

The Politics of Documentary Practices and Biometric Identities in India: A Study of PDS in the NCR

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BARUN ADHIKARY



**CENTRE FOR POLITICAL STUDIES
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI-110067
INDIA**

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DATE: 21 July 2017

DECLARATION

I declare that the dissertation entitled “**The Politics of Documentary Practices and Biometric Identities in India: A Study of PDS in the NCR**” submitted by me for the award of the degree of **Doctor of Philosophy** of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or any other university.


Barun Adhikary

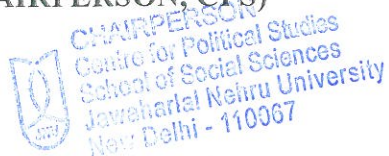
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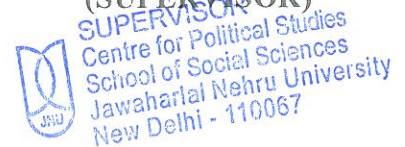
(CHAIRPERSON, CPS)





Dr. Rajarshi Dasgupta

(SUPERVISOR)



DEDICATED TO MY LOVING PARENTS

Basu And Bina

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Abbreviations

AFIS – Automated Fingerprint Identification System

BPL – Below Poverty Line

CIDR – Central Identities Data Repository

CSO – Civil Society Organisation

DDA – Delhi Development Authority

DJB – Delhi Jal Board

DUSIB – Delhi Urban Improvement Shelter Board

FSO – Food and Civil Supplies Office

ICT – Information Communication and Technology

LSE – London School of Economics

MNIC – Multipurpose National Identity Cards

MNREGA – Mahatma Gandhi Rural Employment Guarantee Act

NATGRID – National Intelligence Grid

NCR – National Capital Region

NDA – National Democratic Alliance

NeGP – National E- Governance Plan

NGO – Non Governmental Organisation

NIS – National Identification Scheme

NPR – National Population Register of India

NRHM – National Rural Health Mission

PDS – Public Distribution of Supply

SSA – Sarva Siksha Abhiyan

UIDAI – Unique Identification Authority of India

UPA – United Progressive Alliance

Introduction

Documents are everywhere. It is in our wallets as identity cards or as slips of our purchases, in our folders as memo, lists, tables or graphs, in neatly placed plastic copies or in laminations of our proprietorship rights of what we own, in the newspapers or as books, in the attendance rolls or on the painted walls or as artefacts in the museum or even the daily diary that's nicely tucked under your pillow and many more. It endears us, identifies us, encloses us and then pervades us. Documents are tools, utilities, descriptions, rights; it binds and it frees.

However our research is concerned with the 'what' component of the document, especially in terms of bureaucratic documents and in particular, identity documents. For as we know identity documents as bureaucratic documents exercise a major effect on our lives.¹ While defining our relationship with the state they come to be seen as something which signifies or represents that relationship. This is the idea found in the existing works of Paul Otlet (1934) and Suzanne Briet (1951) who see documents as a media or medium of representation or signifier. However, new understanding of the bureaucratic document has added the critical aspect of the material form or its materiality and the affect a document produces. Such understanding rests on the works by a host of scholars like Matthew Hull (2012), Veena Das (2004), Goody (1986), Cody (2009), Verdery(1994, 2003) Riles(2000), Sharma & Gupta (2006) among many others. We are told that identity documents work as bureaucratic documents through their material form and their affectiveness create a certain kind of political space where people become political agents and contest governmental strategies directed at them. At the same time, they are also able to create such *affect* among the officials handling such documents (Sriraman 2013), all the more increasing the political propensity of the documents. Hence, understanding this materiality of identity documents which creates for a space and scope for politics and as such then becomes political is the key to understanding identity documents as a political object.

¹Garcelon, Marc. *Colonizing the Subject: The Genealogy and Legacy of the Soviet Internal Passport* in *Documenting Individual Identity: The development practices in the Modern World*, eds Jane Caplan and John Torpey, Princeton University Press, New Jersey, 2001.

Documents have a tendency to be collated, organized, categorized, and segregated². This is made possible through the way of documentation and creation of database/archives. The databases/archives that houses documents also have a life, sociality and an imagination of their own (Ann Stoler 2002, Appadurai 2003). They are not just containers or holders which is inert or inanimate (Ginzburg 1989). Like documents, they too have a peculiar propensity for the political. As we know through the work of Foucault, it is a mistake to see archives as socially neutral spaces where researchers can go back to extract information without problems.³ Archives are political in two ways, first they are political by deciding the question and setting the criterion of who stores and what gets stored (Derrida 1995, Stoler 2002). Second, they are political in what *affect* they bring unto the people when they interact or come in contact with them (Ann Stoler 2002)⁴. As such, the databases created by the government are active political projects, which are used not just by the State to direct governmental strategies but also by the people to challenge such strategies or create a political space that has not been made available to them as yet. Thus, both identity documents and their databases are to be seen as constituting a political process, which opens up a space hitherto not grasped by us but which has a bearing on us all.

Keeping this wider aspect of the *political* dimension of the identity documents and of the databases in our mind, this research wants to extend it further for investigation into what happens to this aspect of the political when traditional paper based documents housed in archive are transformed to digital database coupled with the introduction of biometrics in identity documents witnessed in India of late. Now digitizing may simply mean capturing an analog signal in digital form. In the context of identity documents it would mean that identity documents would be captured in digital forms and stored in digital databases. However, there is an existing and important lacuna in understanding the materiality of

² Buckland, Michael 'What Is A Document', Journal of the American Society for Information Science (1986- 1998); Sep 1997; 48,9; ABI/ INFORM Global pg 804

³ Appadurai, Arjun. "Archive and aspiration." *Information is Alive. Rotterdam, V2 Publishing* (2003). Pg 16

⁴ Stoler in one of her essay, Colonial Archives and the Arts of Governance writes how the colonial archival work was done by native clerks and scribes which then reflected on the archives. For it not only brought their interaction with the information that they mediated but that at the same time these mediations also contained the peculiarities and informal information of everydayness which itself was very rich in social and political imaginaries. At the same time the colonial state in their hunger for information did not discriminate the information coming. As such archives could also produce affect when we see such mediations are not brought on by colonial methodologies of rule alone.

digital documents (Hull 2012)⁵. A big gap, therefore, seems to be there in this process of digitization of identity documents with regard to understanding the materiality of the document, the affect of the materiality of the documents, the experiences involved with the materiality of the document as well as the various stories and practices earlier encumbered in documents based on paper. We are trusted to ask, what happens to the lives of the documents? Are they made socially inert, divested of all affects? Do they lose their materiality and then become some sort of utopian bureaucratic document bereft of any human interference⁶ ? Most importantly, what happens to that political space which traditional documentary practice based on paper traditionally used to engender? Do digital documents inaugurate a new kind of political space? What are the associated theoretical issues implicated in this transition from paper to digital? How does this impact the understanding of the political subject –especially the subject of governance and subject of financial transactions with the State? These are the primary questions of the research.

Statement of the problem

In the context of documentary practices, India is presently undergoing a transition⁷—one which was earlier based on paper (thus having a certain materiality, affectiveness and a certain kind of political space) to another one resting on digital documents and digital databases (where questions about materiality, affectiveness and the kind of political space it would produce are unknown). The significance of the transition appears all the more crucial when seen through the lens of identity documents. Identity documents have their own peculiarities and politics. As we know, the politics of identity documents arise from its ability to act as the gatekeeper or mediator of inclusion and exclusion practices that the State and now on which the markets increasingly rest on.⁸As Torpey contends (in his book “*The Invention of Passport, Surveillance, Citizenship and the State*”) it was through identity documents that State was able to monopolize the ‘means of movement’ and hence consolidate itself. Torpey thus builds upon Foucault’s concept of governmentality,

⁵Hull, Matthew S. "Documents and Bureaucracy." *Annual Review of Anthropology* 41 (2012): 251-267.

⁶Weber (1978, p.975) propounded, “bureaucracy develops more perfectly, more it is ‘dehumanised’, the more completely it succeeds in eliminating its official business love, hatred, and all purely personal, irrational and emotional elements ”; this digitisation of identity documents then seems to emulate this.

⁷National e-Governance Division, *Saransh – A Compendium of Mission Mode Project under NeG*, The Department of Information Technology, Ministry of Communications and Information Technology, Government of India. January 2011

⁸Torpey, John C. *The Invention of Passport, Surveillance, Citizenship and the State*. Cambridge University Press, Cambridge, 2000.

which elaborates how the State from the 18th century started seeing population as an economic resource and started directing governmental strategies aimed at them.⁹ Governmentality, Foucault argued, was an “ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power.” (Foucault 1979). However, as Torpey points out Foucault did not see identity documents and identification mechanisms as directly being part of the disciplinary apparatuses which help to operationalize among the population what Foucault describes as the ‘conduct of conduct’ leading to governmentality. Clearly, identity documents and policies surrounding them form an important part of that governmental strategy. This is also borne out in the Indian context by Tarangini Sriraman’s essay “*Assault and Assuage*”, which contends how the colonial government was able to consolidate its hold through identification regimes necessitated out of colonial medical interventions. Thus, the changing material form of identity documents and embedding of biometrics sourced and secured in a digital database brings forth possibilities for a newer understanding of governmentality in the present day. It will involve a newer set of apparatuses that are not only based on the document itself but also on its materiality (or the lack of it) that digitization engenders. This requires framing of the phenomena in terms of bio politics.

The making of biometric identity card in digital documents and database leads to what Agar holds as placing the politics of exclusion and inclusion, i.e. the *violence of the border* within the body itself¹⁰. The body becomes the centre of all government practices. But the problem which crops up is how do you identify yourself and how do you authenticate it. For as we know, identification and authentication are two different questions embedded within the same paradigm of identity documents. Identification is the process by which a person’s identity is revealed (for example this is Barun Adhikary), authentication on the other hand concerns itself with knowing certain aspects of that identity (for example is Barun above 21 years, does he belong to a certain locality or is he a citizen of India, etc). Authentication does not reveal entire identity. It simply asks a yes or no question. One problem the digital shift adds to identity documents is that it muddles up the already vexing difference between the two. As such with biometric enabled

⁹Foucault, Michel, et al., eds. *The Foucault effect: Studies in governmentality*. University of Chicago Press, 1991.

¹⁰Cf Ajana, Btihaj. "Biometric citizenship." *Citizenship Studies* 16.7 (2012): 851-870.

identity documents that digitization would bring, there is a possibility that each authentication point would also reveal the identities that basically fall within the domain of identification. This puts under question a certain kind of control we are used to exercising over our identities.

Similarly, it needs to be pointed out that with the coming of biometric enabled identity documents, people may stand to lose control over their individual *judicial self* (conceptualized as the whole body). This is because through biometrics, the *juridical self* (finger prints, iris scans, DNA, etc. which would stand as evidence in a court of law if the ownership of the body is to be questioned) would find itself in the hands of the State, stored in their database. As such, the individual who has a certain sense of control over the markers of identity (for example signature) will be placed now by a modern understanding and knowledge of the body that is mediated by tools like iris scan, digital thumbprints, DNA, etc. It is not difficult to imagine how this can trigger a loss control for the individual over its juridical and markers of identity. As the linkage between the previous knowledge of the bodies, their identification techniques were mostly based on paper based documentary regimes, the question we should pose is what would the shift to digitization mean for the individual and the marker of identity signified in terms of knowing the body, identification techniques and prevalent governmentality.

Another crucial aspect of digital identity documents and their databases is that their introduction allows for what can be called as freedom *through technology* or 'governing through freedom' (see Ajana 2012, p855).¹¹ Such freedom is however attained only after one has submitted oneself to the bodily inspection by the State which then allows the body to have more mobility in terms of its individuality, consumerial habits/practices and entrepreneurial enterprise. It allows freedom in mobility¹², which connects with Torpey's argument how identity documents were intended for regulation of means of movement of the people. The coming of digital documents thus allows for more mobility, but a certain kind of mobility, i.e. after the body has been subjected to check and which heralds the

¹¹ Ajana gives the example of how the UK Iris Recognition Immigration System (IRIS) introduced in various terminals at the Heathrow airport in 2005 enabled 'businessmen' and 'frequent travellers' to enter the UK without queuing to see an immigration officer at passport control. Instead individuals who signed up to the scheme will be able to walk up to an automated barrier, simply look into a camera and if the system recognises them enter the UK, leaving immigration officers to concentrate on other priorities. (Home Office 2006). This IRIS scheme Ajana holds is very much about 'creating the means by which freedom of mobility can be enabled, smoothed and facilitated for the qualified kinetic elite...'

¹² Anant Maringati in an article explains how the introduction of Aadhaar makes for more social and economic mobility of people in terms of consumer behaviour.

need for a new kind of understanding of governmental techniques. Understanding such governmental techniques would allow us to understand new and concomitant conceptions of state, citizenship, rights and laws which digitization (of documents and databases) will bring in its wake. Similar question have been raised in the recent Aadhaar debate, led by the Usha Ramanathan¹³, R Ramakumar¹⁴, Anant Maringati¹⁵, Reetika Khera¹⁶ and Ravi Shukla¹⁷. As we know Aadhaar is a number given to people whose biometric and biographic information has been taken and recorded. After the de-duplication of that data, a unique number is generated which is then supposed to act as a platform on which a multitude of government services are to be provided. This the government argued, would tackle forgery of identity documents, cut down leakages in the systems and make it more efficient, transparent and accountable¹⁸. Indeed the introduction of Aadhaar underlies the transition in the documentary practices of the State in India. Although there is a push currently witnessed where the Aadhaar is becoming practically mandatory it still remains doubtful how far the scheme will run should there be a regime change. Nevertheless, our study does not focus only on Aadhaar; it rather looks at an entire process of transition in documentary practice which the Indian state is presently undergoing. Therefore, the larger question is that what kind of shift this transition implies in terms of governmental strategy. To what purpose is it directed and what kind of affect and materiality such a shift would lead to in terms of both the people and officials mediating government schemes? How do they take into account the transformations in the nature and the apparent loss of materiality of documents and databases in their everyday negotiations? How does this shift influence the ways in which new schemes are being implemented on the ground?

¹³Ramanathan, Usha. 'A Unique Identity Bill', *Economic and Political Weekly*, July 24, 2010, Vol. XLV No 30.

¹⁴R. Ramakumar, 'Aadhaar: time to disown the idea', *The Hindu*,

URL: <http://www.thehindu.com/opinion/lead/article2717949.ece> accessed on 25/04/14.

¹⁵ Maringanti, Anant. 'Sovereign State and Mobile Subjects: Politics of the UIDAI.' *Economic and Political Weekly* (2009): 35-40.

¹⁶Khera, Reetika. 'The UID project and welfare schemes.' *Economic & Political Weekly* 46.9 (2011): 38-44.

¹⁷Shukla, Ravi. "Reimagining Citizenship: Debating India's Unique Identification Scheme", *Economic and Political Weekly* VOL. XVL NO. 2, January 9, 2010.

¹⁸ Sharma, R.S, Identity and the UIDAI: A Response, *Economic & Political Weekly* Vol - XLV No. 35, August 28, 2010.

Digitisation: The Indian Experience

As we know, India has ambitiously moved ahead with the digitization of its documentary practice including identity documents. It is not a coincidence therefore that the Second Administrative Reform Commission in its Eleventh Report, titled '**Promoting e-Governance: The SMART Way Forward**', advocates that the government should adopt e-governance technologies to perform most of the citizens based interactions. However, the basic problem in this regard is the absence of standardisation which is the key to any e-based platforms, government or private. It is here that everything needs to be freshly mapped, surveyed, identified, marked, situated, categorised, digitised and collated into databases which are easy to access and necessary for e-governance. This standardisation process calls for creation of digital identities, digital documents and digital databases which must be achieved if it were to change the documentary practices based on paper. The ambitious National e-governance Plan (NeG) tries to provide answer to this. The NeG envisions to make '*all government services accessible to the common man in his locality through common service delivery outlets and ensure efficiency, transparency and reliability of such services at affordable costs to realize the basic needs of the common man*'.¹⁹The NeG has a total of 27 Mission Mode Projects which consists of nine central MMPs, seven integrated projects MMPs and eleven state MMPs.

Thus, the process of digitisation of documents and databases is already underway. Significantly not everything has come to be digitised. At present, two kinds of documentary practices are still running simultaneously, thereby, allowing us the scope to track the changes in the discursive nature of politics that this shift is causing among the people and that of the officials. It also allows the research to gauge the tensions arising from one form of documentary practice seeking to be preponderant over another, in terms of everyday negotiations of people in their experience in various government offices.

An important part of our research will focus on the operationalization of a particular government scheme namely the Public Distribution System (PDS). This scheme has been chosen because the transition of documentary practices directly affect its entire process that is undergoing an overhaul in the way it is meant to work. Also both paper based

¹⁹National e-Governance Division, *Saransh – A Compendium of Mission Mode Project under NeG*, The Department of Information Technology, Ministry of Communications and Information Technology, Government of India. January 2011

documentary practices and digital practices can be presently seen in the active operationalization of PDS. Another reason for choosing PDS is that this scheme touches a majority of the population, more importantly, the poorer sections of the society. This is the segment where the questions of materiality, affect and political space becomes the most palpable. The idea is to study how these factors allow people especially those on the margins of the society in claiming, contesting and negotiating governmental strategies. Therefore, studying the PDS scheme in terms of the shift in the documentary practices should help us to know how the shift is being currently mediated by the people in their daily encounters with the government and the officials meant to implement these government schemes. The investigation would involve site specific ethnographic fieldwork

There are two sites chosen for the fieldwork. One is Govindpuri, Delhi, focusing on the urban slums of that area. The second site is the Janta Jewan Camp, in Tigri, Delhi which has a mix of both slums and low income housing. Both these sites have been chosen to understand the effect that the digital shift and introduction of biometric identities are having on the urban poor, particularly in locations currently undergoing digitizing of ration records and marked by a certain degree of tension. The shift in the documentary practice with regard to the PDS, as we shall see, has its effects not only on livelihood of the people but also on their political strategies aimed towards the State and how its gets directed back.

Research Problems

Lets us now try to take stock of the specific problems this research is trying to address by looking at the transition of documentary practices of the State, particularly with regard to biometric identity. Broadly, there are three set of questions.

The first set of questions concern digitization. We need to understand this phenomenon not only in terms of the technical components but also with regard to its political implications. An immediate cluster of questions here concern the impact on citizenship and access to resources. Is digitization making such access actually easier and more transparent? Is it proving enabling for the marginal sections as much as the rest of the society? What are the differences it is making on the ground? How is it changing the terms and conditions of negotiating the State in contrast to paper based identity regimes?

These are roughly the concerns informing the surveys and interviews to be carried out in the fieldwork. Another cluster of questions concerning the research will be directed towards the issues of materiality, affect and politics involved in the process of digitization. As we know, paper based documents and archives provided a certain kind of materiality and affect which made certain kind of negotiations possible with the state. Our effort will be to probe what happens to these dimensions in the digital transition. How will the loss of the materiality peculiar to paper impact the carriers of identity documents? Will it take a new kind of politics possible while rendering the former obsolete? Will the poor have to face a new obstacle in the necessity of acquiring a digital literacy?

The second set of questions concern the bodily dimension involved in the process. The idea of body, particularly, juridical idea of the body has always been reflected on the identity document. It has been part of the materiality of the document, for example, the examples Matthew Hull gives of official seals and signatures, that were placed higher in the hierarchy of bodies in the documents. Similarly, names and later on thumbprints and signatures came to represent the body of the owner of the document. They stood for the juridical self of the body and when enacted on the document, represented the individual judicial self. Documents therefore have always stood in connection with a certain idea of juridical and judicial self on the one hand and a certain technology of knowing the body on the other hand. Biometrics introduces here different technologies of knowing the body and ascertaining its identifiable markers. Iris scans, digital thumbprints and the genetic and DNA code of a person are part of this new technology that allows new forms of encryption on identity documents. Such modes of identification have the potential to alter and disrupt the existing connection of the juridical and the judicial self in fundamental ways that will be important for us to consider. At the same time, it is crucial that we try to grasp the new technologies at work here along with the new kind of knowledge of the body at stake. This dimension should reveal how digitization is connected with a bipolar governance we are witnessing in India, flagged by e-governance.

Finally, there is a related third set of questions we try to pose in this research, particularly with regard to the State. Scholars have suggested that the materiality of paper documents allowed for a certain spectral presence of the State, especially in those areas, places and activities which the State could not directly access (Hull 2012). This meant a limited gaze of the State which has the potential to become transformed and practically unlimited in

the advent of digitization. Does this then mean an extension and totalization of the principle of panopticism pointed out by Foucault? Are we going to see an unprecedented rise in State control exercised over the people? Perhaps a more precise question to ask in this regard is where does the move to digitization fit in the governmental rationality and what role does biometric identities play in the current scheme of governmentality of the Indian state? This also raises the question of relationship of such analysis with what wider scholarship refers to as neoliberal governmentality. And finally, the discussion of governmentality needs to develop connections with the transformations in the political economy that characterize neoliberalism. What are the new kinds of economic subjects that are limited with such transformations, and how are they connected to the introduction of biometric identities and the process of digitization?

These are, then, broadly the research problems bearing upon this work.

Research Methodology

This research involved in this project had three parts: descriptive, exploratory and explanatory in trying to address the questions described before. The first part of the research i.e. the descriptive part has been addressed by doing research on monographs, newspaper reports and governmental records, reports and publications, involving visits to the National Archives, Delhi. This descriptive research has been undertaken so as to establish a link between the materiality of the documents, the dimension of affect and the politics it creates. The effort has been to bring this out by exploring important milestones of the paper documents *visa vis* new identification techniques in India.

The second part of the research, which is exploratory, involved intensive and multi-sited fieldwork. However before going to the field, the research consulted various reports, publications and orders issued by the Planning Commission, Food and Supplies division under the Ministry of Consumer Affairs, Department of Electronics and Information Technology under the Ministry of Information and Technology and the State Public Distribution System of Delhi. This was one set of primary literature. While preparing the primary literature, supplementary work involved reading theoretical books, news reports, online reports and journals on the issues concerning the area as a base for secondary sources.

The idea was to first arrive at a reasonably thick understanding of the theoretical and conceptual terrain of the issues, which this research traverses. The work then proceeded to the field, after selecting the sites in keeping with two parameters. The first was to locate the habitation of income groups who found the PDS an absolute necessity, and the second was to narrow down to those where the transition to digital documents were underway.

Two distinct slum areas in Delhi were chosen for fieldwork in this study. They were chosen after conducting pilot surveys among various JhuggiJhopri (JJ) Clusters/Camps in and around Delhi. Criteria for selection were that the research site should have a heterogeneous population. Homogeneity along the lines of ethnicity, employment, language or religion was eschewed. During the course of the pilot study it was found that homogeneity in these factors was influencing the data that was being collected. As the study involved documentary practices of the State, it wished to cover as many aspects as possible while conducting research. Homogeneity was found to be an impediment towards that goal. Interviews of the respondents in such places provided very similar narratives not just in terms of the histories of their existence but also in terms of their everyday common problems. In order to mitigate overarching influence of one or two factors on practices and perceptions of documentation, only such places were sought whose heterogeneity would allow for a play of several different factors in the local discourse on documentation. The places where there was no threat of displacement, where people's income and their living standards was neither very low, nor very high and where people of mixed ethnicity and religion stayed together were chosen as fieldwork sites. Care was taken to avoid newly rehabilitated bastis or camps. This was done because the study wanted to grasp the change in documentary practices over the years. This would not have been possible if we were to take up a newly settled or rehabilitated JJ cluster.

Two such camps were found which met all selection criteria in the pilot survey. These were Govindpuri in Kalkaji and Tigri in SangamVihar. These camps came into existence well after Independent India had evolved its own documentary regime. These spaces showcase the evolution of documentary practices with regard to margins of the state. Now, with ongoing digitisation and introduction of the Aadhaar, which is aimed to standardize governance processes, mechanisms, response, documentation and documentary practice, it would be interesting to see if and to what extent some or all of

the prevalent documentary practices change. This research will look at such questions and aspects of documentation and changing documentary practices.

The sampling in the study was done in a very scientific way. While the selection of respondents for the qualitative study was done purposively or through a snowball process, for the quantitative study, sampling was done through a very systematic way. Government and Non-government agencies working for Govindpuri, Tigri or Janta Jeevan and delivering various services were interviewed as key informants for understanding the various documentary practices in the field. Quantitative study would be followed by qualitative a study. Surveys were carried out in the field. For the easement of the work and considering time and resources, a sample of 228 households was considered for the study. The sample would be divided into two basic units and each unit s further divided into 6 fundamental unit, from which household would be selected in a systematic manner. The process of selection of purposive and the process of selection of the two units is random, the fundamental and the smallest unit would also be random. From each fundamental unit, households were selected through the process of house listing, samples were selected. The process of house listing requires the list of all household in each basic unit and from each unit, the number of desired sample household is derived by dividing the sample size from each unit by the total number of household. In this case, from each of the 6 unit, 19 households are selected and so if the number of household in each unit is say 57, then the sample respondent would be 57 divided by 19, i.e. 3. So, then the selection for household would be in the order 3, 6, 9, 12.....57. In case, the number of household in each unit is only 9, then all the households would have been surveyed in that unit. However, in the study no such cases were registered as slums are generally dense and so, such problems were not faced in the present context

After all the parts of the research has been addressed and the data from the field has been catalogued and documented, the research has gone into writing the research report.

