further contributed to such alarmist arguments. The shaky constitutional status of Aadhaar

has also provided fillip to scepticism. Interestingly, critics have portrayed a contradictory scenario, where on one hand the state is strengthening its control over the lives of people, and on the other hand, it is relinquishing its welfare responsibilities.

However, it must be acknowledged that even prior to Aadhaar, the apparatuses of the state were pervasive enough to conduct extensive surveillance. Even in the absence of UID, technology has pervaded our lives to the extent that intensive surveillance is not such a far-fetched prospect. Moreover, welfare and loss of privacy should not be portrayed as irreconcilable implications of identification. While it is imperative to be cautious about any encroachment on civil liberties, the emergence of Aadhaar must be used as an opportunity to legislate laws on privacy and surveillance in order to carefully exploit the welfare potential of Aadhaar and limit its risks.

The project has also been construed as an exercise in 'governmentality', where individuals are bundled together as 'population' to make them amenable to surveillance, surveys and policymaking. From this perspective, assigning a UID number to an individual will make her acquiescent to bureaucratic administration. At the same time, Aadhaar's integration with welfare schemes will have the effect of according legitimacy to the government in power. This is also in consonance with the view that assigning a unique number to an individual reduces her varied attributes to a few elements that are found to be conducive to policymaking.

Contrarily, an identification number also enables her to make claims and assert her rights, thus facilitating her interaction with the state. Therefore, it would be appropriate to infer that as a tool of governmentality, 'identification' also promotes welfare. With welfare being an important aspect of citizenship, Aadhaar seems to facilitate interplay between 'governmentality' and 'citizenship'. It traverses this precarious terrain by on one hand, making the population more amenable to administration and on the other hand, at least holding the potential to transform the welfare scenario to the benefit of the citizen.

Therefore, rather than positing the alleged "welfare potential" of Aadhaar against the loss of privacy and increased surveillance as a trade-off, it seems prudent to adopt a more balanced approach. No policy of the state is entirely altruistic since it could be motivated by political expediency and a statist inclination to strengthen control over the population. Neither can a policy be entirely sinister and yet see the light of the day in a democracy as vociferous as

ours. Every policy instrument has the potential to be manipulated by nefarious forces. Hence, incorporating checks and balances to prevent such scenarios is imperative. To that extent, the UIDAI must incorporate the suggestions of the Standing Committee on Finance and table a revised bill in the Parliament. This will not only provide legal sanction to the activities of the UIDAI, it will also bring on board several critics presently opposed to the project.

Bibliography

- Anderson, Siwan, Ashok Kotwal, Ashwini Kulkarni and Bharat Ramaswami. 2013. *Measuring the impacts of linking NREGA payments to UID*, Ideas for Growth-International Growth Centre, London School of Economics and Political Science.
- Baldock, John. 2007. *Social policy, social welfare, and the welfare state*. Oxford University Press, Online Resource Centres.
<http://fds.oup.com/www.oup.com/pdf/13/9780199570843.pdf>
- Basavapatna, Sahana. 2010. *The UID project in India: Should non-citizen residents be concerned?*, Paper presented at the symposium on 'The Biopolitics of Development: Life, Welfare, and Unruly Populations', September 9-10, Mahanirban Calcutta Research Group, http://www.mcrg.ac.in/development/draft_symposium/sahana.pdf, Accessed on July 15, 2013.
- Bhatti, Bharat. 2012. Aadhaar-Enabled Payments for NREGA Workers. *Economic & Political Weekly*. vol xlvii no 49. December 8. pp. 16-19.
- Caplan, Jane and John Torpey. 2000. Introduction. In Jane Caplan and John Torpey, eds. *Documenting Individual Identity: The Development of State Practices in the Modern World*. Princeton: Princeton University Press.
- Chatterjee, Partha. 2004. *The Politics of the Governed: Reflections on Popular Politics in Most of the World*. New York: Columbia University Press.
- Chandrashekar, Sumathi, Shekhar H Kumar, Smriti Parsheera, Ila Patnaik, Madhavi Pundit, Suyash Rai and Ajay Shah. 2013. Response to 'A Cost-Benefit Analysis of UID'. *Economic & Political Weekly*. vol xlviii no 10. March 9. pp. 78-80.
- Corbridge, Stuart, Glyn Williams, Manoj Srivastava and Rene Veron. 2005. *Seeing the State: Governance and Governmentality in India*. Cambridge: Cambridge University Press.
- Dwyer, Peter. 2003. *Understanding Welfare: Social issues, policy and practice - Understanding Social Citizenship - third edition: Themes and perspectives for policy and practice*. University of Bristol: Policy Press.

Fraser, Nancy. 2003. Social justice in the age of identity politics: redistribution, recognition and participation. In Nancy Fraser and A Honneth, eds., *Redistribution or Recognition? A Political-Philosophical Exchange*. London: Verso.

Gaventa, John. 2010. 'Seeing Like a Citizen': Re-claiming Citizenship in a Neoliberal World. In Alan Fowler and Chiku Malunga, eds., *NGO Management: The Earthscan Companion*. London: Earthscan.

Ghosh, Jayati. 2002. *Social Policy in Indian Development*, United Nations Research Institute for Social Development.

Gujarat Infomatics Limited, Tata Consultancy Services. 2002. *Citizen Card - Pre-feasibility Study Final Report*.

Hirway, Indira. 2003. Identification of BPL Households for Poverty Alleviation Programmes. *Economic & Political Weekly*. vol. 38 no. 45. pp. 4803-4808.

Hoffman, John. 2004. *Citizenship beyond the State*. London: Sage Publications.

Holmes, Stephen and Cass R. Sunstein. *The Cost of Right: Why Liberty Depends on Taxes*. New York: W.W. Norton and Co.

Isin, E.F. 2002. *Being Political: Genealogies of Citizenship*. Minneapolis: University of Minnesota.

Jayal, Niraja Gopal. 2009. The Challenge of Human Development: Inclusion or Democratic Citizenship?. *Journal of Human Development and Capabilities: A Multi-Disciplinary Journal for People-Centered Development*. vol. 10:3. July 22. pp. 359-374.

Jones, Emma and John Gaventa. 2002. Concepts of Citizenship: a review. *IDS Development Bibliography 19*, February, pp. 1-66.

Kabeer, Naila. 2006. Citizenship, Affiliation and Exclusion: perspectives from the South. *IDS Bulletin*. vol. 37 issue 4. pp. 1-15.

_____. 2005. Introduction. In Kabeer, Naila, ed., *Inclusive Citizenship: Meanings and Expressions*, London: Zed Books.

Kapur, Devesh and Partha Mukhopadhyay. 2006. *Instruments of Social Policy and Mechanisms of Welfare Delivery in India*, Paper Prepared for Conference on Welfare Regime and Social Actors, University of Texas.

Khera, Reetika. 2010. *The UID Project and Welfare Schemes*, Delhi University.

http://www.du.ac.in/fileadmin/DU/Events/sosicalscience_Boon_details_2122011.pdf, pp. 1-14. Accessed on July 15, 2013.

_____. 2011. The UID Project and Welfare Schemes, *Economic & Political Weekly*. vol xlvi 42 no 9. February 26. pp. 38-43.

_____. 2013. A 'Cost-Benefit' Analysis of UID. *Economic & Political Weekly*. vol xlviii no 5. February 2. pp. 13-15.

_____. 2013. On the NIPFP Response. *Economic & Political Weekly*. vol xlviii no 10. March 9. pp. 80-81.

King, Desmond S. and Jeremy Waldron. 1988. Citizenship, Social Citizenship and the Defence of Welfare Provision. *British Journal of Political Science*. vol. 18 no. 4, 1988. pp. 415-443.

Kruks-Wisner, Gabrielle. 2011. *Making Claims: Citizenship and Service Delivery in Rural India*, Massachusetts Institute of Technology, Political Science Department, Working Paper no. 2011-16.

Kumar, Rohit and Kaushiki Sanyal. 2011. *Legislative Brief-The National Identification Authority of India Bill, 2010*, PRS Legislative Research, Centre for Policy Research.

Lawy, Robert and Gert Biesta. 2006. Citizenship-as-Practice: The Educational Implications of an Inclusive and Relational Understanding of Citizenship. *British Journal of Educational Studies*. vol. 54 no. 1. pp. 34-50.

Lister, Ruth. 2007. Inclusive Citizenship: Realizing the Potential. *Citizenship Studies*. vol. 11 no.1. May 30. pp. 49-61.

_____. 2008. Inclusive Citizenship, gender and poverty: some implications for education for citizenship. *Citizenship Teaching and Learning*. vol. 4 no. 1. July. pp. 3-19.