Literature Review

The idea of the document was first opened up in the writings of Paul Otlet who in his book *Traité de documentation* is taken to argue that graphic and written records are representations of ideas or of objects but the objects themselves can be regarded as documents if we are informed by observation of them. Otlet therefore gave examples of such documents as natural objects, artifacts, objects bearing traces of human activity

(such as archaeological finds), explanatory models, educational games, and works of art, etc. (Otlet 34: p. 217). Similarly, the International Institute for Intellectual Cooperation, an agency of the League of Nations, working in collaboration with Union Française des Organismes de Documentation, developed technical definitions of document - any source of information, in material form, capable of being used for reference or study or as an authority. Examples: manuscripts, printed matter, illustrations, diagrams, museum specimens, etc.... [cf from Buckland 1998 (ANO 37: p. 234)] This idea was further matured by Suzanne Briet who in her manifesto on the nature of documentation *Qu'est-ce que la documentation* very famously asserted that, 'a document is evidence in support of a fact.' (Briet 1951 in Buckland 1995). She also added, 'A document is any physical or symbolic sign, preserved or recorded, intended to represent, to reconstruct, or to demonstrate a physical or conceptual phenomenon'. The implication here is that one should consider documentation to be concerned with access to evidence rather than with access to texts. Mark Buckland further attempted to refine Briet's rules for determining when an object has become a document for which Buckland brings forth four criteria in Briet's discussion: i). There is materiality: Only physical objects can be documents, ii) There is intentionality: It is intended that the object be treated as evidence; iii) The objects have to be processed: They have to be made into documents; and, possibly iv). There is a phenomenological position: The object is perceived to be a document.

Nonetheless, while giving us an understanding of what documents are, these works are not able to provide us with the political dimension of the documents.

Their potential for politics became visible in the work of J. Goody's '*The Logic of Writing and the Organisation of Society*', who argued about the important role that writing had in the understanding of documents. His argument being that 'this mode of communication (writing)' played a determinate role in shaping the structure and functioning of organisations (hence political). The important thing that Goody brought to notice was the material characteristics of written texts that were distinguishable from speech arose from its capacity for longevity and its ability to be kept in record.

This was then to herald the coming of such observations about the material characteristics of documents as Matthew Hull has characterized them as the paper quality (Komito 2009, Pellegrin 1998), typefaces (Jacob 2007), mode of inscription (Cody 2009, Hull 2003), organization of graphic space (Brenneis 2006, Riles 2000), physical composition

and compilation (Feldman 2008, Hull 2012, Komito 2009), and non- or paralinguistic signs such as brackets (Riles 2006b), bullet points (Jacob 2007, Strathern 2006), signatures (Cody 2009), stamps (Hetherington 2008), and letterheads (Sharma&Gupta 2006).As such now as Hull contends that there is a consensus on the presence and centrality of materiality in documents.

In his work *Documents and Bureaucracy* Hull brings the material to the center by talking about how people encounter documents. He states that these encounters can be distinguished through three different approaches namely aesthetic, affect or emotions or signs. His aesthetic approach would emphasize on the features of documents which would include among other things rubrics of classification, graphic elements such as subtitles, paragraphs, tables, margins and bullets. This approach makes the document self-contextualizing or self-analyzing, without placing them in their social setting or institutional goals outside the documents themselves. In the second approach documents do bring a lot of affect or emotion when they encounter with the people. Such affect can accrue not just on people it is aimed at but also those writing or preparing it. The third approach is of signs and how it is able to link documents with people, places, things, norms and forms of sociality.

There are however other works too which talks about the materiality of the documents, its propensity to create affect and hence leading to space for politics. Tarangini Sriramman's essay *Feeling the rules: Documentary practices of rationing and 'signature' of the official* is an instance. Here she triestotrace the affects of the materiality that ration card as a bureaucratic document creates. She does this by exploring the genealogy of rationing documents which was thought to be 'without history' or without instinct, emotion or conscience. She looks at how in the process of doing their official activity on the bureaucratic documents, the official signature becomes part of the materiality of the document. Normally, the use of signatures by officials was looked as an ethical practice for the affective role they brought to the job. For it increasingly seemed that the rule to shore up administrative power or legitimacy by writing practices was devoid of feeling, compassion or creativity. Interestingly, far from diluting the rules the signature of the officials seem to have enhanced the performance of the rule. Also the officials seemed to be in conversation with the documents and that they have come to such realization by understanding the capacity of their signatures on documents.

However, the material of the documents do not just rest on what is to be construed as its matter but also arise out of pedagogic practices that the bureaucratic documents encumber. This we see again in Tarangini Sriraman's work *Enumeration as Pedagogic Process: Gendered Encounters with Identity Documents in Delhi's Urban Poor*. Similarly, we see it in Prasad Khanolkar's *Of Story Telling and Governmentalities*. He explains this by way of sharing his own experiences he had with people in a ration card office and in the offices of an NGO and a Human Rights Commission office. How people react to the materiality of the bureaucratic documents in the case of ration card is explored through conversations between people outside a ration card office, which range from which clerk is more helpful, what needs to be done to get things done, which window, which officer arrives at what times, why someone's work got done and why someone's did not, why one is not getting ration from his card even though others are, etc. In the NGO office Khanolkar encountered how the practices/experience of the State and were being mimicked by the head of a waste picker self-help group and how she (head of the NGO) was expecting/training the other workers to come to get their waste picker ID issued to mimic her response while flashing their new ID cards at the dumping grounds. Similarly, in the Human Rights Commission office after the work hours, people share experiences of different objects like Aadhaar card, driving license, electricity bill etc. which almost becomes ritualistic with men sitting around and sharing their experiences, encounters and complains about them. Here Khanolkar found how different document in its material form acted as a mnemonic to bring out a particular memories of their encounters with particular happenstances they had with that document as a result of which the material form of the document got passed around as experiences. Khanolkar ends with a fantastic observation as to how resources in terms of accessing the bureaucratic objects is scarce but it is through storytelling and through words and images created in these stories that the people are able to grasp the resources required to get hold of bureaucratic documents.

From the above readings it seems beyond doubt that identity documents and bureaucratic documents in particular create an *affect* which allows for scope for politics and opens up a space for political interventions and contestations. However, what about the archive or databases which hold these documents? Are they also political and socially active as the documents they hold? We find these dimensions in Arjun Appadurai's *Archives and Aspiration* and Ann Laura Stoler's *Colonial Archives and the Arts of Governance*. Both

consider archives as not only sites that hold information which comes alive when a researcher goes into extracting it but that they operate as a field of storage is political. Their politics lies in what was written, how it was written, who actually physically wrote it, how it was stored and what is given access and what is not. Such politics was either way, that is, it had its origin in terms of colonial archive whose main purpose was to feed the information hungry colonial administration about the information of the natives and that they may act as references points for future administrative decisions and exigencies.

Following from this is then the question why or how did the State invest so much in bureaucratic document in particular identification documents. This can be understood from John C Torpey's book *The Invention of Passport, Surveillance, Citizenship and the State* in which he argues that State came into or consolidate itself through monopolizing the 'means of movement' which again then would mean that such monopolization would come through only after instituting such mechanisms of identification. Such realization was greatly noticed immediately after the French Revolution and in the formative years of industrial revolution of how identities and resultant identification to check them could help in securing the State from external and internal threats and also secure its economy. This successful monopolization of the legitimate means of movement by states and the state system required the creation of elaborate bureaucracies and technologies which only gradually came into existence however which intensified dramatically towards the end of the nineteenth century. The process decisively depended on what Gerard Noiriel calls the "*revolution identifiatoire*" the development of "cards" and "codes" that identified people (more or less) unambiguously and distinguished among them for administrative purposes. The introduction of identification mechanisms through creation of various identification documents and databases therefore was to then become the part of the bureaucratic practice of the State for ordering and control. Marc Garcelon points out in one of his essays '*Colonizing the Subject: The Genealogy and Legacy of the Soviet Internal Passport*' how internal passports in Soviet Union became a deciding factor in what kind of lives people lived, which was decided by the State through control of these internal passports. Such regulation of the movement of the people as such did not just have bearing on the type of life people lived but on the lives of the people themselves.

However, all of this might increasingly lead us to such conclusions that identity documents are purely means to control people, to check their movement and hence their lives. Such a conception would then lead to a creation of a panoptic world where each is

thickly entangled under the ever more watchful eyes of the State with no recourse to political autonomy. Interestingly however it was on these very technologies, the medium through such panoptic gaze was to be built on that allowed for political activity and political discourse, as Tarangini Sriraman holds in her essay '*Assault and Assuagement: Identification Documents, Colonial Rationalities and Epidemic Control in British India*'. Sriraman builds her argument how the empire in its need to secure the colony against epidemics for the preservation of modern trade, transport and imperial ties used identification techniques and same time also how they were used to prevent the perpetuation of such trade ties itself becoming the reason for rapid spread of disease. She gives the interesting example of the introduction of medical certificates that were required to get train tickets. The important thing about these documents were their permeability, it stopped at the same time allowed others easy access without the whole state security apparatus falling on them. It was on this aspect of permeability of identity documents that the politics on the material forms of these documents got centered on. It then got copied, forged, stolen and multiplied creating *affect* on both those having them and others who did not. All of this led to clever methods of how to avoid them, by way of skipping train stations, buying train tickets from non plague affected districts, etc. Such identification regime also wrought wrath from the prevalent local political and social hierarchies over how they were made to mingle on the same pedestal as other commoners who were travelling in the trains by way of similar detection tests and those medical documents being mandatory and central to all of this. Even though there were considerations and some of them notables were exempted from possessing such documents. However, the political angst, both for and against such equitable totalising documentary requirements importantly rested on the material form of the document itself. Therefore the material form of the identity documents then was to act as both as check and a key to accessing autonomous political recourse.

Possibly the state too has come to understand this peculiarity of the identity documents which can be seen in a few of the reports that the Planning Commission has issued which rues the leakages in public delivery of services and of ghost identities²⁰. Another such report²¹ rues that governance has not been secured because of the lack of knowledge and

²⁰Arvind Virmani, *Planning For Results: Public Accountability Information System (PAIS)*, Working Paper No. 1/2007-PC, Planning Commission, Government of India. also see http://planningcommission.gov.in/plans/planrel/12appdrft/approach_12plan.pdf

²¹ Planning Commission, *Faster, Sustainable and More Inclusive Growth An Approach to the Twelfth*

clarity who were the deserving poor.²² Some of this discourse even accounted for presence of particular foreign nationalities that were taking up the resources and jobs in the country and the need to weed them out; the Multipurpose National Identity Card which later became the National Population Register card was apparently instituted for that purpose. Various Court judgments²³ too have acknowledged the problem and a few sentences have asked to spruce up the social delivery schemes by changing means of identification. The common thematic that seem to run in all of these was a need to change or a relook into identification mechanism/ system of India. This however could only be brought about by relooking into the material on which these documents rested.

The solution to this was found in the government's ambitious National e-governance plan²⁴ which sought to digitize not just the documents through which such services could be accessed but also importantly the way you could access them; in fact, the whole process itself was to be digitised. The e-kranti 2.0 report²⁵ of the government leaves no room for paper document, files, etc, leave alone identity documents. The crucial thing in this then was that there is to be an absence of the material form of the documents.

How would we understand such a shift that cannot be sufficiently explained by simply a change of governance model? The key to understanding this shift is by looking at biometric enabled digital identities. For these biometric identities are nothing but the juridical self of the body which however the individual judicial self seem to lose control over. It stands as mute spectator when governmental practices are directed directly to it and they inform the physical information they have and also seek confirmation through it. This new kind of bio power as B. Ajana talks in her essay "Biometric Citizenship" is

Five Year Plan (2012-17)’, Government of India, October, 2011.

²²Report of the Eleventh Plan Working Group on Integrated Smart Card System Entitlement Reform for Empowering the Poor: The Integrated Smart Card (ISC), *Planning Commission*, Government of India, January 2007. Also see Planning Commission, *Report of the Expert Group to Recommend The Detailed Methodology For Identification Of Families Living Below Poverty Line In Urban Areas*, Perspective Planning Division, Government of India, 2012

²³ Press Trust of India, HC suggests linking ration cards with Aadhaar, *Business Standard*, http://www.business-standard.com/article/economy-policy/hc-suggests-linking-ration-cards-with-aadhaar-11212120222_1.html accessed on 14/05/14 also see Press Information Bureau, Clarification Relating to Bangladeshi Immigrants, Government Of India <http://pib.nic.in/newsite.erelease.aspx?relid=39051> accessed on 15/05/14

²⁴National e-Governance Division, *Saransh – A Compendium of Mission Mode Project under NeG*’, The Department of Information Technology, Ministry of Communications and Information Technology, Government of India. January 2011

²⁵National e-Governance Plan 2.0 ‘e-Kranti’ *Transforming e-Governance for Transforming Governance*, Department of Electronics and Information Technology, Ministry of Communications and Information Technology, Government of India 2014

about the rendering of life itself as productive and profitable with economic and political value. She mentions Waldby here who has referred it as producing 'biovalue'. Such biopower is then according to Ajana very much in keeping with the understanding of the ongoing neo liberal project which places importance to individuation/ atomization, freedom and entrepreneurship. For biometric technology over the body, in this case, digital identities helps in organizing and categorizing the individual and the collective biovalue by opening up the body to various economically driven processes of sorting and turning it into an anchoring point of reference for linking the person's identity to their biovalue.

It is therefore here that this shift in terms of governance brought on by digitization of identities that result in documents losing their material form and shifting into digital databases make sense. It is here that we come to an understanding of how there is a link between new understanding of technology mediated bodies to new identification techniques to new governmentalities/governmental strategy. Therefore the movement or shift to digitisation should also be seen in this respect. This shift to understanding of new forms of documents and documentary practices as such can be construed as symbolically representing the new bio power or the understanding of it that has arrived in our times.

Chapter Plan

In keeping with the larger questions the thesis is divided into four chapters. The **first chapter** delves into the journey of paper from its humble origins in China to its evolution to one of its most important form, i.e. as 'paper documents'. Paper, or more specifically, paper documents have such a sway over our lives. We live, act, move, dream, and even kill or die through paper. This chapter enquires into this what, why and how of the process. It reveals how paper as a medium to record or document something was found to be most convenient compared to other means of documenting existing prior to it. Paper, perhaps, because of its perdurance, malleability and low cost of producing and ease of access and availability stood unmatched compared to other sources of documentation.

We were to increasingly find in our day to day activities that documents represented through the ubiquitous paper documents now not only were able to provide us with documentation, proof, give evidence and access to actions, deemed or happened through what is written or inscribed on it. But that such documentation also greatly have come to have an affect on us on how it is created, to how it is made, how it looks in terms of its

physicality. It's aesthetic, its way of handling, management of such documents, how it gets to be stored or archived or how it is accessed and lastly how it comes of utility in its daily use. The affect produced on humans may involve being in possession, absence, proximity, distance, handling, restoring, maintaining and lastly managing it.

The chapter also reveals how this affect which accrues out of its materiality of the document is and has the propensity to change the material reality and existence of people themselves. Again paper documents codified things such identities, beliefs and others such categories which was again used to serve some ideology or create one. As we then see in the coming of new documentary practices brought on by the British in India. The British rule in India imposed such documentary practices to make things, people and effects legible for them. Document and documentary regime therefore played a huge role in not only establishing the British Empire in India but that it continues to play a very important role in the present in the day to day affairs and governance of the country. The new documentary regime based on paper affected a new terrain of socio-political categories altogether, which continues to define us, our identities, our society, our communities and our politics flowing from it.

However, a new dawn is seemingly upon us. The coming of the digital age has also brought with it new forms of documentation best characterized by digital documents. These digital documents have opened up new frontiers for governance and most importantly for human relationships. Such relationships which continue to be meshed unto the materiality encumbered within the paper document till now is increasingly facing the frontal onslaught of digitization and what it engenders. The digitization of work places, the novel introduction of email/internet and social media in official transactions, linking up things, people and places to unique biometric based identities - one such example being the introduction of Aadhaar -brings with it new spaces and possibilities as well as new threats and apprehension about how it may affect us.

The **Second Chapter** deals with the policy discourse that has made possible such an introduction of digital documents and database in terms of documentary practices in India. This chapter shows that Aadhaar is actually not a card, it is just a unique 12 digit alphanumeric number generated after taking biometric and corresponding biographic information from those who have enrolled for Aadhaar. This number is a mnemonic that is to be used to access a variety of information that we have come to gather in course of

accumulative *data footprints* that datavallaince talks about. We see through the study that the government uses this number to have seamless access to various data repository that it has come to acquire. It uses this number in tracking of its funds and project implementation to dispersal of rations to delivery of various assortments of government services. Such a scheme is not only novel for it aims to be based on the biometrics of the people but also massive in scale for such identity scheme is to be for all those found residing in India, citizens or not. This is to have a desirous effect in the way many and most government services are rendered or delivered to the people. More so when we see that such an identity based mechanism based on digital infrastructure not only does away with fake, duplicate and ghost identities plaguing the system but also does away with the middle men and in doing so also with corruption. The service through this digital framework aided by the biometric identity which itself has become digital through the coming Aadhaar presupposes that now all that is to be delivered in the terms of benefits or services to its citizens would now actually reach the concerned person claiming or demanding it. With Aadhaar we are supposed to see the heralding of new documentary practices of the State and creation of what can be held as digital identities of the people. It is then expected to have far reaching consequences.

The second section of this chapter then would go on to explicitly observe the various debates in the public sphere with the introduction of Aadhaar. As we shall see, Aadhaar has been both supported and reviled by the main political parties in India depending on whether they are in opposition or power. However, along with political opposition Aadhaar was also found to have active opposition in the social media, newspapers and the Courts. Such arguments and criticism was either in terms of legislative overreach especially in terms of how the Aadhaar Bill was placed as a Money Bill thus making the Unique Identification Authority of India a statutory body under the Indian Constitution. The chapter traces thereafter, how through amendments in the Finance Bill of the financial year 2017-18 Aadhaar was made mandatory to have and as well as mandating that it be linked with our existing PAN Cards. One set of scholars and commentators however criticize the project and are wary of Aadhaar, which they regard as a risk to the citizens of India in terms of surveillance capabilities of the State. Others at the same time point out loopholes in the Aadhaar infrastructure that not only allow for easy identity thefts but also identity leaks which would greatly harm the rights of those people whose biometric and demographic could either be leaked or stolen. Another group of people

question the technological capability of UIDAI and Aadhaar to make good on all its promise to act as a pancea for most of India's problem.

The **Third Chapter** deals with the empirical part of our research which would be provided by our fieldwork (case studies on the PDS). It deals with the transition from paper based regimes to biometrics and digital regimes. It looks at how the questions of materiality, affect and politics are being experienced by the people and the officials traversing this change especially at the proverbial margins of the State where the effect of documentation and corresponding documenting procedure were considered to have the largest impact. Such an impact we are to find in the research is not just unique but also complex, in that it is both interesting and disturbing at the same time. We are to encounter how digital identities and such documentary process dovetail with and are often under the grip of social hierarchies in terms of caste and majority and minority religions. Active support for such novel introduction of digitally enabled biometric identities was found to be very much there, more so among the young demography. The chapter narrates how the new experience of digital documentary practices brought on through Aadhaar and Aadhaar linked smart ration cards under which PDS is supposed to be distributed is giving rise to diverse material practices in these areas. These material practices run, as we shall see, strikingly contrary to the established presupposition of identity documents losing their materiality and their material aspects when coming under the ambit digital documentary practices. The chapter tries to explore how the material realities, practices and experiences indicate the shaping of new forms of materiality coming to be accorded to digital documents and documentary procedures.

Finally, the **Fourth Chapter** deals with questions of self, the individual judicial self, the juridical self and markers of identity. We discuss how they have come to change with advancement in new technologies of knowing the body. We explore the theoretical implications of what it means to have one's physical body to be broken up into different juridical parts and be transposed into the digital realm or the world of internet. What does it mean, in other words, to have a digital body? The last chapter deals with these questions and attempts to answer them drawing upon philosophical and theoretical writings as well as certain observations made about the field discussed in the preceding chapter.

CHAPTER 1

Paper Documents: Affect and Politics

Hobbit – “Hello., Mr. Bilbo! You are not supposed to be here?”

Bilbo Baggins – “What do you mean?”

Hobbit – “On account of you being dead and all”

Bilbo Baggins – “I am not dead, presumed or otherwise...”

Hobbit – “I am not sure that is permitted Mr. Bilbo...”

Auctioneer- “It has been more than 13 months since the disappearance. If you are infact Bilbo Baggins and undeceased...Can you prove it?”

Bilbo Baggins – “what?”

Auctioneer – “Something official with your name on it... would suffice”

Bilbo Baggins – “Here the contract of employment as a bur...Never mind as what. There my signature!”

Auctioneer – “Well it certainly seems to be in order! Seems there can be no doubt then!”²⁶

1.1 The fetish of the paper: An Introduction.

Paper is one of the most ubiquitous things in the world. You see it everywhere, from simple wrappings of things, to posters pasted on the walls, to tissue papers in the kitchens, to files and documents in the offices. The newspapers we read, to the birth certificate that we have, to the cigarettes that we smoke or even the toilet paper that we use. It is used for a variety of uses. It is anywhere and everywhere and no one can remain untouched by it. How it is that wooden pulp which after being processed, stretched and dried out, later to be cut into variety of sheets, shapes and sizes have come to become so useful to us? It would not be an understatement to state if we were to daresay that civilization as we know it would come to an end if it were not for the simple and inexpensive papers.

²⁶“Hobbit: Battle of the Five Armies” Directed by Peter Jackson, Produced by New Line Cinema, Metro-Goldwyn-Mayer and Wingnut Films Production, 2014. The above dialogue is from the ending scene of the movie. Bilbo Baggins returns to his home Shire only to find that all his belongings are being auctioned and taken away by his neighbours. To his dismay he finds even though they recognize him as Bilbo yet they say that he can’t be acknowledged as such. For in all legality he has been considered dead, considering he has been missing for more than 13 months. For Bilbo, hence, to prove that he was indeed Bilbo he has to show something official as in paper documents to reason for his absence and to prove that it is indeed him. Leading to a truly ironic and comic situation where even though they realize that the person in front of them is indeed Bilbo Baggins however; the people of Shire simply won’t recognize him. It is only after Bilbo provides a deed of employment which has his own signature and hence considered official that people of Shire accept him as Bilbo. Showcasing an important example where paper document becomes more important than the person itself and also how such documents have come to define what we are but most importantly such documents have to have something officially inscribed on it, in this case which is the signature.

Perhaps, founding of the human civilizations on the basis of papers is quite a stretch. However, it was not to mean that is not so important. For they hold and do some pretty important stuff that is way important for all of us. In all of this, probably, paper as we know as paper documents are the most important of them all. However, the paper in the paper documents had its humble origins way back in China where it was first discovered around 105 AD but later archaeological finds date it well back to few hundreds of years back.²⁷ Paper perhaps because of its malleability and low cost of producing then came to have a number of uses like making paper lanterns, fans, kites, even to be used as padding in packaging and armors and even to the extent of being used as disposable hygienic material to be used for sanitation purposes²⁸. All of which gained quick popularity. As such, it was only much later that paper came to be used as documents as we have come know it in this form. In China itself, edicts or documents were first made into bamboo strips tied up by twine or written on silk. It is also for this reason that the Kenji Script flows from top to down rather than right to left, as the bamboo strips would only allow vertical writing it and even with the introduction of paper this method of writing was followed and accepted. Paper as a medium of record or writing surface arrived at the scene when such medium previous to it was increasingly found to be very cumbersome, time and space consuming and in some cases even expensive.²⁹ Paper provided a far easy and economical proposition and very soon it came to be used in the royal edicts and decrees, ownership titles and trade passes were issued on it and at times even used as monies³⁰. However, it gained its worldwide popularity only after coming in contact with the Arab traders of the Middle East³¹ and from then on to the Western world, though the European traders would take the secret of paper making and take it to new zenith of its usage and importance yet unseen.