- London School of Economics and Political Science. 2005. *The Identity Project: An Assessment of the UK Identity Cards Bill and its implications, Interim Report*, London.
- Lok Sabha Secretariat. 2011. *Standing Committee on Finance (2011-2012), Forty Second Report, The National Identification Authority of India Bill, 2010*, New Delhi.
- Lyon, David. 2009. *Identifying Citizens: ID Cards as Surveillance*. Cambridge: Polity Press.
- Maringanti, Anant. 2009. Sovereign State and Mobile Subjects: Politics of the UIDAI. *Economic & Political Weekly*. vol. xlv no. 46. November 14. pp. 35-46.
- Marshall, T.H. 1950. Citizenship and Social Class. In T.H Marshall, ed., *Citizenship and Social Class and Other Essays*. Cambridge: Cambridge University Press.
- Masaki, Katsuhiko. 2007. 'Inclusive citizenship' for the chronically poor: exploring the inclusion-exclusion nexus in collective struggles, Chronic Poverty Research Centre, Seisen University, Working Paper 96.
- Mohanty, Ranjita and Rajesh Tandon. 2006. Introduction. In Ranjita Mohanty and Rajesh Tandon, eds., *Participatory Citizenship: Identity, Exclusion, Inclusion*, New Delhi: Sage Publications.
- Nayar, Pramod K. 2012. 'I Sing the Body Biometric': Surveillance and Biological Citizenship. *Economic & Political Weekly*. vol. xlvi no. 32. August 11. pp. 17-22.
- National Institute of Public Finance and Policy. 2012. *A Cost-Benefit Analysis of Aadhaar*, New Delhi.
- Plant, Raymond. 1998. Citizenship, Rights and Welfare. In Jane Franklin, ed., *Social Policy and Social Justice*, Cambridge: Polity Press.
- Prasad, Vivake. 2011. *Standing Committee Report Summary-The National Identification Authority of India Bill, 2010*, PRS Legislative Research, Centre for Policy Research.
- Press Information Bureau, Government of India. 2011. *Identity Card to Every Adult Resident of the Country under NPR; No Card being issued by UIDAI*, New Delhi.

- Planning Commission, Government of India. 2012. *Press Release on 2nd Anniversary of Aadhaar: Launch of Aadhaar Enabled Service Delivery*, New Delhi.
- Ram, F, S K Mohanty and Usha Ram. 2009. Understanding the Distribution of BPL Cards: All-India and Selected States. *Economic & Political Weekly*. vol. xlv no. 7. February 14. pp. 66-71.
- Ramakumar, R. 2010. The Unique ID Project in India: A Skeptical Note. In Ajay Kumar and David Zhang, eds., *Ethics and Policy of Biometrics (Third International Conference on Ethics and Policy of Biometrics and International Data Sharing, ICEB 2010 Hong Kong January 2010, Revised Selected Papers)*, Hong Kong: Springer.
- Ramanathan, Usha. 2010. A Unique Identity Bill. *Economic & Political Weekly*. vol. xlv no. 30. July 24. pp. 10-14.
- Rengmani, Haricharan, Ponnurangam Kumaraguru, Rajarshi Chakraborty and H Raghav Rao. 2010. The Unique Identity Number Project: Challenges and Recommendations. In Ajay Kumar and David Zhang, eds. *Ethics and Policy of Biometrics (Third International Conference on Ethics and Policy of Biometrics and International Data Sharing, ICEB 2010 Hong Kong January 2010, Revised Selected Papers)*, Hong Kong: Springer.
- Roche, Maurice. 2002. Social Citizenship: Grounds of Social Change. In Engin F Isin and Bryan S Turner, ed., *Handbook of Citizenship Studies*, London: Sage Publications.
- Rose, Nikolas and Carlos Novas. 2002. Biological Citizenship. In Aihwa Ong and Stephen Collier, eds., *Global Anthropology*, Oxford: Blackwell.
- Saith, Ruhi. 2001. Social Exclusion: the Concept and Application to Developing Countries. *QEH Working Paper Series*. Working Paper Number 72. pp 1-17.
- Sarkar, Swagato. 2011. The Unique Identity (UID) Project and the New 'Bureaucratic Moment' in India. *QEH Working Paper Series*. Working Paper Number 194. pp. 1-18.
- Sengupta, Shuddhabrata. 2002. Everyday Surveillance: ID cards, cameras and a database of ditties. *Sarai Reader: The Cities of Everyday Life*. pp. 297-301.

Shukla, Ravi. 2010. Reimagining Citizenship: Debating India's Unique Identification Scheme. *Economic & Political Weekly*. vol. xlv no. 2. January 9. pp. 31-36.

Szeter, Simon. 2007. The Right of Registration: Development, Identity Registration and Social Security: A Historical Perspective. *World Development*. vol 35 no. 1. pp. 67-86.

Swaminathan, R. 2012. *UIDAI-NPR row: Identity politics of a different kind*, Observer Research Foundation.

Swaminathan, Madhura. 2004. Ending Endemic Hunger. *Social Scientist*. vol. 32 no. 7/8. pp. 42-47.

The National Identification Authority of India Bill, 2010: Bill No. LXXV of 2010.

Unique Identification Authority of India, Planning Commission, Government of India. *Creating a Circle of Trust-Aadhaar Authentication Services-A Strategy Paper*, New Delhi.

Unique Identification Authority of India, Planning Commission, Government of India. 2012. *Document Number: Social Inclusion and Aadhaar-Introduction & Concept Paper*, New Delhi.

Unique Identification Authority of India, Planning Commission, Government of India. 2010. *Envisioning a role for Aadhaar in the Public Distribution System, Working Paper – version 1*, New Delhi.

Unique Identification Authority of India, Planning Commission, Government of India. *Module 9: Training Manual for Handling Exceptions and Grievances*, New Delhi.

Unique Identification Authority of India, Planning Commission, Government of India. 2011. *Training Module on UIDAI and Aadhaar*, New Delhi.

Unique Identification Authority of India, Planning Commission, Government of India. 2010. *UIDAI Strategy Overview - Creating a Unique Identity Number for Every Resident in India*, New Delhi.

Vandenabeele, Caroline and Christine V. Lao. 2007. eds. *Legal Identity for Inclusive Development*, Asian Development Bank.

Young, Iris Marion. 1989. Polity and Group Difference: A Critique of the Ideal of Universal Citizenship. *Ethics*. vol. 99 no. 2. pp. 250-274.

Newspaper / Magazine Reports

‘Aadhaar to be made mandatory for 10 schemes: Gehlot’ in *Press Trust of India*, October 22, 2012.

‘Aadhaar-LPG link deadline extended’ in *Deccan Chronicle*, April 12, 2013.

‘Aadhaar for Haryana residents by Mar 2013: CM’ in *Press Trust of India*, October 12, 2012.

‘About the Issue’ in *Yojana*, vol 55, June 2011, p. 3.

Agarwal, Surabhi and Remya Nair, ‘UID-enabled bank accounts in 2-3 months’ in *Mint*, May 17 2011.

Agarwal, Surabhi and Joel Rebello, ‘Banks reluctant to use Aadhaar numbers to open accounts’ in *Mint*, October 23, 2012.

Agarwal, Surbhi, ‘Duplicate Aadhaar numbers within estimates: UIDAI’ in *Mint*, March 5, 2013.

_____, ‘FM ushers in cash transfers of direct subsidies through UID’ in *Mint*, March 16, 2012.

_____, ‘SC seeks Centre’s response on implementing Aadhaar’ in *Mint*, November 30, 2012.

_____, ‘Panel seeks fresh legislation on UID Project’ in *Mint*, December 6, 2012.

Aiyar, S A, ‘Real and imaginary problems of electronic cash transfers’ in *The Times of India*, December 2, 2012.

Andhale, Santosh, ‘UID enrollers turn a blind eye to leprosy patients’ in *Daily News and Analysis*, January 24, 2013.

Anuja, 'Opposition criticizes UPA's plan to use Aadhaar for cash transfers' in *Mint*, November 28, 2012.

'Bank on this' in *The Economic Times*, December 20, 2012.

Bandyopadhyay, Tamal, 'Cash transfer-are banks ready?' in *Mint*, December 2, 2012.

Bapna, Ravi and Arun Sundararajan, 'Building institutions through identity' in *Mint*, September 29, 2010.

Basu, Mihika, 'Reaching out: NAB helps visually impaired enroll for Aadhaar card' in *The Indian Express*, August 31, 2012.

Bhatia, Varinder, 'To help all in Haryana get Aadhaar card, govt launches introducers, verifiers' in *The Indian Express*, May 26, 2013.

Bhatti, Bharat, Jean Drèze and Reetika Khera, 'Experiments with Aadhaar' in *The Hindu*, June 27, 2012.

Chauhan, Chetan, 'UID plan to cut bill by 33%' in *Hindustan Times*, November 28, 2012.

_____, 'UIDAI cancels 3.84 lakh fake Aadhaar numbers' in *Hindustan Times*, December 25, 2012.

_____, 'Aadhaar slips up, letters come with dog, tree photos' in *Hindustan Times*, April 6, 2013.

'Confused over Aadhaar, Cabinet clears GoM' in *The Times of India*, February 1, 2013.

'Cut away portion, e-Aadhaar valid proofs of identity, address' in *Press Trust of India*, July 1, 2013.

Debroy, Bibek 'Confusion over Aadhaar and NPR' in *The Economic Times*, October 25, 2012.

Deogharia, Jaideep, 'No salary after October for govt employees without Aadhaar card' in *The Times of India*, August 28, 2012.

- Dreze, Jean and Amartya Sen, 'Putting Growth in Its Place' in *Outlook*, November 14, 2011.
- Dreze, Jean and Reetika Khera, 'A Bill that asks too much of the poor' in *The Hindu*, September 5, 2012.
- Gangopadhyay, Shubhashis, 'Who prefers cash transfers?' in *Business Standard*, January 26, 2013.
- Ghildiyal, Subodh and Mahendra Singh, 'Will DBT delay hobble Cong in '14?' in *The Times of India*, April 3, 2013.
- 'Government spending 1 lakh crore to change governance through technology, says Sam Pitroda' in *The Economic Times*, September 16, 2012.
- 'Govt tries to ramp up Aadhaar Enrolments, but centres ill-equipped' in *The Times of India*, March 3, 2013.
- 'Govt launches direct cash transfer scheme in 20 districts' in *Press Trust of India*, January 2, 2013.
- Himanshu, 'Cash transfers and other dreams' in *Mint*, December 6, 2012.
- 'India ranks 134 in human development index' in *Hindustan Times*, November 2, 2011.
- 'India's identity scheme: The magic number' in *The Economist*, January 14, 2012.
- Joshi, Deepali Pant, 'Financial Inclusion, Financial Deepening and Economic Growth' in *Yojana*, vol 55, June 2011, pp. 13-17.
- Khera, Reetika, 'Lessons from the East Godavari pilot' in *The Hindu*, April 11, 2013.
- 'Lack of Aadhaar ID should not become an alibi for exclusion: Jairam' in *The Hindu*, June 1, 2013.
- Lakshmi, Rama, 'Biometric identity project in India aims to provide for poor, end corruption' in *Washington Post Foreign Service*, March 28, 2010.