Now, paper documents as it stands, holds in its awe everything and anything. It encapsulates all. It measures, marks, values, sells, buys, identifies, notes, records, adjudicates, disposes and creates. It is the medium, the voice, the tool, the universe on

²⁷Basbanes, Nicholas A. *On paper: the everything of its two-thousand-year history*. Vintage, 2013. Accessed from https://www.amazon.com/Paper-Everything-Two-Thousand-Year-History-Notable-ebook/dp/B00CGI3DZS/175-7665308-5716611?ie=UTF8&creativeASIN=B00CGI3DZS&linkCode=w00&linkId=&ref_=as_sl_pc_ss_til&tag=historyforkidson 13/06/2009

²⁸Ibid

²⁹Ibid

³⁰Tsien, Tsuen-Hsuei (1985), *Paper and Printing, Joseph Needham, Science and Civilisation in China, Chemistry and Chemical Technology, Vol. 5 part 1, Cambridge University Press*

³¹Hunter, Dard. *Papermaking: the history and technique of an ancient craft*. Courier Corporation, 1978.

which our world stands. Like the gravitational waves, which may not be seen but which indeed holds everything in the universe³². Likewise, paper documents too maybe called out as same. However, to be truthful, paper documents are much more rudimentary and tangible than the G-waves. Yet it is the reality or the absence of reality or truth and the falsity that the paper documents are able to create for us that paper becomes similar to g-waves though a much more scaled down version of it. As paper documents while being seen and tangible can create alternate realities and truths depending on the kind of legibility it would accrue from the holder, to those who issue it and perhaps even to those who may not be having or owning them.

1.1.1 Identity Documents: Popularizing Paper

However, to meet the exigencies of making the argument rooted and more decipherable we only need to look towards the workings of the identity documents. Identity documents to say the least identifies us to what or who we are. They help to prove our identities and authenticate us³³ but they also happen to bind us to these amazing social relationships. Such social relationship as Matsuda (1994) points out comes out from the intrinsic capability of the identity documents itself. For according to him identity documents possess this unique ability to play the role of ‘social voucher’ for the person owning or possessing it.³⁴

This role of vouching the identity/character of the person previously was generally held by the social community in which that person dwelled. But, with the dawn of the industrial revolution and the advent of rapid transformations in transport, communication and commerce, ‘social vouching’ was desperately felt to be in wanting. The increased mobility of the people and with it the fear and suspicion of the saboteur, journeyman, vagabond, the beggar, the diseased, people with perverse characters, etc. all greatly increased. To overcome this, slowly but surely, the practice of carrying references written by local parishes, county officials, or a letter written by someone of eminence stating who

³² Bennett, Jeffrey. "What Are Gravitational Waves, and Why Should You Care?" *The Huffington Post*. N.p., 18 Feb. 2016. Web. 13 June 2016. <[http%3A%2F%2Fwww.huffingtonpost.com%2Fentry%2Fwhat-are-gravitational-waves_b_9253680.html%3Fsection%3Dindia](http://www.huffingtonpost.com/2Fwhat-are-gravitational-waves_b_9253680.html%3Fsection%3Dindia)>.

³³Lyon, David, James B. Rule, and Etienne Combet. "Identity cards: social sorting by database." *OII Internet Issue Brief* 3 (2004).

³⁴Matsuda, Matt K. "Doctor, Judge, Vagabond: Identity, Identification, and Other Memories of the State." *History and Memory* (1994): 73-94. Retrieved from <http://www.jstor.org/stable/25618662>

that holder of letter was, gained a lot of traction.³⁵ So much so, that carrying papers identifying who that person is became the norm. Such papers however differed for different people and according to the standing in the society and the work which placed them in.³⁶ Hence, for merchants it was charter given to them by royal authorities or trade passes, for some others it was character certificates issued by local authorities, for others in the military, it was the military papers which identified them belonging to the military and their ranks they held. For the poor too, after the implementation of Poor Laws in England and during the reform of King Wilhelm of Prussia special paper documents were issued which identified people as poor and made them work for certain fixed wages.³⁷

This then led to advent and usage of plethora of documentations and for various purposes which importantly relied greatly on paper. So much so that Gerald Noiriel calls that it led to be 'révolution identificatoire' the development of "cards" and "codes" that identified people (more or less) unambiguously and distinguished among them for administrative purposes.³⁸ Over the years thus, this preponderance of paper based identification also eventually lead these identity documents to be standardised. These standardised identity documents were to then in no uncertain terms back the claims of the person who he/she claimed to be.

1.1.2 Paper Documents

Paper and paper documents as such seemed to have travelled a long way from China as paper lanterns to Europe and the rest of the world to becoming the identity of the person itself showcasing their class, character or profession. Its utility arising out of its inherent characteristics was to be the boon for its popularity. Barry Smith underlines this in his essay titled '*Document Acts*' which lists the things which we could do with paper documents which were not previously available to us with other modes of documentation and the things include: sign, countersign, fill in, stamp, copy, witness, notarize, transfer,

³⁵Torpey, John. *The invention of the passport: surveillance, citizenship and the state*. Cambridge University Press, 2000.

³⁶ Mohiuddin, Momim.(1971) 'The Chancery and the Persian Epistolography under the Mughals, From Babur to Shaha Jahan (1526-1628)', Iran Society, Also see Ogborn, Miles. *Indian ink: script and print in the making of the English East India Company*. University of Chicago Press, 2008.

³⁷Polanyi, Karl. *The great transformation: The political and economic origins of our time*. Beacon Press, 1944.

³⁸ Cited from Torpey, John. "Coming and going: On the state monopolization of the legitimate "means of movement"." *Sociological theory* 16.3 (1998): 239-259.

inspect, validate, invalidate, table, ratify, destroy, propose, amend, revise, nullify, veto, deliver, display, register, archive, falsify, redact, etc.³⁹

However, a qualification that needs to be mentioned here is that usage of paper for such purposes was available since its discovery⁴⁰ nevertheless it was only with the advancement in production of paper, of printing techniques including mass printing⁴¹ and most importantly the legitimacy accorded to paper by these premodern states that paper documents start gaining ground. It is this legibility and legitimacy that these paper documents got accorded with that allowed for paper based identity cards to ascertain the holder or the owner of the card as having the identity of that person whom that person claimed to be or play the part of 'social voucher' which we were talking about previously.

Nevertheless, identity documents like us, with time have also seen such transition. From simple paper chits of paper to long written notes marked under seal, to typed and facsimiled printed, to water coloured to plastic smart cards with electronic chips inserted on it⁴². And over the course of years they have come to be seen as analogous to the biological evolution that human beings have taken over the course of civilization (Zamboni 2008)⁴³ Such changes have arisen not just because of availability of better classification or printing techniques but also from the need to have continuous checks on counterfeit and forgeries.⁴⁴ As also because of growing demands of governance techniques.⁴⁵

All of this however, would not mean that identity documents came to the fore only with the starting of mercantilism/industrial revolution that is when premodern states came into

³⁹Smith, Barry. "Document acts." In *Institutions, Emotions, and Group Agents*, pp. 19-31. Springer Netherlands, 2014.

⁴⁰Paper was invented in China during 202 BC - AD220 and modern method of paper making has been ascribed to a Chinese court official Ts'ai Lun who was the first person to describe how to make paper from cotton rags in AD105. Before that in China, documents were ordinarily written on bamboo, making them very heavy and awkward to transport. Silk was sometimes used, but was normally too expensive to consider. Indeed, most of the above materials were rare and costly. See <http://www.casepaper.com/resources/paper-history/> accessed on 04/11/2105

⁴¹The advent of the mass printing press is generally accorded with the printing of the Gutenberg Bible in 1450.

⁴²Ref from Koepsell, David, and Barry Smith. "Beyond Paper." *The Monist* 97, no. 2 (2014): 222-235.

⁴³Smith, Barry. "How to do things with documents." *Rivista di Estetica* 50 (2012): 179-198.

⁴⁴Valentin Groebner. *Who Are You? Identification, Deception, and Surveillance in Early Modern Europe*. Trans. Mark Kyburz. Cambridge, MA: Zone Books, 2007. 350 pp. also see DAVID KOEPESELL & BARRY SMITH, *Beyond Paper*

⁴⁵Adhikary, Barun. *State and Identification Regimes: Debates On The Unique Identification Authority Of India* Mphil Dissertation, Jawaharlal Nehru University, 2012.

being⁴⁶. For identity documents were there and have been found to have been in existence since human civilizations began⁴⁷. What is so specific though about these documents that we need to pause for a specific time in history and bring this out and talk about it? The answer to which would be that it was around this time four things start to happen to these documents. *First, it became all pervasive*, documents were required for everything especially, identity documents.⁴⁸ For the vagaries of industrialization brought in its wake many unwanted characters and realities. The threat of journeyman, the highwayman or the vagabond became so big a threat to societies and nations that character certificates were instituted to be attached with identity documents.⁴⁹ Anyone found wanting in either was looked with suspicion, arrested or even banished or turned away from that place.

Second, nation states were to increasingly find that identity documents do indeed play an important role by having that unique ability **to control the mobility and movement of people** in space/distances (Torpey, 1997)⁵⁰. It allowed for certain kind of people to have access to certain spaces while held in check other such people which were considered inimical to it, may it be because of war, crime or diseases. In this respect, identity documents helped in sieving if we were to use that analogy the good from the bad, the useful from the unwanted, and the diseased from the healthy.⁵¹

Third, the existence of such identity documents meant that they would have to be cross referenced somewhere so that if a case of doubt arises they can be cross checked. The need for this led to registers, ledgers, accounts. Entries were to be made in such before documents or for that matter identity documents issued. This allowed for **creation of collective memory of the state** (Matsuda, 1994)⁵². This memory which is a collective and which remains stored in the humongous entries, files and registers of the State thus

⁴⁶Tilly, Charles. *The formation of National States in Western Europe*, Princeton, Princeton University Press, 1975

⁴⁷Shrimali, Krishna Mohan. "A Future for the Past?." *Social Scientist* (1998): 26-51.

⁴⁸Caplan, Jane, and John C. Torpey. *Documenting individual identity: The development of state practices in the modern world*. Princeton University Press, 2001.

⁴⁹Torpey, John. *The invention of the passport: surveillance, citizenship and the state*. Cambridge University Press, 2000. also see

⁵⁰Torpey, John. "Coming and going: On the state monopolization of the legitimate "means of movement"." *Sociological theory* 16.3 (1998): 239-259.

⁵¹ Sriraman, Tarangini. "Assault and Assuage: Identification Documents, Colonial Rationalities and Epidemic Control in British India", in *Critical Studies in Politics: Exploring Sites, Selves, Power*, edited by Nivedita Menon, Aditya Nigam and Sanjay Palshikar, New Delhi: Orient Blackswan, 2013

⁵²Matsuda, Matt K. "Doctor, Judge, Vagabond: Identity, Identification, and Other Memories of the State." *History and Memory* (1994): 73-94. Retrieved from <http://www.jstor.org/stable/25618662>

creating for it the possibility and capacity of recall.⁵³ Such a possibility and coming of the collective memory of the state opened up new frontiers regarding the governance mechanisms of the state. For the state the ability to recall what is where, who is whom, how much revenue is expected and accrued, where and how state resources are and whether they have been utilised for the correct perception or not opened up new governance strategies chief among which were the need to standardise and make things legible for the State (Scott 2002). Wherewithal it allowed State to employ strategies over what it held and ruled which now seemed to include not just the lands, the vegetation, the resources on or below it but also allowed it to look at its people as something which could be utilised, managed, moved about.⁵⁴ Populations came increasingly under the ambit of understanding of what Foucault holds and now we understand as governmentality.

Fourth and the most important and remarkable thing if we were to look carefully around this time would be the materiality of the document itself for it undergoes a change. For there appears to be a change in not just how documents or for that matter identity documents come into the fore and operate and for reasons which pre modern states find it appealing for its use but also in what they (identity documents) are composed or made of. The perceptible change in this regard has been the coming and the popularity of **paper documents**. It is with the increasing acceptance of paper documents that we observe a parallel increase in the usage of documents.⁵⁵ As paper because of its intrinsic characteristics must have been very easy to source and produce and also most importantly because it allows for something to be written, embossed, typed, marked, etc.⁵⁶ Paper is also easy to carry and in case of a need to make another document arriving out of the loss of the previous one unlike other modes of document (Smith, 2014). Again paper as a

⁵³Matsuda, Matt K. "Doctor, Judge, Vagabond: Identity, Identification, and Other Memories of the State." *History and Memory* (1994): 73-94. Retrieved from <http://www.jstor.org/stable/25618662>

⁵⁴Foucault, Michel, Michel Senellart, Graham Burchell, François Ewald, and Alessandro Fontana. *Security, Territory, Population: Lectures at the Collège de France 1977--1978*. Vol. 4. Macmillan, 2009.

⁵⁵ Paper again may have been preferred in the formative years of the modern nation state building as encountered as in the 16th century Europe. As it greatly allowed for controlling the mobility of people and their access to spaces (Torpey, 2002). This was greatly possible with paper as Torpey has shown in his book, 'The Invention of Passport: Surveillance, Citizenship and the State' that in 16th century France and in most of Western Europe including England and then Prussia unwanted people or unknown people into entering villages, parishes, counties or cities were required to show in their papers (i.e. their identity documents) to the local village chief, constable, head of county of the city prefect. Their papers were then duly checked for inconsistencies or forgeries and thereafter marked for entries on those papers itself and later entered as registries

⁵⁶Hull, Matthew S. "Documents and Bureaucracy*." *Annual Review of Anthropology* 41 (2012): 251-267.

medium without losing its characteristics would allow for further correction, adjustments and new information to be transcribed on it if it is required.⁵⁷ One added advantage that paper documents had was of perdurance because of which it scored over ‘speech acts’⁵⁸ or over other kinds of documents.

Paper also, importantly, as a material artifact or object could be interlinked with various other multiple documents. This then helps in creating audit trails through such documents but they also help create new document complexes like mortgages, mirroring like those of the debtor-creditor relationships among institutions or people involved examples of which would be the financial derivatives (product) based on multiple mortgages bundled into one.⁵⁹ However, these document complexes also create for construction of social realities, where our existence or our relationships with others or the government have come to be described by the kind of documents that we have or not have on us. These realities are then based and constructed on the legibility of these paper documents. It is this assumption that the paper documents are able to provide us and help it seed with supposed truth that it has made creation of realities such as paper currency as money true. In this supposed truth, which we now have come to concede as real, we start acting as if it is reality itself and behave accordingly within this phantasm world of paper within which we lay encumbered upon. As such, it is in this supposed reality created by paper truths we now come to exist and come to understand life, meaning and everything within it.

1.2. ‘Wonder that is paper’. Materiality of the paper documents

Consider a few examples of such realities. A smile flows over the face of a lover on reading the letter from her beloved, euphoria hits the candidate on seeing the employment card, a mother is forlorn on reading the sad news of his son being martyred at the border on a post card send to her, a slum dweller reverently places his ration and voters card alongside the deity he worships every day. An agricultural labourer proudly carries his MNREGA card. Old school notebooks hit us with nostalgia of times past. A first time

⁵⁷ Hull, Matthew S. "Documents and Bureaucracy*." *Annual Review of Anthropology* 41 (2012): 251-267.

⁵⁸Smith, Barry. "Document acts." *Institutions, emotions, and group agents*. Springer Netherlands, 2014. 19-31.

⁵⁹Smith, Barry. "Document acts." *Institutions, emotions, and group agents*. Springer Netherlands, 2014. 19-31.

voter standing on the line to vote clutches his voter card with youthful exuberance. A student is apprehensive about showing her mark sheet to her parents. A young cadet is filled with pride as she gets a letter confirming her appointment in the army.

A variety of actions takes place in these examples. As we see, every example showcases people of varied character coming in contact with some form of documents or other and how they interact with it and how eventually they react to it. Each having a different cause and a different effect, yet we can discern that there are three things which are similar. First of which would be that all these examples are concerned with documents encountered in one form or another. Second that all these people, while coming in contact or while interacting with these documents, seem to evoke certain emotions or feelings. Third, such emotional responses or affect we can say seem to rise not just because of the message in those documents but because of the documents itself and most importantly because of the materiality of these documents i.e. all these documents were based on paper. How paper in its intrinsic capacity accruing out to its materiality is able to open up umpteen capacities and probabilities of emotions in humans when they come to interact with them.

We now know through the works of Matthew Hull (2012), Veena Das (2004), Goody (1986), Cody (2009), Verdery (1994, 2003) Riles(2000), Sharma & Gupta (2006) among many others that documents are not just media or medium of representation or signifier but that documents through their material form are able to evoke affects on people. This latent characteristic of the materiality of documents and in case of bureaucratic documents like identity cards again allows for creation of a certain kind of political space where people become political and in their interaction with the government through these documents contest the governmental strategies directed at them. Again, paper because of its peculiar characteristics it is able to become the person, entity, object or an agent if and when on an intent or intentionality is brought upon it, through a method of writing, printing, paintings, etc. Such intentionality might be through a variety of means which we have already mentioned before and which Barry Smith (2014) has particularly talked about. However, that intentionality is not something which is to be ordained on the paper document alone. For it was found that paper documents too on their own exert their own intentionality on the *intentioner* in the process of altering, modifying, editing or even in usage have come to exert an external intentionality on the users or those handling the

documents⁶⁰. Such an external characteristics of paper documents however, it is now held is so because of the peculiar and particular nature of the paper document itself.

However, the understanding or realization of the materiality of the paper and in particular paper document was not something which dawned suddenly on someone or even something which was invented by someone. Rather, it has been a result of years of scholarship and research done on documents and paper documents in particular. This thesis too attempts to add to its better understanding and it endeavours to unravel yet undiscovered bits about characteristics of paper as a document. To unravel this therefore, we endeavour back from the earliest understanding of the document to the present nature of paper documents.

1.2.1(a) Understanding paper as a document

To begin, the scholarship on the document begins in earnest through the writings of scholars such as Paul Otlet (1934) and Suzanne Briet (1951). Paul Otlet in his book *Traité de documentation* writes how graphic and written records are representations of ideas or of objects but the objects themselves can be regarded as documents only if we are informed about it by observation of them. To such a definition, Otlet adds examples of natural objects, artifacts, objects bearing traces of human activity (such as archaeological finds), explanatory models, educational games, and works of art, etc. also as documents (Otlet 34: p. 217).

Similarly, the International Institute for Intellectual Cooperation, an agency of the League of Nations and working in collaboration with Union Française des Organismes de Documentation develops a technical definition of document – ‘any source of information, in material form, capable of being used for reference or study or as an authority. Examples therefore of such documents then would come to be as manuscripts, printed matter, illustrations, diagrams, museum specimens, etc....’ [cf from Buckland 1998 (ANO 37: p. 234)] This idea then gets matured further on by Suzanne Briet who in her manifesto on the nature of documentation *Qu'est-ce que la documentation* very famously asserts that, ‘a document is evidence in support of a fact.’ (Briet 1951 in Buckland 1995). She also adds, ‘a document is any physical or symbolic sign, preserved or recorded,

⁶⁰Hull, Matthew S. *Government of paper: The materiality of bureaucracy in urban Pakistan*. Univ of California Press, 2012. also see Ann Laura, Stole. "Colonial archives and the arts of governance." *Archival Science* 2.1-2 (2002): 87-109.

intended to represent, to reconstruct, or to demonstrate a physical or conceptual phenomenon'. The implication here is that one should consider documentation to be concerned with access to evidence rather than with access to texts. Therefore, the scholarship till then tended to focus only on the accesses that documents could provide as evidence to a fact or a thing. It was in no way concerned with the very nature or characteristics of the document. For document was only considered as a medium of gaining knowledge and not something where the texts or the objects assumed as documents were to be studied. As such the inherent characteristics of a document were of no interest whatsoever.

However, things begin to change slowly as Mark Buckland later attempts to refine Briet's rules for determining when an object has become a document for which Buckland brings forth four criteria in Briet's discussion i.e. i). There is materiality: Only physical objects can be documents, ii) There is intentionality: It is intended that the object be treated as evidence; iii) The objects have to be processed: They have to be made into documents; and, possibly iv). There is a phenomenological position: The object is perceived to be a document.⁶¹

1.2.1(b) Matthew Hull's review of scholarship on paper document.

Matthew Hull helps to further this understanding of the document through one of his famous essay on paper documents.⁶² This essay begins by pointing out the dearth of ethnographic studies on documents. Strangely, a lot of anthropological works have been done through documents however much thought has not been given to what these documents inherently possess. The possession here for Hull means the materiality of the documents, its very existence, its form, shape and not just what these documents mediate or seek to give access to in terms of bureaucratic underpinnings.

To arrive at this, Hull argues that at first we need to stop looking at documents as mere representation, and need to see and explore the socially important roles that documents play in our lives then just as objects having a powerful role. It goes onto mention Goody (2006), who has brought to our notice the written form of documents and the role it plays in the organisation as well as about the material character of those written texts and that

⁶¹Buckland, Michael. "What is a digital document." *Document numérique* 2.2 (1998): 221-230.

⁶²Hull, Matthew S. "Documents and Bureaucracy*." *Annual Review of Anthropology* 41 (2012): 251-267.

of its difference to speech in terms of perdurance. Following which newer works have come on the materiality of the documents such as paper quality (Komito 2009, Pellegrin 1998) typefaces (Jacob 2007), mode of inscription (Cody 2009, Hull 2003), organization of graphic space (Brenneis 2006, Riles 2000), physical composition and compilation (Feldman 2008, Hull 2012, Komito 2009), bullet points (Jacob 2007, Strathern 2006), signatures (Cody 2009), stamps (Hetherington 2008), and letterheads (Sharma & Gupta 2006) and even non- or para linguistic signs such as brackets (Riles 2006b). Such new scholarship seems to be resolutely having a consensus on the centrality of materiality of bureaucratic documents.

Hull then goes further and holds out three distinct stages of approach through which people encounter documents. The three such approaches he holds are namely *aesthetic*, *affect or emotions and signs*. In the *aesthetic* approach, Hull states that the emphasis would be on the features of documents which would include among other things rubrics of classification, graphic elements such as subtitles, paragraphs, tables, margins and bullets. This approach makes the document self-contextualizing or self analyzing, without placing them in their social setting or institutional goals outside the documents themselves (Latour 1999). It is what is in the document notwithstanding the purpose or the object of the document to what it is intended for. It is how people come to see the documents itself. Here the implication is on seeing the form of the document. (For example, office orders) However, this emphasis on the form of documents falls within the understanding of bureaucracy as a sociality organized by form (Handelman 1981).

Onwards to the second approach, documents do bring out emotion or affect when people come to encounter it. Examples to that regard can be the ones we talked about our construction of social realities through paper and how it affects us. As we have seen bureaucratic documents through their material form and their affectiveness are able to create a certain kind of political space where people become political and contest governmental strategies directed at them. However, at the same time they are also able to create such *affect* among the officials handling such documents (Sriraman 2013), all the more increasing the political propensity of the documents. Hence, understanding this materiality of identity documents which creates for a space and scope for politics and as such then becomes political is the key to understanding identity documents as a political object.

Such affect however, can accrue not just on people it is aimed at but also on those writing or preparing it (Hull 2003, Stoler 2009). This is made possible through the way of documentation and of creation of database/archives. The databases/archives that houses documents also have a life, sociality and an imagination of its own (Ann Stoler 2002, Appadurai 2003). They are not just a containers or holders which is inert or inanimate (Ginzburg 1989). Like documents, they too have the propensity for the political. As we know through the work of Foucault, it is wrong to see archives as socially neutral spaces where researchers can go back to bring out/extract information without problems.⁶³ They are in two ways, first they are political by deciding the question and setting criterion of what gets stored, who stores and what gets stored (Derrida 1995, Stoler 2002). Second they are political in what *affect* it brings unto the people when it interacts or comes in contact with them (Stoler 2002)⁶⁴. As such databases that government creates are active political projects which are used not just by the State to direct governmental strategies but also by the people to challenge such strategies or create the political space which has not been available to them yet. Hence both identity documents and their databases are to be seen as a political process which opens up a lot of space hitherto not commonly grasped by all and which has a bearing on all.

Again scholars also maintain that documents too can bring about a range of emotions in terms of their holders in respect to its different legal regimes and social circumstances (Das & Poole 2004, Kelly 2006). However, most of the scholarship on this is on those being documented or undocumented rather than those who are documenting. The second approach therefore attempts to draw analysis to the moments of encounter with documents.

The third approach is of signs and how it is able to link documents with people, places, things, norms and forms of sociality. How documents come to have a deontological affect on people when they encounter. How such an affect gets moulded into social relationships denoting the link that gets bonded between the people and the documents

⁶³ Appadurai, Arjun. "Archive and aspiration." *Information is Alive*. Rotterdam, V2 Publishing (2003). Pg 16

⁶⁴ Stoler in one of her essay, *Colonial Archives and the Arts of Governance* writes how the colonial archival work was done by native clerks and scribes which then reflected on the archives. For it not only brought their interaction with the information that they mediated but that at the same time these mediations also contained the peculiarities and informal information of everydayness which itself was very rich in social and political imaginaries. At the same time the colonial state in their hunger for information did not discriminate the information coming. As such archives could also produce affect when we see such mediations are not brought on by colonial methodologies of rule alone.

they encounter or interact.⁶⁵ Such a relationship manifests the various social roles that people come into play in the larger scheme of societal activities in their lives vis-a-vis these documents. How possession, ownership or proximity to certain documents leads to have defining role on the people themselves and how they are then perceived both by themselves and the others. Also, how people then come on to make claims towards certain documents, how they create for them or come to own them in processes not just through the legal prescribed means but also through other such processes which may not be of purely legal nature. Such processes gets more manifested on the margins of the State, where certain political activities are purely undertaken so as to fulfil the criteria's that such documents may encompasses in terms of possessing them or using them.⁶⁶ We will however know more about it through Hull's understanding of the capacities of documents. Hull, in the same essay brings forth two broad capacities of documents which he initially in the essay had said were the two problems that social anthropology on documents seems to have and that are (a) Coordination & Control and (b) Construction.