'Large returns expected from Aadhaar project: NIPFP' in *Press Trust of India*, November 12 2012.

Lopez, Aloysius Xavier, 'Aadhaar and the art of not-so-subtle persuasion' in *The Hindu*, June 3, 2013.

'Mad rush at Aadhaar enrolment centres in Old City' in *The Times of India*, February 6, 2013.

Makkar, Sahil, 'NPR likely to be delayed' in *Mint*, August 7, 2012.

_____, 'Govt explores direct cash transfer without UID' in *Mint*, October 22, 2012.

'Man dies at Stampede at Aadhaar Centre in Andhra Pradesh' in *The Times of India*, April 11, 2013.

Mann, Neelakshi, Varad Pande and Jairam Ramesh, 'Aadhaar and MGNREGA are made for each other' in *The Hindu*, July 4, 2012.

Mazumdar, Rakhi, 'UIDAI targets 400 million enrolments by mid 2013, Aadhar hopes to give unique identity to some 1.2 bn residents' in *The Economic Times*, December 7, 2012.

Mehta, Pratap Bhanu, 'Who's Afraid of Aadhar', *The Indian Express*, January 25, 2012.

_____, 'Laying a new aadhaar' in *The Indian Express*, October 25, 2012.

Menon, Sreelatha, 'UID must for all new PF accounts' in *Business Standard*, January 25, 2013.

'Minor Stampede at Aadhaar Enrolment Centre' in *The Times of India*, March 7, 2013.

Minhas, Geetanjali, 'Aadhaar a national danger?' in *Governance Now*, January 15, 2013.

Mukherjee, Arindam and Lola Nayar, 'Aadhar, A Few Basic Issues' in *Outlook*, December 5, 2011.

Mukherji, Anahita, 'Why is an emerging economy like India doing so badly on human development index?' in *The Economic Times*, June 3, 2012.

Nambiar, Nisha, 'UID: After changes in norms, officials expect more response in Phase II' in *The Indian Express*, September 6, 2012.

Nanawati, BB, 'UID Technology System' in *Yojana*, vol 55, June 2011, pp. 9-11.

'Narendra Pani responds to Jairam Ramesh and Virad Pande - No Need for Hype but Certainly a Hope' in *The Hindu*, December 11, 2012.

Nilekani, Nandan, 'The possibilities of the Aadhaar Number' in *Yojana*, vol. 55, June 2011, pp. 5-8.

Nikam, Niranjana, 'Chaos continues in Aadhaar registration' in *Deccan Herald*, January 31, 2013.

'No Aadhaar, no scholarship' in *The Hindu*, November 20, 2012.

'Over 3.84 lakh Aadhaar numbers cancelled on misuse' in *Press Trust of India*, March 20, 2013.

Padmanabhan, Anil, 'Cash Transfer Confusion: How will the Election Commission rule?' in *Mint*, December 2, 2012.

Panagariya, Arvind, 'Cash Transfers will work' in *The Economic Times*, December 26, 2012.

Pandey, Neelam, 'Keep your UID cards ready to get married, buy house' in *Hindustan Times*, November 28, 2012.

_____, 'From Jan 1, UID must for most govt dealings' in *Hindustan Times*, December 16, 2012.

Pandit, Ambika, 'NPR must even if you have Aadhar number' in *The Times of India*, October 31, 2012.

_____, 'Cash transfer scheme hits UID wall' in *The Times of India*, December 10, 2012.

_____, 'Students chase Aadhaar dream' in *The Times of India*, February 18, 2013.

- Pani, Narendar, 'Cashing in on schemes for poor' in *The Hindu*, November 29, 2012.
- Pinjarkar, Vijay, 'Govt creating confusion about Aadhaar Card' in *The Times of India*, February 11, 2013.
- Parsai, Gargi, "'India lags behind Bangladesh in improving Global Hunger Index despite economic growth'" in *The Hindu*, October 12, 2012.
- Priyam, Manisha, 'Cash fights poverty better' in *Governance Now*, December 28 2012.
- 'Punjab to cover entire population under 'Aadhaar'' in *Press Trust of India*, October 12, 2012.
- Ramakumar, R, 'Response to UIDAI's clarification' in *The Hindu*, September 20, 2011.
- _____, 'Aadhaar: time to disown the idea' in *The Hindu*, December 16, 2011.
- Ramanathan, Usha, 'Enrolment Saga' in *Frontline*, vol. 28 Issue 24, November 19-December 2, 2011.
- _____, 'Threat of exclusion, and of surveillance' in *The Statesman*, July 2, 2013.
- _____, 'Inclusion project that excludes the poor' in *The Statesman*, July 4, 2013.
- _____, 'Biometrics ~ the story so far' in *The Statesman*, July 6, 2013.
- Ramesh, Jairam and Varad Pande, 'No need for hype but certainly hope' in *The Hindu*, December 11, 2012.
- Rajagopal, Raju, 'The Aadhaar-NPR Conundrum' in *Mint*, December 13, 2011.
- _____, 'Aadhaar, NPR and the art of compromise' in *Mint*, February 2, 2012.
- Rajshekhhar, M, 'Direct Cash Transfer scheme: 6 questions UPA need to give convincing answers' in *The Economic Times*, December 13, 2012.
- 'RBI allows Aadhaar as banking address proof' in *The Indian Express*, December 12, 2012.

Sachdeva, Samir, 'I just want to be a change agent-Nilekani' in *Governance Now*, April 19, 2010.

_____, 'PM traverses middle path in UID, NPR conflict' in *Governance Now*, January 27 2012.

Sandhu, Veenu, Santosh Tiwari and Indulekha Aravind, 'Cash course' in *Business Standard*, December 8, 2012.

Sen, Antara Dev, 'The spook department' in *The Asian Age*, June 22, 2013.

Sengupta, Uttam, 'UID is like iPhone' in *Outlook*, January 23, 2013.

Sequeira, Rosy, 'File reply on safety concerns about UID' in *The Times of India*, March 19, 2013.

Sethi, Neha, 'Aadhaar to be used to curb benami deals' in *Mint*, February 3, 2013.

Sethi, Nitin, 'Poverty survey delay to hit cash transfer plan' in *The Times of India*, December 27, 2012.

'Several questions on UID unanswered, say experts' in *The Hindu*, January 24, 2011.

Sharma, Amol, 'Study Shows Unique ID's Reach to India's Poor' in *The Wall Street Journal*, April 24, 2012.

Sinha, Bhadra, 'Aadhaar on what basis, SC notice questions govt' in *Hindustan Times*, December 1, 2012.

Singh, Pratap Vikram, "'Aadhaar to help poor save more'" in *Governance Now*, December 10 2012.

'Step in the right direction? Bangalore's first blast, flood, quake-proof building is Aadhar's data centre' in *India Today*, July 2, 2013.

Suneja, Kirtika, 'Aadhaar enrollments get tough for Phase II' in *The Financial Express*, April 23, 2012.

'Tardy issue of UID cards may delay salaries' in *Press Trust of India*, January 25, 2013.

Tikku, Alope, 'Aadhaar-NPR duplication: A pain, and expensive too' in *Hindustan Times*, November 30, 2012.

Tiwari, Rituraj, 'Direct Cash Transfer to Take Off in Union Territories First, Says Govt' in *The Economic Times*, December 26, 2012.

'UID card must for driving licence, RC' in *Tribune*, December 6, 2012.

Varma, Divya and Zaineb Ali, 'Providing Identity Solutions to Migrant Workers: Experiences of Ajeevika Bureau' in *Yojana*, vol. 55, June 2011, pp. 18-21.

'61-year-old gets UID card with teen's pic' in *The Times of India*, January 20, 2013.

Websites

'About Us', National Population Register, Department of Information Technology, <http://ditnpr.nic.in/Aboutus.aspx>, Accessed on July 14, 2013.

'Amartya Sen, Montek Singh Ahluwalia on the India story: Full transcript', NDTV.com, February 23, 2013, <http://profit.ndtv.com/news/economy/article-amartya-sen-montek-singh-ahluwalia-on-the-india-story-full-transcript-318427>, Accessed on July 14, 2013.

Arora, Chandna C, 'MGNREGA in Madhya Pradesh: A tale of 53 lakh ghost beneficiaries', Firstpost.com, April 11, 2013, <http://www.firstpost.com/india/mgnrega-in-madhya-pradesh-a-tale-of-53-lakh-ghost-beneficiaries-694800.html>, Accessed on July 14, 2013.

Chacko, Simi and Pratiksha Khanduri, 'UID for Dummies', Kafila, August 2011, <http://kafila.org/2011/09/12/uid-for-dummies-simi-chacko-and-pratiksha-khanduri/>, Accessed on July 14, 2013.

Department of Rural Development (MGNREGA-IDivision), Ministry of Rural Development, Government of India, No. K-11011/2/2008-NREGA (Mon)/TS{62S}, July 30, 2012, http://nrega.nic.in/netnrega/writereaddata/Circulars/Seeding_UID_Aadhaar_number_of_workers_in_MIS_NREGASoft.pdf, Accessed on July 15, 2013.