With *Coordination & Control*, the scholarship on documents sees it as a formal organizational practice on which the terrains of bureaucratic practices operate. It is apparently so because as writing (on the document) establishes the stable relation between words and things necessary for bureaucracies to effectively implement regimes of control. However, looking at documents as simply as forms and the means of order or control in bureaucratic practices would be wrong. As we get to see how different documents issued by different department over the same field of intervention or domain can result in uncertainties rather than maintaining order. Hull as such takes us to an understanding of documents as a part of the bureaucratic process and hence control also because of the capacity of the document to permeate between the line between state and society. For as new scholarship on this has pointed out as to how documents have the capacity 'to become multiplied, literalized through court papers, certificates and forged documents and enter into the domain of society'⁶⁷. All such capacities of the document allows for creation of production and movement of documents which in turn has the capacity to create document brokers or influential politicians and institutions operating outside the state arena legitimate their practices by mimicking state documents. Also

⁶⁵Matsuda, Matt K. "Doctor, Judge, Vagabond: Identity, Identification, and Other Memories of the State." *History and Memory* (1994): 73-94. Retrieved from <http://www.jstor.org/stable/25618662>

⁶⁶Das, Veena, and Deborah Poole. *Anthropology in the Margins*. SAR Press, 2004.

⁶⁷Das, Veena, and Deborah Poole. "Anthropology in the Margins of the State." *PoLAR: Political and Legal Anthropology Review* 30.1 (2004): 140-144.

documents even when forged or inauthentic still have the capacity to be within the same assumed bureaucratic practice which sees documents as forms and methods of control.

Hull then goes onto explaining how bureaucratic documents along with coordination and control too have the capacity to 'make things come into being' or *Construction*. Hull points out the scholarship of how documents in its capacity as a medium between schemes of classification and particular people, places or things can lead to generating capacity. A simple example of which would be how a certain person comes to be seen as a victim, a refugee, this house as encroachment or this house. Another such example would be how documents when used for other purposes than intended for leads to creation of other such realities. Hull emphasizes how documents too can become the vehicles of imagination and as such story telling accruing out people encounters with documents. How documents bring into life an ethical subject. As such documents helps in generating large scale forms of sociality which allows for the State to get its spectral presence materialized in the materiality of the documents and allowing the State to enter into domains of life which proper bureaucratic practices could never access.

While Hull seems to have reviewed the scholarship on the documents and the two problems that ethnography of documents had. He ends his essay pointing out the serious question of what would happen to the materiality of the documents when they shift to become e-documents, would the two capacities of control and construction still hold. However he is quick to add that what gets written down in paper documents too gets written down in e-documents and hence can be analysed in the same analytical framework.

1.2.1(c) The affect of paper documents

But how all of this came about, how is that simple documents were able to do all of this? How is that people, things and ideas come to be encapsulated within the realm/grasps of documents? So much so that nature itself came to be encapsulated within this realm. Why is that changes in the documentary realm were leading to changes in the physical realm of things, object and ideas. Documents as such were not just affecting the material world but also having its impact on the ideational realm. Our existence and reaction thereof have forever become embedded in this phantasm world created by paper documents. A change in one was having a corresponding change in the other and in most of the times it was

found that changes were sought to be effected in the documentary realm so as to bring the desired change in the physical realm too. However, this becomes problematic when we see that the documentary world is not completely phantasmic but the phantasam is allowed for, created and maintained through the existence of documents which again is possible because of its materiality. This as we have come to know now rests not only on the matter of the document itself i.e. paper but also on its method of production, how it seeks to have certain criteria's on it, how it seeks to get operated on the official settings, how its movement in the bureaucracy is mediated, how it ultimately comes to rest in terms of mobility and how it eventually gets archived and kept as records and lastly how such archives can or would be accessed.⁶⁸ All of this therefore entailed the materiality of the document. However, interestingly each and every aspect of this materiality during the entire course from its origin, existence, travel and resting place to again later access to it produces this amazing emotional linkage with people its comes in contact with. Such emotional response or affect that the document through its materiality produces therefore has a resultant effect on both the evidentiary access that any document provides as also how people react and act to such materiality of a document as a whole or in its parts. Such an affects gets accrued for as human being and living entities we are designed to respond to *stimuli* or our surrounding environment which can bring changes to our corresponding material reality. Understandably, in the present even physical movements including bodily movements or that of speech and signs has come to have responding changes in our emotions. For they all can and has the propensity to change our material reality or existence. In the same vein therefore, umpteen advances in documentary methodologies have more or less been able to grasp this movement of bodily action, compromising of speech, signs, or even physical actions in general and transcribe and literalize them into texts of the documents. And as we saw previously in Hull's essay on documents, how the understanding of materiality of the document grew from the texts of the documents to a gradual and sophisticated understanding that how even the production, the aesthetics on the document, the character, the management and control of that document encumbered within it the existence of the materiality of that document. Coupling this with another idea of how the documents therein in its capacity of its materiality are able to grasp human action and endeavor whereby they (the documents) themselves come to have human characteristics. Result of which is that people while

⁶⁸Hull, Matthew S. *Government of paper: The materiality of bureaucracy in urban Pakistan*. Univ of California Press, 2012.

encountering documents, within the sociology of the document are actually encountering human or human bits in action. Therefore, the consequential reaction by any person encountering a document is also akin to that of meeting people or another human being. As such it is this engendering of humanness within the confines of the materiality of the document that leads to have or create an affect on people when they come in contact or encounter paper documents. Enacting documentary regimes based on paper and its intrinsic materiality therefore was found to have a great effect on the way people behaved and acted.

As such documentary regimes were to be accordingly be formulated within the understanding of governmentality, More so as we shall see in the colonial context and how it would have a bearing on that country and its people well past even after Independence. How these documentary regimes enacted for colonial enactments and maintenance has come to serve the post-colonial states too. How the changes brought therein however continues to look at documents not just for its bureaucratic underpinnings but more as a material facet of life by both the government and the people and which gets reflected in the negotiations that they have with each other through the medium of these documents. However, we will know more about this when we look at the documentary practices from India and how it has changed eventually over the times from colonial past to the post-colonial present.

1.3. Paper regimes and documentary practices: Experiences from India

India too had its own peculiar and historical evolvments from seals, clay tablets, brass and bronze plates to palm leaves to eventually paper documents. Such a development too has come with time and with rising necessity and increasing new fondness of the utility of paper. This research however concerns itself only with colonial and post-colonial India. For dwelling on the usage of the development of the documentary practice other than paper in India during those times would require much time and would take us away from our main priority which remains ‘paper’ and the documentary practices encumbered on/through it. The usage of paper however to be fair enough had been in usage and gained in popular currency during the rules of Mughals, so much so that Jadunath Sarkar refers to their reign as ‘Kaghazi Raj’ or the rule of paper.⁶⁹ The Mughals were the first

⁶⁹ Cited from Bellenoit, Hayden. "Paper, pens and power between empires in north India, 1750–1850." *South Asian History and Culture* 3.3 (2012): 348-372.

rulers to maintain paper documents not just to ascertain title deeds, ownerships and such but also to make cadastral maps for taxation and revenue.⁷⁰ Paper documents also came in great use which again through the maintenance of records was used to find able bodied man to be drafted in the army and was also used as means of surveillance over its subjects.⁷¹ The records allowed for collective and institutional memory of the state. This it is believed is perhaps the first time that the country is bound by an administration based on paper documents.

Paper documents from thence would have to travel a long way to means and ways of how we have come to see paper documents in our present times. This present, however, had its earnest origins in the coming of the British East India Company. Paper documents because of its capacity to affix roles, obligation and ownership of actions resulting out of audit trails made possible through records maintained in the form of paper documents, files, lists, archives was vehemently used and vociferously imposed upon each and every transaction. So much so that Karl Marx while writing in the New York Herald Tribune about on the issue of renewal of Royal Charter to the East India Company to rule over its Indian territories pondered “the real governors of India were not those vested with political authority” but rather “those Company clerks based on Leaden Hall”⁷²

Marx apparently made such a pointed observation for the simple fact that the Company did not trust its own officers let alone the natives. All of whom who were doing business and other transaction in its supervision in India. For already, the returning or the retiring officers who came back from India were to be found no less than ‘Nabobs’ themselves in terms of wealth.⁷³ Plus with the huge geographical distance between England and its colony in India it only added to suspicion as well as the incentive for corrupt Company officers to carry on with their nefarious way. Add to the utter disdain for unscrupulous natives forced the Company to make corrective measures to be taken up immediately. Such measures the Company would find in the miraculous and transparent nature of the audit trail that paper documents could provide. Along with raw material from the colonies, records and audit books were then to become their new travelling companions

⁷⁰Guha, Sumit. "The politics of identity and enumeration in India c. 1600–1990." *comparative Studies in Society and History* 45.01 (2003): 148-167.

⁷¹Ibid

⁷²Raman, Bhavani. *Document Raj: Writing and Scribes in Early Colonial South India*. University of Chicago Press, 2012.

⁷³Ingram, Edward. *In Defence of British India: Great Britain in the Middle East, 1775-1842*. Routledge, 2013.

towards the English shore. Among this traffic was also royal letters addressed to the faraway Emperors and Princes of the East by the British monarch who bestowed on the Company through the Royal Charter the right to represent it and do trade. The East India Company too was to find that it was these royal letters that allowed them access to the Indian Courts to make representations to the native rulers for it entombed them with royal authority (Ogborn 2008). Also, these royal letters as were not just letters of correspondence but within their own rights were material artefacts designed to enact like social objects. The way it was graphically produced, to the way it travelled unto foreign lands or the way it was presented to the rulers and also the way the presenter carried himself during the representation.⁷⁴ All entailed a certain kind of action upon not just the materiality of the letter also on the creation of material reality around the letter itself thereby making it a social object. These letters also helped in binding distant geographies in trade or the first time. This was greatly reflected in the sharing of letters that was to happen between the British monarchy and the Mughal Emperor and the various other rulers of India.⁷⁵

The English East India Company as such reposed its full faith on the paper. A point to note here is that this faith and dependence grew rather than lessened in the coming times with Royal Proclamation of 1858 to eventual Indian Independence in 1947 and to our times in present. We have now become so enmeshed in such relationships that paper documents encumber us to our identity so much so that existence alone would not even be possible without paper. Also important is that the fear about misgovernance and corruption still remains the primary concerns of the government now which was even so then during Company times and like the Company, our present governments too have believed that this can be brought to check or rectified by bringing in more regimes of documentations and newer documentary practices. However, more of this will be discussed later in the forthcoming chapters.

1.3.1 Kaghazi Raj to Company Raj: Advent of paper bureaucracy in India.

The granting of Diwani of Bengal in 1765 to the Company became a watershed movement in its history. For now for the first time, in all its seriousness the Company

⁷⁴Ogborn, Miles. *Indian ink: script and print in the making of the English East India Company*. University of Chicago Press, 2008.

⁷⁵Ibid

stopped being just another trading company involved in colonies but rather a political force and authority with people and land to govern. This entailed overhauling and spreading its administration from all over the Bengal province. The bureaucracy hence established based its working on paper, pen and inks and the documentary practice which flowed from thereon completely gave supremacy to paper over other forms of documentation like oral or palm or brass/bronze plates.⁷⁶ Such an introduction of paper documents however simply would not just mean paper chits, list, files or records but that a litany of apparatuses, mechanisms and process that were set up and put in place either newly or that prevalent documentation methods were appropriated and reinvented in some places.⁷⁷ Such an introduction was again was not just to have a deontological effect on the two parties undergoing a contract but that it was to have severe effect on the lives of the people on which it was set to be introduced. This new documentary practice if we were to say ‘Paper Rule’ in contrast to the more vernacular “Kaghazi Raj” during the Mughals brought in its wake new modicum of relationships between the ruler and the ruled i.e. the Company/King and its subjects. For in this new systemized set up of administration, paper was to be the medium, the paradigm or the base on which it was to be affected. People or the new found subjects of the British monarch were to find that now they could approach the administration only through petitions, memorandums, pleas, applications, etc.

With this, new language of politics, new ways of approaching authority, new means of influencing it or new ways of negating it also came to fore. All of which then got centered on the office of the district collector or ‘cutcherry’.⁷⁸ The office of the district collector acted both as revenue collector, administrator and the magistrate, all rolled into one. Hence, the district collector was in his own right the suzerain over the people and things under him. As such the office of the district collector was sought to be the lynchpin of the administration. In this capacity, the office of the district collector was to source revenue for the Company, administer the district and adjudicate on petty crimes and local judicial matters. The result of which was that, all the papers directed towards it

⁷⁶Raman, Bhavani. *Document Raj: Writing and Scribes in Early Colonial South India*. University of Chicago Press, 2012.

⁷⁷Hull, Matthew S. *Government of paper: The materiality of bureaucracy in urban Pakistan*. Univ of California Press, 2012.

⁷⁸Raman, Bhavani. *Document Raj: Writing and Scribes in Early Colonial South India*. University of Chicago Press, 2012.

and issued by it started having juridical characteristics.⁷⁹ It led to giving prominence to paper based document. Again the documents based thereon would result in a fantastic maintenance of records yet unseen in the Indian subcontinent.⁸⁰

1.3.1(a) Consolidation through paper: Roots of Company Raj

Even though paper documents filled the administrative records of the Mughal Administration yet it was only during the Company and later the British administration that records were maintained in timelines and indexed to name, people or events. Previous record keeping was either mnemonic, based on memories of the record keeper or was either event based or family based.⁸¹ They could not be easily looked after with the eye, as in textually and be searched upon, it was only the record keeper who could go through it and search and tell you what one was looking for.⁸² The traditional record keeper as such in this role would have an influential existence in the societies or communities in which they lived.⁸³

The Company too found this in the process of increasing their grip over Bengal after 1770 further into Benares and Doab region in terms of revenue. They encountered that certain low level clerks; accountants and registrars had much influence on the administrative and cultural practices in the rural areas. Also, importantly, association with these caste based record keepers gave a sense of legitimacy to the settlements arrived at during those tumultuous times. (Hayden 2012). Realizing the potential of these ‘service communities’ the Company quickly enrolled them into their employment.⁸⁴ Things however didn’t go smoothly as expected. The Company found this much to their chagrin during settlements of villages with zamindars in North India.⁸⁵ The rent records of the place and that of ownership rather than with owners were with the traditional book/record keepers who in the case of North India were known as the *qanungo* or the *patwari* all of which was based on caste. These caste based record keeping offices was populated

⁷⁹ Ibid

⁸⁰ Hull, Matthew S. *Government of paper: The materiality of bureaucracy in urban Pakistan*. Univ of California Press, 2012.

⁸¹ Raman, Bhavani. *Document Raj: Writing and Scribes in Early Colonial South India*. University of Chicago Press, 2012.

⁸² Ibid

⁸³ Bellenoit, Hayden. "Paper, pens and power between empires in north India, 1750–1850." *South Asian History and Culture* 3.3 (2012): 348-372.

⁸⁴ Bellenoit, Hayden. "Paper, pens and power between empires in north India, 1750–1850." *South Asian History and Culture* 3.3 (2012): 348-372.

⁸⁵ Ibid

mostly by the *Kayasthyas*, *Khattris* and the *Srivastavs* caste, who had not only knowledge of Persian but in many cases incorporated some Islamic tenets into their way of life and everyday activities. ⁸⁶Perhaps Persian being the court language necessitated this. We would see later especially in Bengal that locally employed Bengali clerks in their administration were to increasingly take up English education with fervour in doing so would not only take up the language but also few of their cultural practices and way of life. Setting up clubs modelled on English clubs is one such example. How, these clubs later came to have an effect on the national freedom movement though is another matter of research altogether.

Now, before any *jama* (assessment) it was imperative that the tax or revenue previously being accrued from that place be known so as to have an approximate understanding how much revenue can be expected and to base new rates of revenue during settlement. Here, the local communities involved in scribal practices including book and record keeping gave a tough time to the Company officers. At first the local traditional record keepers personified best by the *Kayasthya*, *khattri* and the *Srivastav* in community welcomed the Company but later drew a hard bargain. The community realising the importance of records in many cases sought to have settlements with the Company themselves having found that they could do so because of the possession of records on them, the rent rolls, deeds of leases and others. That the idea of ownership throughout the Western world during those times including that of the Company's was that of possession of title, deeds, leases in the person of what he was claiming to be his and most importantly that such claims were to be vested in the paper documents helped these local pens man communities. Many such pens men by arriving at settlements with the Company themselves and became *zamindars* in their own right, which further strengthened the Company's administration. Not many complained against this for the people feared them lest they might do something to their own records. Also, the *tehsildar* and the village headmen salaries were paid up by them so they didn't say anything too. Again because of extended kinship networks among these scribal oriented castes, the petitions directed against them to the Company *cuttchery* office or the *Collectorate* didn't reach the *Collectors* desk at all.⁸⁷

⁸⁶Ibid

⁸⁷Raman, Bhavani. *Document Raj: Writing and Scribes in Early Colonial South India*. University of Chicago Press, 2012.

Such caste based kinship network of scribes who worked on paper however provided a most important thing to the Company during those tumultuous times in the Indian subcontinent by putting the Company on a steady keel through a steady flow of papers on which it so much depended. While the Collector's office was to become the nerve centre of the Company administration, it was the successful flow of papers through and from that office that helped the Company root itself in India and was to be its life blood. As Ogborn (2008) holds that papers as material objects, their possession and absence thereof gave creation to unequal relationships among men, especially so in the context where the European society gave so much prominence to papers. This emphasis on the papers as material and social objects also got slowly transplanted into India through the Company administration's insistence on usage of paper for all activities. The relationships therefore entombed in the materiality of the paper which sourced its legitimacy from the Company's administration also started to have its effect on the lives, relationships and the social and political milieu in India. Slowly but surely other forms of documentation started to fail in front of the onslaught of Company's paper regime and with it also the old political, social and cultural values that those older forms of documentations were bestowed with. Only Company's paper regime with its own intricacy or peculiar practices reigned supreme. Bringing new documentary practices therefore also helped in consolidating the Company Raj in India. It goes without saying that all of this depended on paper.

1.3.2 Paper on Her Majesty's Service: Effects of documentation

This would lead to cascading effects on the scribal and political intermediaries involved in the economy of documents and documentation in India. However, it would also come to effect all and sundry in India in different and varying degrees. The march of new paper documentation onwards the Indian geography had a corresponding increase in the territoriality of the Company. Documentary regimes enacted by the Company played its part. This new regime with utmost suspicion of the natives would bring in its place various means so as to ascertain their claims, counter claims and to hold them true to their bonds and contracts and stop their repudiations.⁸⁸ Especially required much more than ever because the modern means of communication and travel brought on by the British

⁸⁸Singha, Radhika. "Settle, mobilize, verify: identification practices in colonial India." *Studies in History* 16.2 (2000): 151-198.

administration meant that the propensity to withdraw from a contract and hide in plain sight grew much more. The attraction to do a crime in one place especially by peripatetic communities and nicely hide away in another part raised a lot of trepidations for British rule in India.⁸⁹

This new documentary regime based on paper however meant that they needed to be reinforced or that they be made available with repository of knowledge or information on whom it was sought to be discriminatory or suspicious against and whom to be not. Resulting from this, various enumerative projects was taken up, best personified by the decadal census started from 1872 but regularized from 1891. Other such enumerative and mapping projects which were taken up was the Linguistic Survey (1894-1928) under George A. Grierson which collected and collated information about the number of languages in India, their type and the people speaking it. Multiple of other such surveys and expeditions were also carried out which looked for better trade routes, geographical strategic positions for better defence or even for possible hill stations sites. All of this was not just to know about the revenue details of lands under it or that of the political personas crowding the political landscape. It was also about surveying India's physical topography, its climate, its wildlife and most importantly it was also about knowing the people under its rule, its language, its culture or its rituals. Along with this endeavour was the important act of publications of gazettes and almanacs which recorded all of this. This resulted in creating a database or records or archives which necessitated that to fill it certain kind of criteria, categories, classification or profiling methods be used so as to prise that information from the chaotic mass and topography of India. Important in this was that categories such created would not be fudged or easily blurred and that it is easily discernable. This was sought to be realised by making such categories legible giving them the legitimacy and backing of the law while at the same time proscribing others. This proscribing and legitimization entailed that there be constant surveillance and policing to check for any infractions, if any. Therefore, codes, regulations and laws were enacted legalising such. Following the codification of laws, regulations and enactments; methods were instituted, strictures passed as to how to go about fulfilling such requirements.

Institutionalised and backed by law, proper and particular method was to be used for all that. This method which was but in law got represented in the creation of work files,

⁸⁹Ibid

folders, filing, filing forms, making lists, correcting, editing, typing, writing etc. As Cornelia Vismann importantly holds, how law in the process of administering becomes abstract transcending into the worlds of files, folders and documents and how it is controlled through law again by putting measurable restrictions on its accessibility which again rests on the archives on which it accumulates.⁹⁰ All of this colonial endeavour to gather information through enumeration, surveys, expeditions, etc. by way of looking for certain categories, protected and codified through law and enforced by way of checking, surveillance and policing would help the colonial administration to view, decide and prise for itself things that it wanted from its colony. As Radhika Singha succinctly puts out

“One way of conceptually subduing the social flux unleashed by British paramountcy was to build up ethnologies distinguishing between those who provided good material for productive, revenue-generating subjects from those whose way of life was inimical to this endeavour. Caste, religious distinction, and the pervasiveness of hereditary occupation seemed to provide useful building blocks.”⁹¹

Following the codification of laws, regulations and enactments, the categories thus built were to be entombed in identity and paper documents issued to each individual detailing the individual, the community, the livelihood, the language, the ritual the religion and their practices as such. For each purpose it was to be different and to be enforced in different ways. This was sought to be enforced through a way of constant checking or adding that person’s name in some kind of lists, as in the case of the *badmash* list (Singha 2104) or by non-issuance of the said document necessary for certain people, like in the case of non-indentured labour cards⁹² or the issuance of passports and passes to Indians leaving for Canada, Australia or South Africa (Mongia 1999, Singha 2013)⁹³. Similar surveillance and checking was also used and carried for stopping the spreading of epidemics, may it through the issuance of travel documents or train tickets at the stations

⁹⁰Cited from Raman, Bhavani. *Document Raj: Writing and Scribes in Early Colonial South India*. University of Chicago Press, 2012. Page 2.

⁹¹Singha, Radhika. "Settle, mobilize, verify: identification practices in colonial India." *Studies in History* 16.2 (2000): 151-198.

⁹² *ibid*

⁹³Mongia, Radhika Viyas. "Race, nationality, mobility: A history of the passport." *Public Culture* 11.3 (1999): 527-556. Also see Singha, Radhika. "Punished by Surveillance: Policing ‘dangerousness’ in colonial India, 1872–1918." *Modern Asian Studies* 49.02 (2015): 241-269.

only with the presence of the health card in that person.⁹⁴ Importantly, the medium through which all of these was sought to be effected and implanted was through paper documents. All of these could be made possible only within the domain and paradigm of paper documentation and so because of the material reality that paper could provide. As a result of which on the foundation of Indian topography if we were to use such an analogy, a new kind of material reality based on paper was increasingly being sought to be built upon.

This fits well within the analogy of Edward Said who would later come out with this idea of Orientalism where the colonial masters through their supposed learned and all-knowing penetrating gaze saw the East or the Orient while the colony lay naked before the colonialist. The colonial master then with their penetrating gaze of the Orient (colonies) would then go on to create a body of knowledge as a 'discourse' of the colonies. And since it is the colonial gaze which creates the discourse, it is heavily tilted towards the colonial administration. But such a creation of body of knowledge or discourse thus created was to have a great and unending effect of the social and political landscape of India. As Asha Sarangi contends that the creations of enumerative categories and also such categories which were to be enumerated eventually led to collectivisation and politicization of such categories.⁹⁵ The politics in India with the end of the 19th and the start of the 20th century therefore got directed and defined by these categories that the British administration had come to create. In many cases, where such categories were already present in India such as religion, caste and language they become much more entrenched than they previously were and also political after the reconstruction and maintenance of such categories during the British rule in India. This maintenance and reconstruction again goes without saying were the result of new documentary regime which had made some categories legible and legitimate while not acknowledging others at the same time criminalizing a few. All of this but were made possible only because of the wonder that is paper.

⁹⁴Sriraman, Tarangini. "Assault and Assuage: Identification Documents, Colonial Rationalities and Epidemic Control in British India", in *Critical Studies in Politics: Exploring Sites, Selves, Power*, edited by Nivedita Menon, Aditya Nigam and Sanjay Palshikar, New Delhi: Orient Blackswan, 2013

⁹⁵Sarangi, Asha. "Enumeration and the Linguistic Identity Formation in Colonial North India." *Studies in History* 25.2 (2009): 197-227.