Davies, Simon, *Report: On campaigns of opposition to ID card schemes*, Privacy International, January 1, 1996, <https://www.privacyinternational.org/reports/on-campaigns-of-opposition-to-id-card-schemes>, Accessed on July 14, 2013.

Deshmukh, Vinita, 'If RTI Act empowers the citizens against the state, does Aadhaar empower the state against the citizens?', [moneylife.in](http://www.moneylife.in/article/if-rti-act-empowers-the-citizens-against-the-state-does-aadhaar-empower-the-state-against-the-citizens/30053.html), December 5, 2012, <http://www.moneylife.in/article/if-rti-act-empowers-the-citizens-against-the-state-does-aadhaar-empower-the-state-against-the-citizens/30053.html>, Accessed on July 14, 2013.

'Fingerprinting India-Fareed Zakaria with Nandan Nilekani', Fareed Zakaria GPS, CNN, July 3, 2012, <http://www.youtube.com/watch?v=b0bELVMvk6c>, Accessed on July 14, 2013.

'FAQs', National Population Register, Department of Information Technology, <http://ditnpr.nic.in/FAQs.aspx>, Accessed on July 15, 2013.

'FAQs', Unique Identification Authority of India, Planning Commission, Government of India, <https://portal.uidai.gov.in/ResidentPortal/faqLink#enrol>, Accessed on July 15, 2013.

'How to Get an Aadhaar', Unique Identification Authority of India, Planning Commission, Government of India, <http://uidai.gov.in/how-to-enrol-for-aadhaar.html>, Accessed on July 15, 2013.

'The Identity Initiative', Indian School of Business, Srinu Raju Centre for IT and the Networked Economy, <http://www.isb.edu/SRITNE/IDI/Research.html>, Accessed on July 15, 2013.

'India's Unique Identity (UID) Reaching Underprivileged Households That Have No Existing ID', NYU Stern, Experience Faculty & Research, April 24, 2012, <http://www.stern.nyu.edu/experience-stern/faculty-research/sundararajan-uid-results>, Accessed on July 15, 2013.

Kochhar, Rijul, 'The lives of documents: on the sorrows of AADHAR: Rijul Kochhar', *Kafila*, April 13, 2013, <http://kafila.org/2013/04/13/the-lives-of-documents-on-the-sorrows-of-aadhar-rijul-kochhar/>, Accessed on July 15, 2013.

Krishna, Gopal, 'Questionable Nature of UID-NPR Initiatives Merit Probe By Media', Countercurrents.org, December 4, 2012, <http://www.countercurrents.org/krishna041212.htm>, Accessed on July 15, 2013.

'Macro/Finance Group', National Institute of Public Finance and Policy, http://macrofinance.nipfp.org.in/FILES/uid_cba.html, Accessed on July 15, 2013.

Martinsson, Johanna, 'Show Me Your I.D., Please!', [blogs.worldbank.org](http://blogs.worldbank.org/publicsphere/archive/201102), February 28, 2011, <http://blogs.worldbank.org/publicsphere/archive/201102>, Accessed on July 15, 2013.

_____, 'Aadhaar' is Reaching India's Poor, but at What Price?', [blogs.worldbank.org](http://blogs.worldbank.org/publicsphere/aadhaar-reaching-india-s-poor-what-price), July 17, 2012, <http://blogs.worldbank.org/publicsphere/aadhaar-reaching-india-s-poor-what-price>, Accessed on July 15, 2013.

Menon, Nivedita, 'Cash Transfers and UID: Essential Demands', Kafiya, December 27, 2012, <http://kafiya.org/2012/12/27/cash-transfers-and-uid-essential-demands/>, Accessed on July 15, 2013.

Moudgil, Manu, 'Missing the masses', The Hoot, January 28, 2013, <http://www.thehoot.org/web/home/story.php?sectionId=15&mod=1&pg=1&valid=true&storyid=6574>, Accessed on July 15, 2013.

'Nandan Nilekani on What It Takes to Build the World's Biggest Social Inclusion Program', India Knowledge@Wharton, November 4, 2010, <http://knowledge.wharton.upenn.edu/india/article.cfm?articleid=4541>, Accessed July 15, 2013.

'Next Generation Service Delivery-Enabled by Aadhaar', Conference organized by Nasscom, June 22-23, 2011, http://egovreach.in/index.php/pages/aadhaar_conference.html, Accessed on July 15, 2013.

Nyst, Carly, 'Privacy in the developing world: a global research agenda', Privacy International, July 14, 2012, <https://www.privacyinternational.org/blog/privacy-in-the-developing-world-a-global-research-agenda>, Accessed on July 15, 2013.

Polanki, Pallavi, 'Collecting biometric data for Aadhaar worse than phone tapping', Firstpost.com, December 7, 2012, <http://www.firstpost.com/india/collecting-biometric-data-for-aadhaar-worse-than-phone-tapping-548948.html>, Accessed on July 15, 2013.