1.3.3 Demon of Writing: Independent India and Colonial Legacies of Paper

The tableau of *discourse* based on paper documents created by the British Administration got inherited by India when it got its Independence in 1947. Such inheritance amply got reflected in keeping much of the Government of India Act 1935 and the Indian Code of Criminal Procedure of 1861⁹⁶ within the Indian Constitution and the Indian law. Again as we now know paper based documentary regimes and law go hand in hand and exist in one another, i.e to say that law operates on the paradigm or plane that the documentary practices create and that documentary practices itself operates on what law means it for.⁹⁷ One can exist only in the presence and practice of another. As such *Paper Rule* that the British started got further entrenched with India's own Independence and it gladly took such paper regimes to its own date with 'destiny'⁹⁸.

The taking up of law also meant taking up the administrative bureaucracy which however was not only British but was designed to serve a colonial purpose. This colonial purpose was designed to serve most of the apprehension and necessity that the Colonial administration sought was pertinent for its sustenance of its rule. The chief among which were general suspicion of the native folks or even the colonial administrators, doubts regarding repudiations that Indians would fall back on their contracts or agreements, morbid fear of the mobile migratory population, the need to have labour prised from the native population for soldiery to defend its colony and for its foreign wars or as indentured labour in plantations or industrial labour in factories or for localized developmental/infrastructural projects and lastly the need to know about the people, their culture and their way of life resulting in humungous information/knowledge gathering/producing projects. All of these apprehensions and necessity was sought to be addressed therefore by creating and maintaining a particular kind of documentary regime which was importantly to be based on paper.

⁹⁶The 1861 CrPC continued well after Independence and was finally amended in 1969 and enacted and replaced in 1974.

⁹⁷Vismann, Cornelia. "Files: Law and Media Technology, trans." *Geoffrey Winthrop-Young (Palo Alto: Stanford University Press, 2008)*, xiii. Cited from Raman, Bhavani. *Document Raj: Writing and Scribes in Early Colonial South India*. University of Chicago Press, 2012.

⁹⁸Pandit Jawaharlal Nehru while taking on the eve of Indian Independence in his famous speech had famously said that Independent India would indeed keep its 'tryst with destiny'

Interestingly, therefore, India in its acceptance of the colonial documentary regime would make for a strange arrangement where it is not serving a colonial master but has all the colonial apprehensions, concerns and necessity embedded within it. The documentary regime then truly becomes a servant without a master but then also a master in its own right. The documentary process rather than serving a definite end or an ideal becomes serving its own self, affirming its own rule. We then see an overwhelming increase in the nature of paperwork to be initiated and carried out for doing most and any kind of works in India, the burden of paper increases more than ever before.

The pertinent need to keep a paper trail resulting out of the suspicion of the propensity of corruption was embedded in each and every official practice. This gets more exacerbated during the Emergency.⁹⁹ We could see this during the large scale resettlement of slums during that period.¹⁰⁰ Perhaps, as Benjamin Kafka observed how Saint-Just on October 10, 1793 requested the National Convention to give emergency powers to Committee of Public Safety so that the drudgery of paperwork that was effecting administration was done away with.¹⁰¹ In doing so Saint-Just created the metaphor of demon of writing and how it was affecting the Republic. For according to him 'the demon of writing is waging war against us, we are unable to govern'. The speech led to the suspension of the new constitution and emergency was imposed by declaring the government 'revolutionary until peace'.¹⁰² Thus began the Reign of Terror. The result though was something completely different as expected by Saint-Just. The taming of the 'demon' was not possible what happened instead was that as more powers got vested in the Committee to search, arrest and put any men suspected of monarchial allegiance or anti-republican sentiment to death, more paperwork needed to be done. Ironically, with great and more powers came greater paper work. So much so that the Committee had to employ more clerks to handle the flow and order of the incoming paperwork, more positions were created, more bureaus allotted and more surveillance needed to keep all of them in check

⁹⁹Tarlo, Emma. "Paper truths: the emergency and slum clearance through forgotten files." *The everyday state and society in modern India* (2001): 68-90.

¹⁰⁰Clibbens, Patrick. "'The destiny of this city is to be the spiritual workshop of the nation': clearing cities and making citizens during the Indian Emergency, 1975–1977." *Contemporary South Asia* 22.1 (2014): 51-66.

¹⁰¹Kafka, Ben. "The demon of writing: paperwork, public safety, and the reign of terror." *Representations* 98.1 (2007): 1-24.

¹⁰²Ibid

which again could be provided only through paper¹⁰³. The demon of writing had truly gobbled up the new Republic.

Such a thing too was increasingly felt and visible in India. Emma Tarlo mentions how the singular case of resettlement of slums of Delhi, the paperwork attributed is not only humongous but also the number of agencies who have got involved in doing so¹⁰⁴. And all of which have increased rather than decreased. This has had a corresponding increase in paper documentation too. The infamous red tape in India attributed to the slow and ineptness of the Indian bureaucracy also reflective of its colonial past, where files with the red tape would move much slow compared to others. '*lal fithasahi*' as it came to be known during those times. This term with its colonial legacy has tragically also come to haunt its present ; for predominantly it is referred as the reason for another mischievous appellation put to the country's economy that of the 'Hindu rate of growth'.¹⁰⁵ The slow growth of India's economy for many reason was also told was because of the arduous necessity of linking paper documents to be moved from one desk to another, one bureau to another and one agency to another.¹⁰⁶ And only after it had acquired a large number of signatures or similar markings from the officials handling it, so as to make it too important enough to be stopped or returned backwards that the file/document or folder eventually got passed. In other words it means that only when the materiality of the document comes to possess a certain kind of materiality that it is deemed important and serious enough to be approved or passed. As Hull mentions in his book 'Government of Paper' how the signatures of big politicians or their spouses in Pakistan came to effect the nature and result of such files having their names, signatures, marks or stamps which was but the result of affect that would arise on the officials handling those documents/files.

Other reason for delay in the passage/approval of files was also because of the fear among the officials handling them that they would be held responsible for any and all action or absence of action pertaining to the files, even much after they might have retired and left office. The innate ability of audit trail that paper allowed was not only leading to surveillance on the actions these officials were doing but for them it was also like a

¹⁰³Ibid

¹⁰⁴Tarlo, Emma. "Paper truths: the emergency and slum clearance through forgotten files." *The everyday state and society in modern India* (2001): 68-90.

¹⁰⁵Williamson, John, and Roberto Zaghera. "From the Hindu rate of growth to the Hindu rate of reform." *Working Article* 144 (2002).

¹⁰⁶Ibid

Damocles sword hanging over their heads which might fall on them even after they retired and left their departments. Their accession to a particular action personified through their markings and signature made them fearful of the future for any and all of their present and past work. This was then cleverly sought to be avoided by diffusing the decision among a number of officials each giving a decision to a particular aspect of the file so that no one could be called into question for the eventual work that was done. But all of this leads to great inordinate delays in not only making policy but also implementing them. India's governmental policy typified by *license raj* and *permit raj* till 1990's greatly increased the role of paper work in the administration and the documentary practices flowing from there was increasingly being looked with suspicion for corruption and its ineptness for efficiency. More rules, more regulations, more checking meant more paperwork to deal with, more cumbersome practices to negotiate with the bureaucracy to get the work done. More such negotiation meant more chances of arbitrary role, political intermediaries and bureaucrats would come to have which again increased the role of corruption in getting things approved or passed by the government. All of this was generally held as the reason of not only making the administration and government unpopular but also slowing the growth and prosperity of the country. A magic bullet was required to do away with these problems. India saw hope in up and coming Information and Communication Technology (ICT) revolution conquering the length and breadth of the country.

1.3.4: Brave New World: India's entry into the digital age

It is generally held that under the Prime Ministership of Mr. Rajiv Gandhi and his close confidante Mr. Sam Pitroda that seeds of India's digital revolution was planted. All of which began with the success of India's telecommunication sector. This success also coincided with India's liberalization of its markets in 1991. The government of India has since then tried to leverage this success into a variety of its other schemes. This has led to the adoption ICT in a phenomenal scale. The transparency, efficiency and speed that ICT supposedly provided was seen in contrast to the inefficient, slow and drag kind of governance epitomized by the pen wielding *babu* sitting on a desk surrounded by wall of files. Clearly, the governance sought to be brought upon by the administration based on paper documents was not having the desired effect. Corruption was expected to be very high, running the entire course of the bureaucratic hierarchy and even the government

itself recognized this.¹⁰⁷ The chief reason attributed to this was the human role or intervention which the typecast *babus* within the governmental administration through their arbitrary role were effecting governance and policy implementation. Forthwith was that idea was that this was so because of the ownership or the arbitrary role that these *babus* could have while handling and managing these bureaucratic documents. These bureaucratic documents that provided for such arbitration was so because the documentary regime so in place put in place was slowly but steadily loosing its grip over the handling, managing and governing of the documents. Rather than enforcing the particular rule intended, it was aiding exception to the rule and was increasingly becoming the norm. So much so that new norms had started taking its place, breaking the rules, a simple example to that effect would be how one needs to pay bribe to get simplest of governmental work done.

Therefore, what was needed to alleviate this problem was to lessen human intervention in administrative bureaucracy. This could be however only be done if changes in documentary practices be brought about. As such we see that since 2003 the government has been trying to bring a new system of governance which not only does away with the arbitrary role of the *babus* but also tries to do away with paper documents through a new system called e-governance. In e-governance or electronic governance, paper documents give into files and folders in computers and servers of governmental departments. The National e-governance Plan 2006 envisaged by the government aims to make paperless office and that access to it through the proverbial click of a mouse/button. The Union Government therefore approved the National e-Governance Plan (NeGP), comprising of 31 Mission Mode Projects (MMPs) and 08 components on May 18, 2006.¹⁰⁸ The NeGP aims at improving delivery of Government services to citizens and businesses with the following vision:

¹⁰⁷REPORT OF THE ELEVENTH PLAN WORKING GROUP ON INTEGRATED SMART CARD SYSTEM ENTITLEMENT REFORM FOR EMPOWERING THE POOR: The Integrated Smart Card (ISC), *Planning Commission*, Government of India, January 2007. URL: http://planningcommission.nic.in/aboutus/committee/wrkgrp11/wg11_smtcard.pdf accessed on 05/04/12

¹⁰⁸<http://www.digitalindia.gov.in/content/ekranti-electronic-delivery-services> accessed on 27/06/16.

*“Make all Government services accessible to the common man in his locality, through common service delivery outlets and ensure efficiency, transparency & reliability of such services at affordable costs to realise the basic needs of the common man.”*¹⁰⁹

Many of such MMPs which have already seen the light of the day namely, Pensions, Central Excise, Road Transport, MAC 21, Insurance, Income Tax, Visa, Passport, Banking, National ID, etc. Other MMPs are either in partially delivering stage, under implementation, design and development and lastly scoping stage.¹¹⁰ This however underwent a change with a change in the government. The coming of the new government at the Centre under the Bharatiya Janta Party (BJP) took the NeGP and constituted it into one of its flagship program called Digital India. The underlying principle in the Digital India initiative is the e-Kranti which envisages ‘*Transforming e-Governance for Transforming Governance*’, and this vision has now been approved by the Union Cabinet last year as well.¹¹¹ This vision means that all new and on-going eGovernance projects as well as the existing projects, which are being revamped, should now follow the key principles of e-Kranti namely ‘Transformation and not Translation’, ‘Integrated Services and not Individual Services’, ‘Government Process Reengineering (GPR) to be mandatory in every MMP’, ‘ICT Infrastructure on Demand’, ‘Cloud by Default’, ‘Mobile First’, ‘Fast Tracking Approvals’, ‘Mandating Standards and Protocols’, ‘Language Localization’, ‘National GIS (Geo-Spatial Information System)’, ‘Security and Electronic Data Preservation’.¹¹²

Herein, lay the necessary policy interventions intended not just changing how the bureaucracy works but also the documentary practices that presently served. The main criteria if we were to pore over the visions, policies, schemes and mechanisms announcing this change would be the absence of paper in these documentary practice. Paper documents increasingly being sought to be done away with. What we instead are expected to come up are digital documents¹¹³. However, it is no mean feat changing documentary practice and the documentary regime encumbering at single go. It entails putting in place variety of institutions, things and mechanisms most of which could be new. India here in terms of documentary practices is marching to new frontiers- a brave

¹⁰⁹<http://nisg.org/files/documents/A05140001.pdf> accessed on 27/06/16

¹¹⁰<http://www.digitalindia.gov.in/content/ekranti-electronic-delivery-services> accessed on 27/06/16.

¹¹¹<http://www.digitalindia.gov.in/content/ekranti-electronic-delivery-services> accessed on 27/06/16.

¹¹² *ibid*

¹¹³ Buckland, Michael. "What is a digital document." *Document numérique* 2.2 (1998): 221-230.

new world. Something very akin to the coming of the British and changing and enforcing new documentary practice which at that time was based on paper and now in the digital document is going on. The ramifications of this new documentary regime and practices entombed in it is yet unknown. We cannot even fully fathom the extent of changes that it could bring about though many scholars have already started talking about how it will bring about change in the nature of citizenship in India¹¹⁴, nature of governance¹¹⁵, infringement on privacy¹¹⁶, etc. Many among which also argue that it will have a detrimental effect on our democracy itself¹¹⁷. However, one thing is certain the new documentary regime and practices would have large scale ramifications all over the country. The new documentary wave brought on by British turned us into subjects of a foreign power in our own lands but also defined and codified our identities and laid down newsocio-political and economical terrain on which we still exist today. It is therefore to be seen how this oncoming mega wave of new digital documentary practice expected to land on us would have an effect on us and the possibility to change the socio-political-economic contours of the country.

1.4 Conclusion: The End of Paper?

This coming of the digital and in particular digital documents brings foreboding to the supremacy of paper in documentary practices. As we see then from its humble origin of plant and wooden pulp has slow but steadily gone on to create a whole world for itself. The chief reason among which has been the utility of paper documents and within it identity documents. The need to have something which can record and document our speech and our actions and to showcase such as and when required. There had been as we saw different materials which could do this prior to paper such as papyrus, brass and copper plates. However, the perdurance and malleability and ease of access and availability were unmatched compared to other sources of documentation. Along with it the most important function that paper could provide was to materialize pledges. The deontological effect it would have on both the parties undertaking the pledge was a

¹¹⁴Shukla, Ravi. "Reimagining citizenship: debating India's unique identification scheme." *Economic and Political Weekly* (2010): 31-36.

¹¹⁵Ramanathan, Usha. "A unique identity bill." *Economic and Political Weekly*(2010): 10-14.

¹¹⁶Greenleaf, Graham. "India's national ID system: Danger grows in a privacy vacuum." *Computer Law & Security Review* 26.5 (2010): 479-491.

¹¹⁷Ramanathan, Usha. "Considering Social Implications of Biometric Registration: A Database Intended for Every Citizen in India [Commentary]." *IEEE Technology and Society Magazine* 34.1 (2015): 10-16.

phenomenal. All of which greatly got a boost from the need and the urgency of the Industrial Revolution. Paper started gaining significance over other modes of documentation when people were able to write things on them. It is the coming of the texts and the capability of paper to hold them made it so important. It is through writing which made texts that allowed for intentionality to be transcribed on paper. This in turn made the proof of such intention and evidence to the acts of that thinking and action. It is this documentation and the resultant effect it was to have on human interactions that made paper so popular to be used as a document. Paper documents as we have come to know played the important role of 'social vouching' which played an important role in the tumultuous and ever changing time of mercantilism. It helped base Industrial Revolution in documents and papers.

However, we were to increasingly find in our day to day activities that documents represented through the ubiquitous paper documents now not only were able to provide us with documentation, proof, give evidence and access to actions, deemed or happened through what's written or inscribed on it. But that such documentation also greatly have come to have an affect on us on how it is created, to how it is made, how it looks in terms of its physicality. It's aesthetic, its way of handling. Management of such documents, how it gets to be stored or archived or how it is accessed and to lastly how it comes of utility in its daily use. Now through the scholarly works of Matthew Hull (2012), Veena Das (2004), Goody (1986), Cody (2009), Verdery (1994, 2003) Riles(2000), Sharma & Gupta (2006) among many others we have all come to know that the above criteria's actually make up for the materiality of the document and that this materiality interestingly come to have an affect on us. This affect gets produced on humans may it be in possession, absence, proximity, distance, handling, restoring, maintaining and lastly managing it.

A very important action occurs over here for it was found that this affect which accrues out of its materiality of the document is and has the propensity to change the material reality and existence of people themselves. This very important observation as Barry Smith and Searle has mentioned was because paper are able to link themselves up and create not just audit trails of the actions grounded on paper but also build human relationship. Such relationships more complex the document linkage more sophisticated the relationship. However, the crucial thing here is that the kernel of the base of such relationship was the deontological effect it had on people. People who linked with one

another were but in one way or another having a deontological relationship with each other in a certain way which varied only in degrees from person to person. Such relationships bounded people to certain ideas, categories, contexts, understanding, beliefs, ideology and identities. Paper documents hence codified such identities, beliefs and categories which but all was again used to serve some ideology or create one. As we saw in the coming of new documentary practices brought on by the British in India. British rule in India imposed such documentary practices to make things, people and effects legible for them. Such new documentary practice also however, played an important role in keeping in constant check on its errant British officials and the ever ‘unscrupulous’ natives.

Document and documentary regime therefore played a huge role in not only establishing the British Empire in India but that it importantly continues to play a very important role in the present in the day to day affairs and governance of the country. The new documentary regime based on paper affected a new terrain of socio-political categories altogether and continues to define us, our identities, our society, our communities and our politics flowing from it.

However, a new dawn is upon us. The coming of the digital age has also brought with it new forms of documentation best characterized by digital documents. These digital documents have opened up new frontiers for governance and most importantly for human relationships. Such relationships which continue to be meshed unto the materiality encumbered within the paper document till now is increasingly facing the frontal onslaught of digitization and what it encumbers. The digitization of work places, the novel introduction of email/internet and social media in official transactions, linking up things, people and places to unique biometric based identities i.e. the Aadhaar brings with new spaces for possibilities and new threats and apprehension about how it may affect our freedom, rights or liberties as individuals or citizens or as a society.¹¹⁸ The new government under BJP clearly feels it is the right way ahead. It has increasingly taken up such efforts and tried to utilize the possibilities that digitization and e-governance can bring about.¹¹⁹ The most recent and important of which was giving statutory authority to the UIDAI which issues Aadhaar number by passing legislation which till now had been

¹¹⁸ For apprehensions and concerns regarding freedom, rights and liberties under Aadhaar see Shukla, Ramanathan, Greenleaf, Maringati, Khera et al

¹¹⁹ <http://negd.gov.in/e-kranti-negp-20-framework-0> accessed on 26/06/2015

lying dormant for quite some time.¹²⁰ However, interestingly the government passed the legislation not in the usual way as was expected but rather passed it as a money bill therefore doing away from the debates and voting that is required in passage of any legislation.¹²¹ This cutting short too of the usual legislative process has come to attract quite a lot of criticism from different quarters.¹²² Notwithstanding such criticism what has indeed become a reality now is the coming of biometric identities and how it is increasingly been adapted across all platforms of governance. It is as such this introduction of biometric identities brought on through Aadhaar and what it means for documentary practices prevalent in India more importantly paper documents that the next chapter will dwell upon.

¹²⁰<http://www.prsindia.org/billtrack/the-aadhaar-targeted-delivery-of-financial-and-other-subsidies-benefits-and-services-bill-2016-4202/> accessed 26/06/2016

¹²¹<http://www.firstpost.com/politics/aadhaar-bill-passed-in-lok-sabha-heres-what-you-need-to-know-2670034.html> accessed on 26/06/2016

¹²²<http://www.thehindu.com/news/national/is-the-aadhaar-bill-a-money-bill/article8579711.ece> accessed on 26/06/2016 also see <http://thewire.in/31297/the-aadhaar-act-is-not-a-money-bill/> accessed on 26/06/2016

Chapter 2

Digitization and the coming of Unique Identification Authority of India (UIDAI): Policy and Challenges

One Ring to rule them all, One Ring to find them,

*One Ring to bring them all and in the darkness bind them*¹²³

2.1. E-Governance and Digitization

The development of modern welfare state in the 20th century has seen a parallel development in the structures of identification and identity based management which is not just reflective of the State's need to monopolize the 'means of movement' as enunciated by John C. Torpey so as to make its people more *legible*, but importantly, because governments all over have realised that populations can be scope of intervention providing for a better economic management of things (resources) in what can be analysed through a more Foucauldian understanding. However, identification mechanisms or identity based management can perform only if they are founded on databases which is standardised and has the capacity for mnemonic performance. A modern welfare state in its pursuit of economising the 'conduct of conduct' is increasingly turning towards technology to achieve this. Information and Communication Technology (ICT) in particular becomes the avowed form of technology that they seek to develop and use it in their daily interactions with the citizenry. Hence, governance as an activity is increasingly seeing new forms of continuous interventions where the technologies of yesteryear are quickly forgotten while more new and newer technologies are seen as panacea for all solutions. It must however be emphasised here that all such intervention requires two most important things one is an identity based management mechanism and second is the creation and maintenance of such database which furthers and aids the identification mechanisms. Interestingly, the novelty that is required for both these requirements is that both do away with paper or paper based documents. They must be digital not just in its form but also the way it is stored to way it is accessed. The coming of the e-governance and digitisation actually heralds the swan song for paper based documents and ensconcing documentary practices. This also importantly

¹²³ Tolkein, J,R,R. Lord of the Rings: Fellowship of the Ring, Harper Collins, London, 2008.

underlines the growing suspicion of paper in governance and its inability to control it or the increasing awareness about its cumbersomeness with increasing advancement in technologies around documentation.

India too in this regard has been no different. India has been having multiple identity mechanisms with a plethora of own unique corresponding databases which importantly are based on paper and paper documents. But the government has been very systematically moving to create those databases in the informational infrastructure (digital) where it is able to not just segregate data for quick analysis but also use it immediately to perform governance functions and ameliorate what it considers as bottlenecks in its implementation. The introduction of the Unique Identification Authority of India (UIDAI) is one such program of the government whereby entire population including non-citizens are being provided identity by a singular identity management system and at the same time such identification is to be solely based on the biometrics of the people. This link up with people's biometrics and the overlaying information platform is to be then used to mediate people's access to any or all government services. Such an identity based management system is no doubt novel also very much reflected by the way it was described by the former Finance Minister Pranab Mukherjee who called it *electronisation*¹²⁴ hitherto non-existent English word but used to describe the government push for ICT in governance. The UIDAI over here hence should not be an aberration but rather a part of a distinct attempt by the government to increasingly turn governance into so called smart governance actively aided by ICT.

Even the Second Administrative Reform Commission in its 11th Report titled '**Promoting e-Governance: The SMART Way Forward**' advocates for e-governance and has strongly advocated that the government should eagerly adopt e-governance technologies to perform most of the citizens based interactions. However, the problem over here which soon crops up with this way forward is the absence of standardization which is the key to any e-based platforms, government or private. Such standardization entails that everything be newly mapped, surveyed, identified, marked, situated, categorized and collated into databases and importantly digitized. Thereby, making it not just easy and accessible but also allowing seamless flow of such information which becomes a

¹²⁴Lokpal debate: Pranab Mukherjee's speech in Parliament', URL <http://www.teztube.in/2011/08/lokpal-debatepranab-mukherjee-speech-in-parliament/> accessed on 17/04/12

perquisite for e-governance which the prevalent mode of documentation does not seem to freely allow and rather hamper it. The government in its various schemes is as such carrying forward this new standardization process enabling digitization.

This attempts of standardisation and an eventual digitization of this is to be found in the ambitious plan of the government called the National e-Governance Plan (NeGP). The NeGP envisions to make *'all government services accessible to the common man in his locality through common service delivery outlets and ensure efficiency, transparency and reliability of such services at affordable costs to realize the basic needs of the common man'*.¹²⁵ The NeGP in 2006 had a total of 27 Mission Mode Projects (meaning that it has a particular timeframe, service levels, project implementation and process reengineering plans) which consists of nine central MMPs, seven integrated projects MMPs and eleven state MMPs. Now with the coming of the BJP led government it has improved on the NeGP by incorporating e-Kranti¹²⁶ which entails that all new and on-going eGovernance projects as well as the existing projects, which are being revamped, should now follow the key principles of e-Kranti namely 'Transformation and not Translation', 'Integrated Services and not Individual Services', 'Government Process Reengineering (GPR) to be mandatory in every MMP', 'ICT Infrastructure on Demand', 'Cloud by Default', 'Mobile First', 'Fast Tracking Approvals', 'Mandating Standards and Protocols', 'Language Localization', 'National GIS (Geo-Spatial Information System)', 'Security and Electronic Data Preservation'. All of this falls well under the government flagship project of Digital India.¹²⁷ At present under e- Kranti there are 44 MMPs at various stages of implementation.¹²⁸ The UIDAI is one such MMPs within the NeGP. Therefore it is the UIDAI which intends to become the identity based management while the other MMPs go on to create standardized databases for it to function.

This entire government exercise towards e-governance and digitisation is as such aimed at informatization or creation of an information society¹²⁹. Informatization, being the process through which new communication technologies are used as strategies for

¹²⁵http://indiagovernance.gov.in/files/Compendium_NEGP.pdf accessed on 27/06/16

¹²⁶<http://www.digitalindia.gov.in/content/ekranti-electronic-delivery-services> accessed on 27/06/16.

¹²⁷<http://digitalindia.gov.in/content/about-programme> accessed on 27/06/2016.

¹²⁸<http://www.digitalindia.gov.in/content/ekranti-electronic-delivery-services> accessed on 27/06/16.

¹²⁹ Arvind Singhal & Evrett M Rogers, *'India's Communication Revolution: From Bullock Carts To Cyber Marts'*, Sage Publications, New Delhi, 2001.

furthering socio-economic development.¹³⁰ As such the creation of information society is considered the utopian society where technology acts the great leveler or equalizer much emphasized by Sam Pitroda who states,

'as a great social leveler, information technology ranks second only to death. It can raze cultural barriers, overwhelm economic inequalities, even compensate for intellectual disparities. In short high technology can put unequal human beings into equal footing and that makes it the most democratizing tool ever'.

India's challenge, Yunus (2002) points out is to use information technology to boost the productivity of the poor people, alleviating poverty, hunger, malnutrition and literacy. Mohd Yunus (Grameen Bank fame) himself an ardent supporter of ICT in governance believes that it is possible to alleviate the poor out of poverty and destitution in Bangladesh if only we were able to provide ICT enabled governance¹³¹. As such there is a gaining opinion that that e-governance would indeed be empowering and effective. Such faith in that belief is also seen evidently when we see across the world how different countries more specifically the underdeveloped and developing countries have attempted to have an identification mechanism or regime based on ICT. This being so on the belief that having such ICT oriented identity regime would help them leapfrog into development and prosperity.¹³²

Such a belief however has its roots on ontological understanding of humans as *machina* i.e. seeing human body as machines. From such an understanding of a machine whose entire body is structured and categorized, where each and every part has a definite function and is done in unison and perfection, mitigating the chances of error and creation of perfect harmony. Similarly, seeing the human body as machines require that it be categorized, its function delineated, its work structured and that it confirms and work in unison with other such machines (bodies). However, as with such categorization and structuring comes division of time and division of labour. Like machines, each body is

¹³⁰ Arvind Singhal & Evrett M Rogers, *'India's Communication Revolution: From Bullock Carts To Cyber Marts'*, Sage Publications, New Delhi, 2001.

¹³¹ Dipankar Sinha, '(De)Politicizing Information Technology: Towards an Inclusionary Perspective', MEDIA@LSE Electronic Working Papers, <http://www.lse.ac.uk/media@lse/research/mediaWorkingPapers/pdf/EWP19.pdf> accessed on 17/03/14

¹³² Kenneth Kenniston, *'Grassroot ICT Projects in India: Some Preliminary Hypothesis'* http://web.mit.edu/~kken/Public/PAPERS/ASCI_Journal_Intro__ASCI_version_.html accessed on 17/03/14.

expected to have predestined function and act in a particular manner leading to automation and also most importantly in the case of humans to create a harmonious body politique (politic). Again such an understanding of the body and the creation of a body politique very well confirms to a very Foucauldian understanding.

Now if we were to take this Foucauldian understanding as Lant Pritchett does while taking up an analysis of India who then has to come to conclude that India as a body politique is a flailing body i.e. where the mind has lost control over its limbs and that they act on their own.¹³³ To arrest this, to regain the control, an intervention is required; a medicine is to be given to the sick body. Disciplining the body helps it to get rid of its sickness. In the case of India, the government seems to have decided on introduction of the UIDAI as the medicine for its flailing body.¹³⁴ However, UIDAI is not the only medicine for it can perform best only if it were to be aided by boosters to enhance its performance. This then is provided by a plethora of various e-enabled government platforms which the government seeks to introduce along with the UIDAI. All of this then restores to the Indian body politique not just its health, harmonising in its actions but also blesses it with efficiency, a much required thing in capitalist mode of time and production (and therefore leading to development).

2.1.1 Changing Nature of documentation

Again interestingly if we see how these e-enabled governance platforms are being created and implemented, such harmonization however becomes a distinct possibility only in the *networks*.¹³⁵ Accordingly as Roger Clarke states,

the marriage of computing and telecommunications has brought in networks. This had led to connections among networks, most importantly the Internet. With the networks has come a new working environment, popularly called 'the net', 'cyberspace' or 'the matrix'. Individuals communicate with others, particularly by addressing electronic messages to

¹³³Pritchett, L. (2009). Is India a flailing state. *Detours on the Four Lane Highway to Modernization*. SSRN eLibrary.

¹³⁴ Adhikary, B (2012) State and Identification Regimes: Debates Around the Unique Identification Authority of India. *MPhil Dissertation*, Centre for Political Studies, Jawaharlal Nehru University, New Delhi.

¹³⁵Clarke, Roger. "The digital persona and its application to data surveillance." *The information society* 10.2 (1994): 77-92.

one another, and by storing messages which other, previously unknown, people can find and access.¹³⁶

As Clarke further exclaims the coming of networks has not only resulted in creation of digital personas i.e. *an individual's public personality based on data and maintained by transactions, and intended for use as a proxy for the individual*¹³⁷ (emphasis mine) but also computer matching i.e. *a computer-supported process in which personal data records relating to many people are compared in order to identify cases of interest. Computer matching brings together data which would otherwise be isolated. It has the capacity to assist in the detection of error, abuse and fraud in large-scale systems (Clarke 1992b, pp.41-46). It may, in the process, jeopardise the information privacy of everyone whose data is involved, and even significantly alter the balance of power between consumers and corporations (see Larsen 1992, Gandy 1993), and citizens and the State (see Rule 1974, Laudon 1986). Of particular concern is the extent to which the digital persona which arises from the matching process may be a misleading image of the individual and their behavior*¹³⁸ (emphasis mine). Thereby, increasing the capabilities for surveillance that these networks bring through the process of datavalliance. Datavalliance, the word which is but an amalgamation of data and surveillance is thus the systematic use of personal data systems in the investigation or monitoring of the actions or communications of one or more persons. Dataveillance differs from physical and electronic surveillance in that it involves monitoring not of individuals and their actions but of data about them. These e-platforms as such allows for the creation of networks which are but digital spaces where digital identities and hence digital documents come into being and which further allows not just easy flow of information and interoperability from the physical space to the spatial domain of the networks but that it also very easily allows for surveillance and audit trails of any and all interactions that has been done or carried out in this digital space. This is provided through the mechanism of datavalliance which not only puts people on either side of screen to be vigilant about their activities but that it also allows and creates for the creation of deontological relationships among any digital personas when they come in contact with each other in these networks. Such deontological relationship however is more thick or thin in terms of what that supposed

¹³⁶Clarke, Roger. "The digital persona and its application to data surveillance." *The information society* 10.2 (1994): 77-92.

¹³⁷ Ibid

¹³⁸ Ibid

web page where such interactions occur in is for. They can also be so in terms dependent on how concerned countries have law pertaining to digital behavior of their citizens in the social media. Examples of which would be the customer support page of any online retail company. Or for that matter a government webpage welcoming citizens suggestions on governance or simply any webpage of a government or private utility provider.

Before one comes in contact with each other in digital space one needs to build a digital profile of that person. According to the needs and the law, information is sought from that person to be filled as information concerning that person digital profile. Thus, which creates for the creation of digital personas or digital profiles which depending on the need and usage of utility the information provided by the person is thoroughly checked or not. The digital profile of that person is then ascertained by the concerned web page on which it would eventually come to exist by either affirming through the concerned person's email or sending One Time Password (OTP) to that person's mobile or even by placing calls to the phone number of the concerned person whose digital profile is being built or even checking and storing the IP address of that person. The information thus generated eventually adds upto the digital persona and each and every action undertaken by that person in the networks through its digital persona gets stored and recorded. The usage of such data as Clarke commends can be of commercial and marketing value by way of knowing personal likes and dislikes through the digital behavior of that person. For example the largely anonymized data that web browsers like Google or Internet Explorers or other social media platforms like Facebook or Twitter keep about their users and use it for targeted advertising based on the concerned person's digital history. Again, such data can also be used for preemptive actions in digital space by way of concerned laws governing digital behavior. An example would be the IT Act 2009 which proscribes online piracy thereby making illegal downloads through internet illegal in India. Another example can also be given of Section 66 (A) of the same act which now has been declared null and void by the Supreme Court for curbing freedom of speech but previously was greatly used by various state and central governments to curb defamatory and hurtful sentiments in the social media against political leaders or the governments. Such laws acts as preemptive tools to guide digital behavior in the networks for the simple reason that digital personas cannot always hide behind the elusive curtain of anonymity that digital world or networks may have. Technological innovations have led to more and more stringent curbs on the way internet has come to be used but also in

maintaining and storing data about how it is used by the digital personas so much so that it has the ability to lead it back to the real person who had been using so. The recent arrest of Artem Vaulin, the owner of Kick Ass Torrents, the Torrent-sharing site that hosts pirated information, by the US authorities in Poland is one such example.¹³⁹ As such it is indeed possible to have deontological relationships within these networks that the multiple e-based platforms create. May it be government or private e-based platforms.

However, if we were to look carefully what all goes into these networks. We could see that it is actually mirroring the works of documents especially paper documents. The practices ensued with the domain of paper is also being replicated in the digital. Paper documents as we have already seen through Chapter 1 was introduced not only as ‘social voucher’ of one’s identity, it was also used as a part of the surveillant apparatus to not only bring the governed and the governing in check for its ability to produce audit trails but that paper based documentation allowed for linking of various documents which but again created complicated relationships among people and identities of such people. As we saw in the second section of Chapter 1 the British Government because of the various characteristics and uses of paper document and its ensuing documentary practices allowed for, greatly used it to administer and enforce their rule in India. The ontological relationships that paper documents allowed were reinforced through novel introduction of the usage of signatures and fingerprints and photos. For the British were always wary that the *natives* would fall back on commitments and contracts. As such identities were created on paper which accorded specific material privileges and legality to such and such identities and depending on which it allowed the owners of such identities certain kind of mobility and freedoms within the official domain of the British administration that ruled India. Hence, what we see here with the coming of the digitization is that digital documents may have very well lost its physical and tangible form but that it has been able to retain its materiality not in pure physical sense but in terms of practices and norms that are still being followed in the networks created through digitization. We saw thus paragraphs before in the way digital profiles are created, information sought from them, way such digital profile are ascertained to physical persons through way of confirming through email, to OTPs, to calling respective cellphone numbers to checking the IP’s of devices used by the person to access the digital world. Interestingly too just like documents based

¹³⁹<http://gizmodo.com/the-colossal-screwups-that-got-the-kickass-torrents-own-1784033848> accessed on 22/07/2016

on paper which are able to create a phantasm world which encompassed and encumbers everything and hence how a change brought about in the phantasm world of paper documents also bring changes in the real material world. Similarly, what has been expected is that a change brought about in the digital world if it is able to encompass all that is of the material world will also have a resultant effect on the material reality on which the digital rests.

Therefore, these networks are the new materiality on which this digital information rests. For now these e-based platforms creates and allows not just for people's identity to be transposed into digital personae's but at the same time also allows interoperability of flow of information from the digital and the physical world and importantly also able to recreate and influence human behavior. All of these ideally leads to creation of such a space albeit digital that is not only is economic and efficient but is also able to influence the 'conduct of conduct' of peoples in the Foucauldian perspective. As such, the success in these networks that these e-based platforms create are sought to be replicated in the real physical world. This is so from the belief that acts on digital personas in the networks also leads to concomitant changes in the physical domain. The harmonization that has been supposedly created in the digital space is as such is sought to be recreated back to the physical domain. It's believed that after such harmonization is brought on the *networks*, they will also be reflected on spatiality of the physical realm on which they rests. Thus, eventually coming back to the flailing body politique of India we had earlier referred to. It is then by transposing India digitally through these e-based platforms into the networks that India is sought to be to cured of the ailments that is ailing it so as to make the proverbial head back in control of it's limbs. The introduction of Aadhaar through the UIDAI is but such a step in that regard.

2.2. The Coming of Aadhaar: Origins

The Bharatiya Janata Party-led National Democratic Alliance (NDA) government had initiated a scheme in August 2003 called the Multipurpose National Identity Card (MNIC)¹⁴⁰. It aimed to issue national identity cards to all citizens. It was to be a compulsory card and to be issued to both citizens and non citizens with the provision that

¹⁴⁰Akshaya Muku, 'Parliamentary panel discusses multi-purpose I-card', *Times of India* URL: http://articles.timesofindia.indiatimes.com/2003-08-21/india/27177805_1_pilot-project-mnic-credible-individual-identification-system accessed on 04/04/15.

the non citizens card was to be of a different colour and design.¹⁴¹ The national identity cards or MNIC cards were meant to be primarily for identification purposes. The MNIC card had its origin, it is not difficult to guess, in the requirements of the security apparatus of the country.¹⁴² Such cards were advertised by the then government as to being able to stop the illegal infiltration of people coming from neighbouring countries.¹⁴³ However, apart from the security view point, the MNIC was to be helpful for other purposes also such as banking, agricultural credit, property registrations, medical help and school admissions.¹⁴⁴ The government also initiated pilot test for the project which was carried out in the districts of thirteen states.¹⁴⁵ Keeping this objective in mind, the government had also amended the Citizenship Act, 1955 through the Citizenship (Amendment) Act 2003, which authorized the Register General of India to act as National Registration Authority and to enumerate the citizens and enroll in the National Register for Citizens. The enrolled citizens were to get a unique 16 digit based encrypted smart card.¹⁴⁶ This unique card was to be the MNIC card which would then act as a platform on which the applications of other identification documents or cards could be added up. This would obviate the need for a multitude of identity documents as well as helping in providing social entitlement to the needy¹⁴⁷. It also seemed to have the capability to be used for commercial purposes.¹⁴⁸ Notwithstanding such proposals, the MNIC progressed slowly as a new government came to the Centre—the Congress-led coalition of the United

¹⁴¹Tusha Mittal, 'Falling between the Barcodes', *Tehelka*, URL: http://www.tehelka.com/story_main42.asp?filename=Ne220809falling_between.asp accessed on 09/05/15,

¹⁴²Dipak Mishra, 'Bihar govt refuses to implement ID-card plan', *Times of India*, URL: http://articles.timesofindia.indiatimes.com/2003-02-13/patna/27267955_1_immigrants-bangladeshi-pilot-project accessed on 04/04/12.

¹⁴³Vishwa Mohan, 'Multi-purpose smart cards arrive', *Times of India* URL: http://articles.timesofindia.indiatimes.com/2007-05-24/delhi/27883445_1_smart-cards-national-identity-credible-individual-identification-system accessed on 04/04/15.

¹⁴⁴Tusha Mittal, 'Falling Between The Barcodes', *Tehelka*, URL: http://www.tehelka.com/story_main42.asp?filename=Ne220809falling_between.asp accessed on 09/05/15

¹⁴⁵UNI, 'MNIC to be provided for all Indians', *OneIndiaNews* URL: <http://news.oneindia.in/2008/03/05/mnic-to-be-for-all-indians-1204702546.html> accessed on 04/04/12

¹⁴⁶National e-Governance Division "Saransh: A Compendium of Mission Mode Projects under the NeGP", *the Department of Information Technology*, Ministry of Communications and Information Technology, Government of India. January 2011, URL: http://www.mit.gov.in/sites/upload_files/dit/files/Compendium_FINAL_Version_220211.pdf accessed on 05/04/12

¹⁴⁷ Ibid pg 71

¹⁴⁸K Ram Kumar, 'Banks for inclusion of customer data on MNIC', *Business Standard*, URL: <http://www.business-standard.com/india/news/banks-for-inclusioncustomer-datamnic/153831/> accessed on 05/04/12

Progressive Alliance (UPA).¹⁴⁹ The UPA government has since then rechristened the MNIC as the National Population Register (NPR).¹⁵⁰

In the meantime, however, the Planning Commission which has been now reconstituted as the National Institution for Transforming India (NITI) Ayog¹⁵¹ then had already constituted a Working Group on Integrated Smart Card System for entitlement reforms for the poor under the 11th Plan.¹⁵² The Working Group submitted its report to the Planning Commission in January 2007. This report talked about the possibility of introducing an identity management system which would not only act as the means for identification but the system would also be utilized for transparent and effective implementation of various governmental programs. The Planning Commission felt that an opportunity could be utilized through such a scheme whereby the state entitlements could directly be channeled through such identity management schemes. An identity based management system, it was expected, could greatly reduce the leakages and operational costs of the government entitlement programs.¹⁵³ Also, during this time, the states of Andhra Pradesh and Kerala initiated similar identity based entitlement schemes, implemented at the local levels.

The concept of a unique identification appeared to be doing the rounds since 2006 when the administrative approval for the project – "Unique ID for Below Poverty Line (BPL) families" was given on 03rd March 2006 by the Department of Information Technology, Ministry of Communications and Information Technology. Afterward, a Processes Committee was set up to suggest the processes for updation, modification, addition and deletion of data fields from the core database to be created under the Unique ID for the BPL project set up on 03rd July 2006. This was set up under the chairmanship of Dr.

¹⁴⁹ 'Indian Election Affairs, 'Members of the UPA', URL: <http://electionaffairs.com/parties/UPA.html> accessed on 05/04/12.

¹⁵⁰ National e-Governance Division "Saransh: A Compendium of Mission Mode Projects under the NeGP", *the Department of Information Technology*, Ministry of Communications and Information Technology, Government of India. January 2011, URL: http://www.mit.gov.in/sites/upload_files/dit/files/Compendium_FINAL_Version_220211.pdf 05/04/12

¹⁵¹ <http://www.ndtv.com/cheat-sheet/niti-aayog-replaces-planning-commission-10-points-on-what-you-need-to-know-721421> accessed on 01/06/2016

¹⁵² REPORT OF THE ELEVENTH PLAN WORKING GROUP ON INTEGRATED SMART CARD SYSTEM ENTITLEMENT REFORM FOR EMPOWERING THE POOR: The Integrated Smart Card (ISC), *Planning Commission*, Government of India, January 2007. URL: http://planningcommission.nic.in/aboutus/committee/wrkgrp11/wg11_smtcard.pdf accessed on 05/04/12

¹⁵³ Ibid

Arvind Virmani, Principal Adviser, Planning Commission.¹⁵⁴ Subsequently, M/S Wipro Ltd (Consultant for the design phase and program management phase of the Pilot UIDAI project) submitted a report to the Process Committee titled “A Strategic Vision On the UIDAI Project”. Of the many recommendations forwarded to the Committee, it appreciated the need of a UIDAI Authority to be created by an executive order under the aegis of the Planning Commission to ensure a pan-departmental and neutral identity for the authority and at the same time enable a focused approach to attaining the goals set for the XI Plan.¹⁵⁵ Thus, with the approval of the Prime Minister an Empowered Group of Minister (EGoM) was set up to see whether the MNIC/NPR [under the amended Citizenship Act 1955 (2003)] and the UID Project under the Department of Information Technology could be collated or not. The EGoM felt that the efforts under the two projects should be synergized and recommended that the Unique Identification Authority of India (UIDAI) be notified as an executive authority and anchored in the Planning Commission to own, manage and operate the UID database.¹⁵⁶ Therefore, on 28th January 2009, through an executive order, the UIDAI was formed and was placed under the Planning Commission.¹⁵⁷ It had the explicit mandate of capturing both biometric and biographic informations from the people who would enroll in the project and provide them with a 12 digit based unique identity number after de-duplication of the data. All the data thus collected would be stored in the CIDR and be maintained by the Authority. The enrollment in the scheme is to be voluntary.¹⁵⁸

Aadhaar however did meet its challenges in its eventual implementation. There was this long held criticism of the lack of legislative backing for UIDAI issuing Aadhaar. The then government which had initiated the project under the Planning Commission through executive authority had promised to give statutory authority to the UIDAI by passing a legislative bill in the Parliament. The then Congress led UPA government did bring the National Identification Authority of India (NAI) Bill but only introduced it in the Rajya

¹⁵⁴Unique Identification Authority of India, “About UIDAI” www.uidai.gov.in/about-uidai.html, accessed on 06/04/12

¹⁵⁵Unique Identification Authority of India, “About UIDAI” www.uidai.gov.in/about-uidai.html, accessed on 06/04/12

¹⁵⁶ “A Compendium of Mission Mode Project under NeGP”, Published by the *National e-Governance Division, for The Department of Information Technology*, Ministry of Communications and Information Technology, Government of India. URL:http://www.mit.gov.in/sites/upload_files/dit/files/Compendium_FINAL_Version_220211.pdf accessed on 05/04/12

¹⁵⁷Unique Identification Authority of India, “About India” URL: www.uidai.gov.in/about-uidai.html accessed on 06/04/12

¹⁵⁸ Ibid

Sabha in 2011(?). Each year it promised to bring it to the Lok Sabha for its debate and eventual passage but it never did so. The scorn that the Parliamentary Standing Committee on Finance had made of the Project in its reading of the project may have had a hand in stopping the government to introduce the bill in Lok Sabha and it could also be because there was not much political consensus on Aadhaar and importantly it did not had the desired numbers in the Lok Sabha as well to pass it on its own.

The scheme however found favour under the tutelage of Digital India in the the newly formed BJP led NDA government under the guardianship of Prime Minister Modi. The Prime Minister fondness for all things digital or perhaps the meeting between the outgoing CEO of UIDAI Mr. Nandan Nilekani and Mr. Modi sealed UIDAI's fate forever. Interestingly just prior to 2013 general elections there were increased rumours going around that BJP if voted to power would stop the Aadhaar enrollment but scrape the project given that its criticism was known through the report of the then Parliamentary Standing Committee on Finance (PSCoF) which was headed by the BJP stalwart Mr. Yaswant Sinha and majorly populated by the opposition parties. However, with the coming of Digital India and Smart Cities as flagship programmes of the newly formed government of the NDA, Aadhaar become an essential part for the success of these projects. For an essential part of these projects necessitated creation of digital identities for the people and Aadhaar provided the most secure of identities and not just that but also allowed for seamless flow of information from one government service to another. Thus, allowing different governmental departments to be linked with various other government flagship programs like the Mahatma Gandhi National Rural Employee Guarantee Act (MGNREGA), the Public Distribution System (PDS), NRHM (National Rural Health Mission) and the Sarva Shiksha Abhiyan (SSA). The rationale provided by the Government has been which that the UIDAI would help in securing the leakage in these programs, also that the project would guide these entitlements to its rightful claimants only. Further, the government felt it would be able to keep a close scrutiny on how well these entitlements schemes are running and do what more needs to be done if and when such situation were to arise. As a result of which even under newly formed NDA government it found favour so much so that a bill allowing for UIDAI to be made into a statutory authority was passed although this was done through by dressing that bill as Money Bill. However, we will dwell more about this a little later in the chapter. Both the governments, the UPA or the NDA have claimed and gone on record to state that a

successful implementation of the UIDAI would result in less corruption and better governance.¹⁵⁹ However the most promising note has come from then chairman of the UIDAI himself who proposed that the UIDAI will be the change agent and would help the country leap frog way ahead into the twenty first century.¹⁶⁰

2.2.1. Key Features of the UIDAI¹⁶¹

Below we are briefly going to discuss certain major aspects of the UIDAI project that will give us a somewhat sketchy but comprehensive view of the project.

a) The Unique Identification number (UID) will only provide identity:

The UIDAI's purview will be limited to the issue of unique identification numbers linked to a person's demographic and biometric information. The UID will only guarantee identity, not rights, benefits or entitlements. This is of course somewhat contradictory to the pitch made by Mr. Nilekani at a more general level. In addition to this, let's consider that

b) The UID will prove identity, not citizenship:

All residents in the country can be issued a unique ID. The UID is proof of identity and does not confer citizenship. Once again, this seems a cautionary note in fine print, unsettling and contradicting the general image.

c) A 'pro-poor' approach: The UIDAI envisions full enrolment of residents, with an ostensible focus on enrolling India's poor and underprivileged communities. The Registrars that the UIDAI plans to partner with – the MGNREGA, RSBY, and PDS – will help bring large numbers of the poor and underprivileged into the UID system. The UID method of authentication is supposed to also improve service delivery for the poor, as mentioned before.

¹⁵⁹Lokpal debate: Pranab Mukherjee's speech in Parliament', Tez Tube, URL: <http://www.teztube.in/2011/08/lokpal-debate-pranab-mukherjees-speech-in-parliament/> accessed on 17/04/12.