Ramnath, Kalyani, 'On Comparison, Success Stories and the UID', Identity Project, April 15, 2011, <http://identityproject.in/blogs/%5Buser-raw%5D/comparison-success-stories-and-uid>, Accessed on July 15, 2013.

_____, 'The UK's National ID Schemes: Summing up views from history, politics and law', The Identity Project, August 14, 2011, <http://identityproject.in/blogs/%5Buser-raw%5D/uks-national-id-schemes-summing-views-history-politics-and-law>, Accessed on July 15, 2013.

_____, 'Notes on the SSN: The United States 'National' Identification Number', Identity Project, April 17, 2011, <http://identityproject.in/blogs/%5Buser-raw%5D/notes-ssn-united-states-national-identification-number>, Accessed on July 15, 2013.

Sarkar, Swagato, 'Aadhaar: It's the Economy, Stupid!', Identity Project, August 23, 2011, <http://identityproject.in/blogs/swagato>, Accessed on July 15, 2013.

'SC notice to government on plea against issuing Aadhaar card', Firstpost.com, November 30, 2012, <http://www.firstpost.com/fwire/sc-notice-to-government-on-plea-against-issuing-aadhaar-card-541690.html>, Accessed on July 15, 2013.

Tundawala, Moiz, 'Aadhar/UID is Against Equality and Democracy: Moiz Tundawala', Kafila, March 18, 2013, <http://kafila.org/2013/03/18/aadjaruid-is-against-equality-and-democracy-moiz-tundawala/>, Accessed on July 15, 2013.

Appendix¹

List of Nationally Valid Documents

Supported PoI (Proof of Identity) Documents Containing Name and Photo

1. Passport
2. PAN Card
3. Ration/ PDS Photo Card
4. Voter ID
5. Driving License
6. Government Photo ID Cards/ service photo identity card issued by PSU
7. NREGS Job Card
8. Photo ID issued by Recognized Educational Institution
9. Arms License
10. Photo Bank ATM Card
11. Photo Credit Card
12. Pensioner Photo Card
13. Freedom Fighter Photo Card
14. Kissan Photo Passbook
15. CGHS / ECHS Photo Card
16. Address Card having Name and Photo issued by Department of Posts
17. Certificate of Identify having photo issued by Gazetted Officer or Tehsildar on letterhead
18. Disability ID Card/handicapped medical certificate issued by the respective State/UT Governments/Administrations

Supported PoA (Proof of Address) Documents Containing Name and Address

1. Passport
2. Bank Statement/ Passbook
3. Post Office Account Statement/Passbook
4. Ration Card
5. Voter ID
6. Driving License
7. Government Photo ID cards/ service photo identity card issued by PSU

¹Unique Identification Authority of India, Planning Commission, Government of India, http://uidai.gov.in/images/FrontPageUpdates/valid_documents_list.pdf

8. Electricity Bill (not older than 3 months)
9. Water bill (not older than 3 months)
10. Telephone Landline Bill (not older than 3 months)
11. Property Tax Receipt (not older than 3 months)
12. Credit Card Statement (not older than 3 months)
13. Insurance Policy
14. Signed Letter having Photo from Bank on letterhead
15. Signed Letter having Photo issued by registered Company on letterhead
16. Signed Letter having Photo issued by Recognized Educational Institution on letterhead
17. NREGS Job Card
18. Arms License
19. Pensioner Card
20. Freedom Fighter Card
21. Kissan Passbook
22. CGHS / ECHS Card
23. Certificate of Address having photo issued by MP or MLA or Gazetted Officer or Tehsildar on letterhead
24. Certificate of Address issued by Village Panchayat head or its equivalent authority (for rural areas)
25. Income Tax Assessment Order
26. Vehicle Registration Certificate
27. Registered Sale / Lease / Rent Agreement
28. Address Card having Photo issued by Department of Posts
29. Caste and Domicile Certificate having Photo issued by State Govt.
30. Disability ID Card/handicapped medical certificate issued by the respective State/UT Governments/Administrations
31. Gas Connection Bill (not older than 3 months)
32. Passport of Spouse
33. Passport of Parents (in case of Minor)

Supported PoR (Proof of Relationship) Documents containing Relationship details to Head of Family

1. PDS Card
2. MNREGA Job Card

3. CGHS/State Government/ECHS/ESIC Medical card
4. Pension Card
5. Army Canteen Card
6. Passport
7. Birth Certificate issued by Registrar of Birth, Municipal Corporation and other notified local government bodies like Taluk, Tehsil etc.
8. Any other Central/State government issued family entitlement document.

Supported Proof of DoB Documents

1. Birth Certificate
2. SSLC Book/Certificate
3. Passport
4. Certificate of Date of Birth issued by Group A Gazetted Officer on letterhead