¹⁶⁰Samir Sachdeva, "I just want to be a change agent - Nilekani", *Governance Now*, URL: <http://www.governancenow.com/views/interview/i-just-want-be-change-agent-nilekani> accessed on 09/04/12

¹⁶¹ These are the features that the UIDAI has published in one of its publication, UIDAI Strategy Overview, "*Creating A Unique Identity Number for Every Resident in India*", Unique Identification Authority of India, Planning Commission, Government of India (April, 2010), URL: http://uidai.gov.in/UID_PDF/Front_Page_Articles/Documents/Strategy_Overveiw-001.pdf accessed on 15/04/12.

d) Enrolment of residents with proper verification: The existing identity databases in India are fraught with problems of fraud and duplicate/ghost beneficiaries. In order to prevent this from seeping into the UIDAI database, the plan is to enrol residents into database with proper verification of their demographic and biometric information. This will ensure that the data collected is clean from the start of the program. However, it well known that much of the much of the poor and underserved population lack proper identity documents and the UID may be the first form of identification they might have access to. The UIDAI is therefore expected to ensure that the ‘Know Your Resident’ (KYR) standards do not become a barrier for enrolling the poor, and it is supposed to devise suitable procedures to ensure their inclusion without compromising the integrity of the data.

e) A partnership model: In keeping with the wider preference for the PPP model in development, the UIDAI approach tries to combine the existing infrastructure of government and private agencies across India. The UIDAI will be the regulatory authority managing a Central Identities Data Repository (CIDR), which will issue UIDs, update resident information, and authenticate the identity of residents as required. In addition, the UIDAI will partner with agencies such as the central and state government departments and certain private sector agencies who will be the ‘Registrars’ for the UIDAI. Such registrars will process UID applications, and connect to the CIDR to de-duplicate resident information and receive UID numbers. These Registrars can either be enrollers, or will appoint agencies as enrollers, who will interface with the people seeking UID numbers. The Authority will also partner with service providers for the authentication process.

f) A flexible model for Registrars: Importantly, the Registrars will retain significant flexibility in their processes, including issuing cards, pricing, expanding KYR (Know Your Resident) verification, collecting demographic data on residents for their specific requirements and authentication. The UIDAI is going to provide standards to enable that Registrars maintain uniformity in collecting the demographic and biometric information, and in the basic KYR. These standards have been finalized by the Demographic Data Standards and Verification Procedures Committee and Biometric Standards Committees, which were constituted by the UIDAI.

g) Enrolment not mandatory: The UIDAI approach will be a demand-driven one, where the benefits and services linked to the UID will ensure demand for the number. This will not however, preclude state governments or Registrars from mandating enrolment.

h) The UIDAI will issue a number, not card: The UIDAI's role is limited to issuing the number. This Number may be printed on the document/card that is issued by the Registrar. Significantly, however, this number will not lead to a cache of information. The number will not contain intelligence: Loading intelligence into the identity numbers will only make them susceptible to fraud and theft. Hence, the UID will be a random number.

i) The UIDAI will only collect certain basic information: The UIDAI will seek the following demographic and biometric information in order to issue a UID number: Name, date of birth, gender, Father's/Husband's/ Guardian's name and UID numbers (optional for adult residents), Mother's/ Wife's/ Guardian's name and UID number (optional for adult residents) besides the Introducer's name and UID number (in case of lack of documents) and Address. Apart from this, and here one may notice the biological signature of the person—working in forensic terms—all ten fingerprints, photograph and both iris scans.

j) Process to ensure no duplicates: Registrars will send the applicant's data to the CIDR for de-duplication. The CIDR will then perform a search on key demographic fields and on the biometrics for each new enrolment, to ensure no duplicates exist. The incentives in the UID system are thus aligned towards a self-cleaning and upgrading mechanism. The existing patchwork of multiple databases in India gives individuals the incentive to provide different personal information to different agencies. Since de-duplication in the UID system ensures that residents have only one chance to be in the database, individuals will provide the accurate data. This incentive will become especially powerful as benefits and entitlements are hereafter are going to be linked to the UID.

k) Online authentication: The UIDAI will offer a strong form of online authentication, where agencies can compare demographic and biometric information of the resident with the record stored in the central database. The Authority will support Registrars and agencies in adopting the UID authentication process, and will help define the infrastructure and processes they need.

l) The UIDAI will not share resident data: The UIDAI envisions a supposed balance between 'privacy and purpose' when it comes to the information it collects on residents. The agencies may store the information of residents they enrol if they are authorized to do so, but they will not have access to the information to the UID database. The UIDAI will answer requests to authenticate identity only through a 'Yes' or 'No' response

m) Technology will undergird the UIDAI system: Technology systems will have a major role across the UIDAI infrastructure. The UID database will be stored on a central server. Enrolment of the resident will be computerized, and information exchange between Registrars and the CIDR will be over a network. Authentication of the resident will be online. The Authority will also put systems in place for the security and safety of information.

2.2.2. Advantages of Aadhaar:

Aadhaar will form the basic, universal identity infrastructure over which registrars, government and other service providers across the country will be able to build their identity-based applications. These features in turn are expected to serve a developmental mandate to potentially achieve multiple transformational benefits of development and equitable growth through the following¹⁶²:

1. Proper identification leading to better targeting of development schemes provided by government and private sector'
2. Ensuring that all fake, duplicate and ghost records are weeded out from databases so that leakages resulting from such records are avoided;
3. Increased reach and efficiency in delivering many goods and services like PDS, banking and financial services, telecom, health, insurance, education etc;
4. No repeated KYC checks for residents.

Apart from these advantages the UIDAI has put forward specific purposes to which the Aadhaar based identity platform can be used for a host of services that the government presently provides or intends to provide. Among such services *financial inclusion* and *financial micropayments* is the area that most excites UIDAI.¹⁶³ One of its publications

¹⁶²Unique Identification Authority of India, "Approach Paper for seeding Aadhaar number in service delivery databases, Version 1.0", Planning Commission, Government of India, URL: http://uidai.gov.in/images/aadhaar_seeding_v_10_280312.pdf accessed on 17/04/12.

¹⁶³Unique Identification Authority of India, 'UIDAI Vision on Micropayments' Planning Commission, Government of India, URL: <http://uidai.gov.in/aadhaar-usage.html> accessed on 17/04/12.

advocates the use of Aadhaar enabled platform for a unified payment infrastructure in India.¹⁶⁴ For according to this publication, the ability of Aadhaar to uniquely identify an individual electronically makes it a valuable tool in the administration of Government schemes, and a natural financial address on the basis of which funds can be transferred into a linked account. The beneficiary may link their Aadhaar number to their account at any bank, and change this at any point in time, based on the quality of service they receive. Aadhaar as a financial address makes the bank account portable for the purpose of receiving Aadhaar-addressed payments. It then goes on to state the various advantages for the Government, for the customers and for the policy makers. These benefits are as follows:

A. Benefits for Government:

- i) Seeding the Aadhaar number in a scheme's database helps remove ghost, duplicate, and fake identities, making it possible for scarce development funds to be used in an effective manner;
- ii) Aadhaar can provide the various Government Departments a platform approach for all EBTs and subsidy payments leading to standardized procedures and reporting platform. ; and
- iii) Government can make payments only on the basis of Aadhaar numbers, without focusing on collecting bank account details, and focusing on service delivery.

B. Benefits for Customers:

- i) Customer's Aadhaar-enabled account can be used for receiving multiple welfare payments as opposed to one-scheme, one-bank approach followed by a number of State Governments;
- ii) The Aadhaar number serves as a robust and stable financial address for sending and receiving remittances; and
- iii) Aadhaar authentication can ensure that the funds are used by the intended beneficiary thereby reducing chances of rent-seeking by middlemen.

¹⁶⁴ Unique Identification Authority of India, 'Report of the Task Force on an Aadhaar-Enabled Unified Payment Infrastructure' Planning Commission, Government of India, URL: http://finmin.nic.in/reports/Report_Task_Force_Aadhaar_PaymentInfra.pdf accessed on 17/04/12.

C. Benefits for Policy Makers:

- i) Sending Government payments to Aadhaar-linked accounts will lead to those accounts becoming active and achieve greater financial inclusion; and
- ii) Aadhaar linked fund flows from the Government to the customer gives full traceability, audit and non-repudiation.

2.3 Challenges to Aadhaar: Concerns Raised

The criticism that the UIDAI seems to have received can be broadly be classified into following grounds, on the question of legality, on question of rights and on the question of technology. However they each supersede and overlap each other in their criticism. Saying it so doesn't mean that the authenticity of these criticisms could be questioned on grounds of compactness but could be rather seen as the overarching phenomena that the UIDAI would ultimately lead to. Also quick conclusion shouldn't be made as to whether the UIDAI has good intentions or not, only through a thorough look into claims and counter claims can make one honest judgment. It is unto that process that detail points of criticism are put forth.

The criticisms of the UIDAI are as follows:

2.3.1. Lack of Proper Legislation

One of the most foremost criticisms against the UIDAI was and continues to be lack of proper legislation. Even though the newly BJP led government through a circuitous route by declaring the *Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Bill, 2016* as a Money Bill got is passed by simple voice vote and the complaints or suggestions raised in the Rajya Sabha was disregarded. The Aadhaar bill therefore got passed on March 2016 and on July 12, 2016 it was duly notified too thereby making the UIDAI a statutory authority committed to the enrolling people into Aadhaar and storing biographic and biometric information about them. The main opposition party characterized by the Congress Party even though Aadhaar happened to be one of its own flagship scheme opposed this passage of bill by citing legislative impropriety and privacy concerns not being addressed by the present bill. Mr. Jairam Naresh even filed a case in the Supreme Court so that the said bill authorizing UIDAI be declared null and void for

violating legislative norms. There are previous cases against Aadhaar also pending at the Supreme Court. However, we will talk about them a little later.

Interestingly, therefore as we shall see that each party when it was in power supported the introduction of Aadhaar while at other times when it found itself as the opposition party fought it tooth and nail. The UIDAI scheme which is Congress's child got harsh criticism from the BJP when it was in opposition. Seen from the harsh report that the then Parliamentary Standing Committee on Finance (SCoF) looking into the Aadhaar scheme reported back. The then SCoF was headed by the opposition leader of the Rajya Sabha as so mandated by law. It came out very critical of the scheme so much so that it called the project *directionless, with lot of confusion* and called for fresh legislation so as to provide legal authority to the UIDAI and it did not concede that executive authority that the scheme previously had was enough to carry on forward such a scheme. In similar veins the Congress Party when it lost general elections and became the main opposition party it vehemently protested when the BJP led government sought to give legislative backing to Aadhaar albeit through changing the nomenclature of the kind of bill it was. However, many scholars and people still hold that this bill would not be able stand the test of judicial scrutiny and are demanding that cases pertaining to the Supreme Court be expedited

2.3.2. Policy Laundering and short circuiting debate:

Policy laundering is the practice whereby policy makers *make use of other jurisdictions* to circumvent national deliberative process (Hosein, 2010:125). Hosein gives two further incidences of policy laundering as ***modeling*** and ***forum shifting***. "*Modelling occurs when governments, overtly through calls of harmonious or subtly through quiet influence and translating of concepts, shape their laws based on laws developed in other jurisdictions. Forum shifting occurs when actors pursue rules in intergovernmental organizations (IGOs) that suit their purposes and interests and when opposition and challenges arise, shift to other IGOs or agreement structures.*"¹⁶⁵ Also adding to it, an another important aspect to look at the policy would be that rather than focussing on whether the policy is good or bad the focus rather should on the quality of policy deliberation (Whitley 2010:124).

¹⁶⁵ Edgar A. Whitley & Gus Hosein, *Global Challenges for Identity Policy*, Palgrave Macmillan, London, 2010.

Taking these templates as provided by Hosein and Whitley we can discern whether the policy on the UIDAI has been able to stand up to these tests. Observing the policy in regard to the UIDAI we can find that it has had a clear shift starting with its origins from a security view point (Mehmood 2010), to a policy aimed at development of the poor masses (read BPL Census) to a more structured policy which aimed to improve government services and bring efficiency and better governance. The policy as such has not been stable in terms of its origin or scope. The policy therefore seems to waver not just in terms of its aims but in terms of the drivers behind the policy as well.

To engage it in detail, the earlier identity policy was solely based as a security parameter (initiation of MNIC, its origin lying in the Kargil Committee Report recommendations which advocated providing identity cards to the people who were residing in border areas of the country). Then the policy shows a shift in its basis and scope where the identity policy is then put forward as a policy aimed at providing government services to the marginalized masses (BPL). This shift also reflects that the policy that was previously being driven and guided by the Ministry of Home Affairs¹⁶⁶ now was being driven by Planning Commission under the Ministry of Planning¹⁶⁷. The policy seems to see a further transformation in terms of its scope when it becomes a part of the NeGP policy, which then expects it to carry its core based system.¹⁶⁸ This shift in policy is also reflective in terms of speeches of various politicians of the ruling party, government officials and ministers over the years. As such the governments confusion over time in regard to the UID policy in terms of its origin, drivers of the policy, goals and methods of implementation all of them have seen fluctuation and goal shifting.

At the same time we have seen how at numerous times the bill which would grant legislative basis to the policy has been promised to be brought up in the Parliament for deliberation but it has always been shifted from one session to another.¹⁶⁹To overcome

¹⁶⁶Vishwa Mohan, 'Despite SC pressure, national IDs long way off', *Times of India*, URL: http://articles.timesofindia.indiatimes.com/2009-01-17/india/28004248_1_mnic-pilot-project-multi-purpose-national-identity-card accessed on 05/05/12.

¹⁶⁷Unique Identification Authority of India, 'About UIDAI' Planning Commission, Government of India, URL: <http://uidai.gov.in/about-uidai.html> accessed on 05/05/12.

¹⁶⁸'Saransh: A Compendium of Mission Mode Projects under the NeGP', National e-Governance Division, for *The Department of Information Technology*, Ministry of Communications and Information Technology, Government of India.

¹⁶⁹<http://164.100.47.5/qsearch/QResult.aspx> accessed on also see Seema Sindhu, "House panel raps Planning Commission for breach of trust on new UID law" URL: <http://www.dailypioneer.com/home/online-channel/360-todays-newspaper/53723-house-panel-raps-planning-comm-for-breach-of-trust-on-new-uid-law.html?tmpl=component&layout=default&page=>

this lacuna the then Ministry of Law & Justice in its presentation to the Standing Committee on Finance (SCoF) on this matter mentioned that *it is a settled position that powers of the Executive are co-extensive with the legislative power of the Government and that the Government is not debarred from exercising its executive power in the areas which are not regulated by specific legislation.*¹⁷⁰ The Attorney General on being asked by the SCoF to explain this has said 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 Executive is not implementing the provisions of the Bill. The Authority presently functioning under the Executive Notification dated 28th January, 2009 is doing so under valid authority and there is nothing in law or otherwise which prevents the Authority from functioning under the Executive Authorisation.*¹⁷¹ The SCoF is not convinced in its report it states that *since the law making is underway with the bill being pending, any executive action is as unethical and violative of Parliament's prerogatives as promulgation of an ordinance while one of the Houses of Parliament being in session.*¹⁷² The government however did not heed to these concerns and have rather given the policy continuous extension in terms budgetary allocation and mandate to get another 600 million enrolment of people in Aadhaar by the year 2017.¹⁷³

The lack of transparency in policy seems to be matched by the political drivers moving the policy. For the policy seem to oscillate not only between reasons such as security and welfare services but that allegation that the main political driver of the policy is still the security concerns of the state seem to have some truth. As AK Doval, the current National Security Advisor in an interview to a magazine in the year 2012 regarding the UIDAI stated, *“It was intended to wash out the aliens and unauthorized people... Now, it is being projected as more development oriented, lest it ruffle any feathers. People would*

accessed on 06/05/12. also see, GN Bureau “UIDAI Bill likely to miss Budget Session” *Governance Now*,

<http://governancenow.com/gov-next/egov/uidai-bill-likely-miss-budget-session> accessed on 06/05/12.

¹⁷⁰ STANDING COMMITTEE ON FINANCE (2011-12) FIFTEENTH LOK SABHA, Ministry of Planning, THE NATIONAL IDENTIFICATION AUTHORITY OF INDIA BILL, 2010, LOK SABHA SECRETARIAT NEW DELHI, Pg 12.

¹⁷¹ Ibid, pg 12.

¹⁷² STANDING COMMITTEE ON FINANCE (2011-12) FIFTEENTH LOK SABHA, Ministry of Planning, THE NATIONAL IDENTIFICATION AUTHORITY OF INDIA BILL, 2010, LOK SABHA SECRETARIAT NEW DELHI, Pg 28.

¹⁷³ India Today Online, ‘Budget 2012-13: Highlights’, *India Today*, URL: <http://indiatoday.intoday.in/story/budget-2012-13-finance-minister-pranab-mukherjee-lok-sabha/1/177985.html> accessed on 07/05/12 and Budget News, ‘Budget 2012: On UID-Aadhaar’, URL: http://www.moneycontrol.com/news/budget-news/budget-2012-on-uid-aadhaar_681688.html accessed on 07/05/12. Also see Shree VILAS BABURAO MUTTEMWAR, “Minister of Planning”, *LOK SABHA*, URL: <http://164.100.47.132/LssNew/psearch/QResult15.aspx?qref=119375> accessed on 15/05/12

be unwilling to give up their right to privacy.”¹⁷⁴ Therefore even the drivers of the policy seem to be under a veil of secrecy. Some other critiques of the policy like Reetika Kheera has also pointed out that one of the main intended functions of the policy is grossly overstated i.e. that it would help in checking *identity fraud*.¹⁷⁵ For she contends that a basic flaw in the policy itself doesn't allow it do so, i.e. the voluntariness of the scheme. She explains that since the UID intends to stop identity fraud through de-duplication and by authenticating people when they are availing public services. Yet all this will come to naught for the very acceptance of prevalent forms of identity documents make it prone for any such person to abuse of such identity documents for their nefarious purposes.¹⁷⁶ Simply put parallel identity policy cannot coexist.

2.3.3. Identity theft:

The UIDAI mandates a presence of a data depository for holding biometric, demographic information about the people who have enrolled in the program as well as store information regarding authentication records of individual Aadhaar numbers. Therefore it is for such purposes that the Central Identity Data Repository (CIDR) has been solely established. The UIDAI has claimed that enough security measures have been put in place to secure the database from any kind of malicious software or hackers or any deviant attempt by any person to either physically corrupt, abuse or steal data through means of hard drive or memory sticks.

However Ramakumar refutes this by saying that no amount of security is fool proof, rather a creation of centralised database is an invitation for attacks by deviant people, organisations or enemy nations.¹⁷⁷ The alleged US and Israel attack on Iran nuclear program by corrupting its uranium enrichment centrifuge through means of computer virus namely *Stunext*¹⁷⁸ and *Flame*.¹⁷⁹ These viruses led to halting of nuclear enrichment

¹⁷⁴Tusha Mittal , 'Falling Between The Barcodes', *Tehelka*, URL:http://www.tehelka.com/story_main42.asp?filename=Ne220809falling_between.asp accessed on 07/05/12.

¹⁷⁵Reetika Khera, 'The UID Project and Welfare Schemes', *Economic and Political Weekly*, Vol XLVI NO.9, pp 38-43.

¹⁷⁶ Ibid.

¹⁷⁷Ramakumar, R. "The unique ID project in India: a skeptical note." *Ethics and policy of biometrics*. Springer, Berlin, Heidelberg, 2010. 154-168.

¹⁷⁸Yossi Melman , 'Computer virus in Iran actually targeted larger nuclear facility', *Haaretz*, URL: <http://www.haaretz.com/print-edition/news/computer-virus-in-iran-actually-targeted-larger-nuclear-facility-1.316052> accessed on 08/05/12.

¹⁷⁹'Part of 'Flame' code found in Iranian computers same as Stuxnet', *National Post*, URL: <http://news.nationalpost.com/2012/06/11/part-of-flame-code-found-in-iranian-computers-same-as-stuxnet/> accessed on 08/05/12.

of uranium by affecting the centrifuges systems in Iran.¹⁸⁰ Other such glaring hacking and attacks include the hacking of the Tibetans, Government- in – Exile websites and emails of its leaders and the attack on the Ministry of Defence websites and internal communication allegedly by China. Another kind of such example would be Wikileaks where secret cables of the US State Department were provided to Wikileaks. This had happened not because somebody hacked into the State Departments internal communication but that someone from the inside provided such information to the Wikileaks who then went ahead and published these secret cables.

Therefore all these examples clearly show that no database is secure enough. Also as Centre for Internet and Society state one of the problems with the UIDAI is that they use biometrics for identification and authentication.¹⁸¹ Therefore it means increased risk potential for its holders for if somebody is able to steal our identity cards such as driving license we can always inform the concerned authorities to cancel such cards and get a new one renewed. However in the case of UID, if anybody gets hold of our biometrics (say for example your finger prints from a glass tumbler) anybody of deviant nature can use them for any number of nefarious purposes. In the case of identity cards such as the driving license it is easy to get it renewed but if somebody has got access to your fingerprints one cannot renew it. Therefore UID in the long run may create problems which it earlier had proposed to solve.

2.3.4 Threat to Privacy and Security of Data:

Privacy as in most of the general terms is alluded to Warren and Brandeis (1890) formulation of privacy as the ‘right to be left alone’.¹⁸² India doesn’t have an explicit right to privacy bill¹⁸³; the Courts however have asserted that right to privacy may be read

¹⁸⁰ Yaakov Katz, ‘Stuxnet may have destroyed 1,000 centrifuges at Natanz’, *The Jerusalem Post*, URL: <http://www.jpost.com/Defense/Article.aspx?id=200843> accessed on 08/05/12.

¹⁸¹ Prasad Krishna, ‘CIS Comments on Finance Committee Statements to Open Letters on Unique Identity’, URL: <http://cis-india.org/internet-governance/comments-on-finance-committee-statements/#fn2> accessed on 08/05/12.

¹⁸² C.J. Bennett, ‘In defence of privacy: The concept and the regime’. *Surveillance & Society* 8(4): 2011. 485-496.

¹⁸³ Pre Legislative Briefing Service “A BRIEFING DOCUMENT ON THE NATIONAL IDENTIFICATION AUTHORITY OF INDIA BILL, 2010: QUESTIONS OF CONSTITUTIONALITY AND LEGISLATIVE OPTIONS OPEN TO PARLIAMENT” To Be Submitted To The Parliament Standing Committee On Finance, 26 January, 2011.

into constitutional guarantee under Article 21.¹⁸⁴ The PLBS in its briefing document on the NIAI Bill points to the following cases of the Supreme Court which has reinforced the right to privacy¹⁸⁵. The cases are *Kharak Singh v. State of UP*,¹⁸⁶ *Gobind v. State of Madhya Pradesh*,¹⁸⁷ *R. Rajagopalachari v. State of Tamil Nadu*,¹⁸⁸ *PUCL v. Union of India*.¹⁸⁹

Following the direction provided by the Supreme Court, civil liberties activist in India are arguing against the UIDAI simply because it can be a threat to the privacy of individual. The civil liberties activist and other concerned people (organisations) have raised their concerns with regard to the UID on these lines. *One*, collection of biometrics and demographic information of the people without proper legislative backing and proper regulation to oversee it is an infringement of people's right to privacy¹⁹⁰. *Second*, such collection of information is not only against law but has a lot of potential to be misused for either political purpose¹⁹¹ or targeted use of data for individual marketing by corporates¹⁹² or individual defamation by malicious individuals¹⁹³. *Third*, UIDAI in its enrolment to the de-duplication process has times where parts of the database are either unencrypted or online over small periods of time, the risk of it being either being stolen

¹⁸⁴ *Kharak Singh vs State of U.P.*, AIR 1963 SC 1295, ¶ 38 (*per* SUBBA RAO, J.). Cited from *Amba Uttara Kak and Swati Malik* 'Privacy And The National Identification Authority India Bill: Leaving Much To Imagination' Research Paper, The West Bengal National University of Juridical Sciences, Kolkata. URL: <http://www.nujslawreview.org/articles2010vol3no4/amba.pdf> accessed on 09/05/12.

¹⁸⁵ Pre Legislative Briefing Service 'A BRIEFING DOCUMENT ON THE NATIONAL IDENTIFICATION AUTHORITY OF INDIA BILL, 2010: QUESTIONS OF CONSTITUTIONALITY AND LEGISLATIVE OPTIONS OPEN TO PARLIAMENT' To Be Submitted To The Parliament Standing Committee On Finance, 26 January, 2011.

¹⁸⁶ 1964 SCR (1) 332.

¹⁸⁷ 1975 SCR (3) 946.

¹⁸⁸ 1994 SCC (6) 632.

¹⁸⁹ (1997) 1 SCC 301.

¹⁹⁰ Jaideep Deogharia, 'NGO questions people's privacy in UID scheme', *Times of India*, URL: http://articles.timesofindia.indiatimes.com/2012-01-11/ranchi/30615852_1_biometric-and-demographic-data-fingerprint-data-aadhaar accessed on 09/05/12. *also see* Praveen Duggal, "Does the UID project infringe on privacy,?", *Business Standard*, URL: <http://www.business-standard.com/india/news/doesuid-project-infringeprivacy/444622/>, and Usha Ramanathan, "A constitutional value for privacy", *The Hindu*, URL: <http://www.thehindu.com/opinion/op-ed/article2306023.ece> accessed on 09/05/12.

¹⁹¹ Data Security Council of India (DSCI), 'Security and Privacy Challenges in the Unique Identification Number Project' *Position Paper - Prepared by DSCI (21st January, 2010)* Submitted to Unique Identification Authority of India, URL: http://www.dsci.in/sites/default/files/security_and_privacy_challenges_in_the_uidai_project.pdf accessed on 09/05/12.

¹⁹² Usha Ramanathan, 'The myth of the technology fix', *Seminar (monthly journal, web edition)* URL: http://www.india-seminar.com/2011/617/617_usha_ramanathan.htm accessed on 09/05/12. Usha Ramanathan, "A constitutional value for privacy", *The Hindu*, URL: <http://www.thehindu.com/opinion/op-ed/article2306023.ece> accessed on 09/05/12.

¹⁹³ Data Security Council of India (DSCI), 'Security and Privacy Challenges in the Unique Identification Number Project' *Position Paper - Prepared by DSCI (21st January, 2010)* Submitted to Unique Identification Authority of India, URL: http://www.dsci.in/sites/default/files/security_and_privacy_challenges_in_the_uidai_project.pdf accessed on 09/05/12.

corrupted or destroyed or being leaked in the public is of paramount importance¹⁹⁴. The case where Playstation (Sony) suffered a massive breach in its video game online network that led to the theft of names, addresses and possibly credit card data belonging to 77 million user accounts is one such instance where databases have been targeted and eventually breached.¹⁹⁵ *Fourth* the UIDAI insist that multiple enrolment or enrolment under false information will be easily caught in the de-duplication process however the downside of it as put by Ruchi Gupta is that it leads to convergence of database hence larger threat to privacy of people.¹⁹⁶ *Fifth* the UIDAI in the context of National Intelligence Grid (NATGRID)¹⁹⁷ raises serious concerns.¹⁹⁸ Ramanathan fears that UIDAI's capacity to link disparate pieces of information may be utilised within the NATGRID and since these intelligence agencies are neither under subject or supervision under law there might be silent intrusions into the database of the UIDAI by these agencies. *Sixth* one of the reasons put forward is that it has the potential of rooting out corruption in delivery of social services however question has been asked to as to how the perceived corrupt are going to protect the data from corruption or abuse when the data itself intends to erase such corruption.¹⁹⁹ *Seventh*, is in terms of what kind of information is being entered during enrolment. Activists such as Ramanathan and Reetika Khera have pointed out that in the process of enrolment more personal information is being taken from the people than is asked. This is in particular to the KYR (Know Your Residents) and KYC (Know Your Customer) forms which have been added by the Registrars to the UID form. The UIDAI in its regulations even if doesn't not allow information regarding

¹⁹⁴ Ibid.

¹⁹⁵ Ian Sherr And Nick Wingfield, "Play by Play: Sony's Struggles on Breach", *The Wall Street Journal*, URL: <http://online.wsj.com/article/SB10001424052748704810504576307322759299038.html> accessed on 09/05/12.

¹⁹⁶ Ruchi Gupta, "Justifying the UIDAI: A Case of PR over Substance?", *Economic and Political Weekly*, October 2, 2010. Vol. XLV No.40 pp 135-136.

¹⁹⁷ NATGRID hosts data from 21 databases which includes data from banks, insurance companies, stock exchanges, airlines, railways, telecom service providers, chemical vendors, etc. and are to be used by government intelligence agencies for security and intelligence purposes.

¹⁹⁸ Usha Ramanathan, "A Unique Identity Bill", *Economic and Political Weekly*, July 24, 2010, Vol. XLV No 30, Pg 10-14.

¹⁹⁹ Baba Umar, "The trouble with big brother's eye", *Tehelka*, URL: http://www.tehelka.com/story_main49.asp?filename=Ne210511TROUBLE.asp accessed on 10/05/12. Also see, Data Security Council of India (DSCI), 'Security and Privacy Challenges in the Unique Identification Number Project' *Position Paper - Prepared by DSCI (21st January, 2010)* Submitted to Unique Identification Authority of India, URL: http://www.dsci.in/sites/default/files/security_and_privacy_challenges_in_the_uidai_project.pdf accessed on 09/05/12.

income, caste, religion etc. however it does not force the Registrars to do the same.²⁰⁰ As a result of which such information which has been explicitly forbidden still gets enumerated in the enrolment process. Even though these KYR forms are optional yet Ramanathan writes that this is not properly made to be understood by the Enrolling agencies and given the mass of illiterate people they are simply signing and putting forth such information not knowing that it was optional and at the same time for what purposes such information will be used²⁰¹. *Eighth* Ruchi Gupta questions that no other government public services has express provision for opening up their databases for *matters concerning national security* it is only in the UIDAI that such a clause exists hence concerns whether private information meant for accessing public services can be used or abused by the government over national security remains²⁰². *Ninth*, the UIDAI does not have mechanisms in place for an individual to be notified if there is a data breach also only the UIDAI has been provided under the NIAI bill to go to the Court asking for legal action against those which it believes have stolen, misused or that there has been breach of database. The same is not provided to the individuals. *Tenth*, the lack of proper public consultation and undertaking of privacy impact assessment is one other such concern for as Greenleaf mentions “*ideally, there would be an independent privacy impact assessment (PIA) before a scheme such as this went ahead but that is now unlikely.* (Greenleaf, 2010)

2.3.5. Profiling and Surveillance:

One of the foremost criticisms against the UIDAI has been that it allows for profiling and surveillance of the people.²⁰³ Critics have freely alluded it to the popular descriptions available on this regard, words such as coming of the “*Orwellian State*”, ‘1984 of our times’ ‘Big Brother’, the coming of the *New World Order*, etc. Most of these allusions

²⁰⁰ Usha Ramanathan, ‘The myth of the technology fix’, *Seminar (monthly journal, web edition)* URL: http://www.india-seminar.com/2011/617/617_usha_ramanathan.htm accessed on 09/05/12.

²⁰¹ Usha Ramanathan, ‘The myth of the technology fix’, *Seminar (monthly journal, web edition)* URL: http://www.india-seminar.com/2011/617/617_usha_ramanathan.htm accessed on 09/05/12.

²⁰² Ruchi Gupta, “Justifying the UIDAI: A Case of PR over Substance?”, *Economic and Political Weekly*, October 2, 2010, pp 135-136.

²⁰³ Usha Ramanathan, “A Unique Identity Bill”, *Economic and Political Weekly*, July 24, 2010, Vol. XLV No 30, Pp 10-14, Reetika Khera, “The UID Project and Welfare Schemes”, *Economic and Political Weekly*, Vol XLVI NO.9, pp 38-43 Ruchi Gupta, “Justifying the UIDAI: A Case of PR over Substance?” *Economic and Political Weekly*, October 2, 2010, pp 135-136 also see R.Ramakumar, ‘Aadhaar: time to disown the idea’ *The Hindu*, URL: <http://www.thehindu.com/opinion/lead/article2717949.ece?homepage=true> accessed on 10/05/12. <http://webcache.googleusercontent.com/search?q=cache:http://aadhararticles.blogspot.in/2012/04/2527-uidblueprint-of-surveillance-state.html> accessed on 10/05/12.

are coming from the popular novel *1984* by *George Orwell*. The novel talks about a futuristic, dystopian society where a totalitarian regime reigns supreme over all its population and has brought total subordination of its population through means of omnipresent surveillance even in homes, through telescreens.²⁰⁴ The novel presents a classic case of governmentality where citizens of *Oceania* are constantly self-disciplining themselves, are censoring their own thought and actions as well as others on the belief that all of them are under the constant gaze of the Big Brother who looks at them through huge screens on the streets or telescreens which are present in every room and building.

It is to these fictional conditions that critics hold that UIDAI may sooner rather than later bring about in reality. As for UIDAI it has linked up specifically with government services like PDS, SSA, NRHM and MGNREGA. It is partnering with the PDS, NRHM and MGNREGA to stop leakages and stop identity frauds in these services and streamline them. With regard to SSA it intends to provide scholarships to students, track their record in terms of attendance, results, mid day meals and teacher attendance. Such tracking the government proposes would ensure that dropout rates among students can be checked considerably and their health too can be checked. All these being the benign aspects of the UID but the finer details of the UIDAI seem to be a cause of concern.

Another concern that has been raised is on the context of the national security apparatus put by the government such as NATGRID, NCTC, AFIS, etc visa vis the UIDAI *ecosystem*²⁰⁵. For even if UIDAI would share only identity information as per law to the Government yet when such information is mixed/ compared/analysed with the data that's available to the government through its NATGRID database or Automated Fingerprint Identification System (AFIS) database then anyone with data can easily perform surveillance with a resultant affect being *profiling* and *social sorting*. Such surveillance of data is what Roger Clark calls as *datavalliance*.²⁰⁶ Through *datavalliance* it is now possible to put anyone under surveillance and this neither requires trailing anybody physically nor putting that person under constant gaze of the surveillance camera what is

²⁰⁴ George Orwell, *1984*, First World Library, Fairfield, 2004 edition.

²⁰⁵ Usha Ramanathan, 'Implications of registering, tracking, profiling', *The Hindu*, URL: <http://www.thehindu.com/opinion/lead/article388037.ece?homepage=true> accessed on 13/05/12.

²⁰⁶ Roger Clarke, "Information Technology and Dataveillance", *Commun. ACM* 31, 5 (May 1988) 498-512, and re-published in C. Dunlop and R. Kling (Eds.), 'Controversies in Computing', Academic Press, 1991. URL: <http://www.rogerclarke.com/DV/CACM88.html> accessed on 13/05/12.

required is that data records of consumption pattern, travel, health, financial transaction of any person is enough to put that person under surveillance by corroborating such data. Such kind of surveillance then becomes not only cheap but is very silently intrusive in its works and most importantly pervasive.²⁰⁷

The UIDAI has gone on great to explain that is not a part of the national security apparatus by saying that its mandate lies in providing identity of the mass of poor people and provide services through them by streamlining delivery services like the PDS and that basically it is for the development of the people.²⁰⁸The UIDAI states that policy bars it from collecting sensitive personal information such as religion, caste, community, class, ethnicity, income and health. The profiling of individuals is therefore not possible through the UID system, since the data collected is limited to that required for identification and identity confirmation.²⁰⁹The UIDAI also does not collect any transaction records of the individual. The records of an individual confirming their identity through Aadhaar will only reflect that such a confirmation happened. This limited information will be retained for a short period time in the interest of the resident, to resolve any disputes.²¹⁰ The UIDAI is barred from revealing personal information and with relation to authentication queries it will only give 'yes' and 'no' answer. The only exception UIDAI mentions are *only exceptions are the order of a court, or the order of a joint secretary, in case of national security. This is a reasonable exception and is clear and precise. This approach is also in line with security norms followed in US and Europe on access to data in case of a security threat.*²¹¹

However these assertions come in contrast when we have former intelligence chiefs stating otherwise. AK Doval, former Intelligence Bureau Chief and now the National Security Advisor had this to say about the UIDAI "*It was intended to wash out the aliens and unauthorized people. But the focus appears to be shifting,*" "*Now, it is being*

²⁰⁷ Ibid.

²⁰⁸ Unique Identification Authority of India, 'Aadhaar Usage', Planning Commission, Government of India, URL: <http://uidai.gov.in/aadhaar-usage.html> accessed on 13/05/12.

²⁰⁹ Unique Identification Authority of India, 'Frequently Asked Question', Planning Commission, Government of India, URL: <http://uidai.gov.in/index.php/component/fsf/?view=faq&catid=0&tmpl=component&faqid=362> accessed on 13/05/12.

²¹⁰ Unique Identification Authority of India, 'Frequently Asked Question', Planning Commission, Government of India, URL: <http://uidai.gov.in/index.php/component/fsf/?view=faq&catid=0&tmpl=component&faqid=362> accessed on 13/05/12.

²¹¹ Ibid.

projected as more development oriented, lest it ruffle any feathers. He adds this up by saying that “With this system, people can be located anywhere because all databases will be connected. The chances of a fake ID being caught are much higher.”²¹² Again the former chief of National Investigation Agency Mr Radha Vinod Raju has gone on record in a news article to state that “But with UIDs, it would be easy to get all details of bank accounts, addresses and other details of such suspects. It will yield easily traceable tracks of suspected persons.”²¹³ The same news article goes on to state an unnamed senior intelligence officer who is very positive that the UIDAI with its interlinked database could help them identify and track suspects.²¹⁴ It is to these concerns that Aruna Roy has termed the Aadhaar project as “invasive act” and warned that the UIDAI data can “... facilitate communal targeting of certain communities”²¹⁵ It is because of this reason that privacy and civil liberties activist are against the UIDAI which according to them has failed to address such concerns.

2.3.6 High Cost and absence of Cost Benefit analysis:

Countries like Canada, United Kingdom, and Australia in the process of implementing their own versions of national identification systems have later on stopped it in between. One of the foremost reasons why they stopped the implementing their respective identification system is because they were to found to be very costly in terms of instituting it and maintaining it²¹⁶. The more recent UK’s National Identification Scheme was discontinued by the Conservative led government on grounds of high cost among other things such as threat to privacy and unproven technology.²¹⁷ It was previously found that the cost of the *Scheme* as provided by the Labour led government to be 548 million pounds annually to be implemented over a stretch of ten years was grossly wrong. For London School of Economics (LSE) had published a report on the *Scheme* which

²¹²Tusha Mittal , ‘Falling Between The Barcodes’ , *Tehelka*, URL: http://www.tehelka.com/story_main42.asp?filename=Ne220809falling_between.asp accessed on 14/05/12.

²¹³ Rahul Wadke , ‘Intelligence agencies keen to tap data base’, *Hindu Business Line*, URL: <http://www.thehindubusinessline.com/todays-paper/article1027563.ece?ref=archive> accessed on 14/05/12.

²¹⁴ Ibid.

²¹⁵Krish Fernandes , “Aruna slams UID, says it may aid communal targeting”, *Times of India*, URL: <http://timesofindia.indiatimes.com/city/goa/Now-Aruna-slams-UID-says-it-may-aid-communal-targeting/articleshow/10383321.cms> accessed on 14/05/12.

²¹⁶ Edgar A. Whitley & Gus Hosein ,*Global Challenges for Identity Policy* , Palgrave Macmillan, London, 2010.

²¹⁷ Ibid.

came at a figure between 10 billion and 15 billion pounds.²¹⁸ If this was to be the cost of UK Scheme with a population of 600 million, Ramakumarsays the cost for Aadhaar will touch the roof and can be as high as 1.8 lakh crore. Many people therefore have raised reservation on account of the high cost involved along with other concerns, pointed Aadhaar as a proverbial *white elephant*.²¹⁹

Rajnish Dass in an article provides a guestimates as high as Rs. 45,000 thousand crores. The UIDAI now itself has come with an estimated amount of Rs. 18,000 crores for enrolling the entire population.²²⁰ The Government has come up with another number amounting to Rs 8, 962.06 crores as an estimate which they have approved for Phases I, II and III of the scheme for the period upto March, 2017.²²¹

A thing to note is that an amount of Rs. 2981 crores has also been released by the XIII Finance Commission for enrolling BPL population in the Aadhaar. Hence the total money earmarked for the Aadhaar can be said to come at 20981 thousand crores.

Coming from the high cost of the program another thing riling up the activist against Aadhaar is that they have gone ahead with it, without conducting a cost benefit analysis²²². Even the SCoF mentions this in its report. The UIDAI in its defence stated that a Detailed Project Report (DPR) was prepared and submitted by consultant Ernest & Young Private Limited (E&Y) and found it to be cost effective. Officials in the UIDAI have sought to address the question of cost by stating that we send 90,000 crores on PDS alone of which only 15% percent reach the intended beneficiary. They hold that Aadhaar will stop such leakages hence question of cost of the program shouldn't rise. As benefits accruing out of it are much more than what total implementation of Aadhaar would cost.

However accepting such a view would be not seeing the entire picture as Whitley holds that cost of such identification system should not just include cost of implementing such a system but also the infrastructural change that it would necessitate for it be successfully

²¹⁸ Ibid.

²¹⁹ Ram Krishnaswamy, "29th September 2010 Marks The Doomsday For India", *Bargad*, URL: <http://bargad.org/2010/09/28/uid/> accessed on 15/05/12 Also see Ram Krishnaswamy & Vickram Crishna, 'As Bright As Night, or, How Nandan Nilekani Blindsided A Nation with Aadhaar' *Aadhaar Blogspot*, URL: <http://aadhararticles.blogspot.in/2011/08/1564-as-bright-as-night-or-how-nandan.html> accessed on 19/06/2012.

²²⁰ <http://164.100.47.5/qsearch/QResult.aspx> accessed on

²²¹ Shree VILAS BABURAO MUTTEWAR, "Minister of Planning", *LOK SABHA*, URL: <http://164.100.47.132/LssNew/psearch/QResult15.aspx?qref=119375> accessed on 15/05/12.

²²² Reetika, Khara, "The UID Project and Welfare Schemes", *Economic and Political Weekly*, Vol XLVI NO.9, 2010. pg 38-43

implemented at all levels.²²³ Also another rise in cost is bound to occur if such identification system is sought to be implemented on voluntary participation. For then the governmental departments providing services should transfer its internal process to match the new identification system at the same time it should be able to provide services to people who would be using the old identifications system. This would not only lead to chaos in maintaining files and database but that it would require the department more money to run on parallel identity system.

2.3.7. Ambiguity on voluntariness and forced enrolment:

Reetika Kheera et al have seriously questioned the ambiguity on the status of voluntariness of the Scheme. Clarifications from the UIDAI rather than clearing this have murkied it all together. For as Nilekani himself states “Aadhaar is voluntary but we want it to be ubiquitous”.²²⁴ Also another such utterance which stated that enrolment in the Aadhaar Scheme is itself voluntary but if the Registrars in this case service providers (like LIC, banks, post office, etc.) and state governments may make mandatory to avail its services. This decision according to the UIDAI is for the Registrars to make. It is concerned with issuing Aadhaar numbers and not the nature of applications the UIDAI infrastructure will be used for.

Yet another disturbing cause for contention in this regard is the UIDAI’s link with NPR. The NPR which through amendment in the Citizenship Act of 1948 through Citizenship Amendment Act of 2003 and 2006 is mandated to create a Registry of its citizens and issue Resident Information Cards (RICs).The government in its wisdom sought to collate the two projects whereby information collected by the NPR exercise could be send to the UIDAI for de-duplication. Therefore each RIC were to have a UID number. This is therefore nothing but issuing Aadhaar by default. For even those wishing to remain outside of the Aadhaar won’t have the choice *first* because of compulsory enrolment for NPR and *second* the threat of denial of service to those not processing Aadhaar numbers. This therefore clearly rips the veil of voluntariness that the Government and the UIDAI has so much talked about.

Again concomitant to this is also the vexing issue of forced enrolment. This it seems is being enforced on two categories of people namely the migrant and the homeless

²²³ Edgar A. Whitley & Gus Hosein, “*Global Challenges for Identity Policy*”, Palgrave Macmillan, London, 2010.

²²⁴ Hard News Correspondent ‘UID isn’t compulsory, but will become ubiquitous’, *Hard News*, URL: <http://www.hardnewsmedia.com/2011/01/3805?page=0,1> accessed on 02/02/12.

population. The Aadhaar in one of its report is very positive about how real estate companies could help in enrolling the mass of migrant population who work with the real estate companies. Such companies if were to act as introducers. Then it would help in enrolling huge number of such people under Aadhaar. The UIDAI is positive about this idea and even expects that companies like the DLF could do a lot of good for helping it enrol the migrant labourers by acting as introducers for them and also may eventually be signed up as a Registrar for the UIDAI. Such actions if it were to take place leads to a spectre of forced enrolment hanging over the heads of the labourers working with companies such as the DLF. This as Partha Chaterjee contends that those who live on the margins have their own reason of survival to have the capacity to be visible and invisible in front of the state at their own beckoning. However such forced enrolment would shatter any prospect of them being invisible if they desire to do so for now they are on the continuous gaze of the State.

On the homeless too same principle applies and their too forced enrolment seems to be carried out. This came out when one of the NGO's (IGSS) which looks after the winter shelters that the government has built for the homeless withdrew from the project as an introducer. The NGO did so when the question of liability came forward in its role as introducer for the project. The UIDAI in a response to the query sent by the IGSS replied that the accountability will remain with the Mother NGO which was overseeing the enrolment of the homeless in Delhi (the NGO was a part of the Mother NGO). However on asking the same question with the Mother NGO it replied ignorance of such rules. Again, when IGSS reverted back to the UIDAI for clarifications their response was that the Mother NGO was to have responsibility and that IGSS should continue its part in the enrolment drive. However this was in contrast to what the Mother NGO understood of its own liability. Hence IGSS choose to discontinue its relation with the project. This example clearly showed how without even fixing responsibility the UIDAI has went ahead to enroll people. Such has been the nature of enrolment that less importance has been given to the modalities leading to enrolment while no effort seems to be spared for eventual enrolment of the people.

2.3.8. *Changing role/definition of citizenship:*

Ramanathan vehemently contends that the UIDAI in its wake would lead to change in the very conception of citizen. She fears that the present disposition of the State towards its citizens has been on the basis of rights i.e. to mean that citizens are those with rights and most importantly political rights and that this might go undergo a transition where it is replaced by entitlements.²²⁵ The UIDAI proposes entitlements and through it seeks to solve the issues that plague most of the political system especially where state has a definitive role. Examples of which, can be given of government role in providing food, health, education and other services to its citizens. However the government through the UIDAI wants to re enter these fields whereby it actively seeks out people whom it considers to be deserving of its service and discriminates those whom he considers others. This is quite contrary to the idea of social citizenship which is understood *as a certain enabling conditions that assume for each citizens 'equal social worth not merely equal rights'* (Marshall 1950:24), *involving both recognition of claims and corresponding redistribution of resources, as well as assuring minimum supply and access to economic resources and means of livelihood, which are assumed to be the common possession of the community.*²²⁶(emphasis mine)

Such an action of the State certainly disturbs the understanding of citizenship where it is seen to be based on rights. The citizenship claims its share on the basis of its rights. However the State's addressal by means of exclusion through means of entitlements would result in the re definition of the relationship between those under the entitlement will share with the State and those left by it would.

Upon these contesting claims the definition of citizenship is to undergo changes for then the State stops looking at its citizens as those possessing rights but in terms of clients or customers (to use the language of Nilekani). Even how the citizens perceive the State is to undergo changes under the UIDAI. For now the citizens would not be making claims on the State on the basis of rights but by the very definition of themselves that has been pre-determined by the State (read BPL). Such a relationship then is heavily tilted towards State. UIDAI then becomes an effective tool for governmentality. Not just that but as Ramanathan mentions with the data trail that is being sought to be stored and be used for

²²⁵Usha Ramanathan, "Biometrics, Turning a 'Citizen' into a 'Subject'", URL:<http://www.youtube.com/watch?v=UWUHkHLiSio> and <http://www.youtube.com/watch?v=CyeO2KALDjs&feature=relmfu> accessed on 10/07/12

²²⁶Anupama Roy, "Mapping Citizenship in India", Oxford University Press, New Delhi, 2010, p 173.

perusal by the State, the citizens than are being actively turned into *data subjects*. The government earlier had stated that the UIDAI is an effective tool for governance and that its effectiveness laying on the ground that it's able to enumerate and manage populations. The UIDAI intends just to do that.

2.3.9. Technological Challenges:

The UIDAI has been always targeted for its technological inconsistencies. The UIDAI insists on providing each person in the country a unique number and that it has based this uniqueness on the premise of the biometrics being a unique metric for each individual. However many have come forward to criticise such an understanding and the policy behind it and its eventual implementation. David Moss along with others²²⁷ have foremost stated that there is nothing in the world which has proved that biometrics can provide a 100% uniqueness there are always complications to it. First that there is always a probability that biometrics of another may be wrongly matched with others. Second he states that even the Proof of Concept (PoC) study that the UIDAI commissioned if read carefully will find out various glaring inconsistencies in its report. These inconsistencies would be talked about a little later. *Third* as JT D'Souza, a biometric expert points out any system based on biometrics would require frequent re-enrolment for ageing including health and environment factors cause sufficient damage to people's biometric²²⁸

In regard to other technological challenges facing the UIDAI is whether it would be able to authenticate such a huge number, the UIDAI itself contends that it might have to authenticate almost 100 million authentication request daily. Given Indian conditions and lack of continuous electricity, proper telecom network, malfunctioning of equipment due to environment conditions (India because of its huge landmass has different kind of season going at the same in different places). Other technological challenges like the failure to correct authentication may again arise to the problems with biometrics.. Continuing with the environment conditions what has been found out is that such challenges are to found during enrolment also and not just at the point of authentication. To begin with the UIDAI itself has talked about it in its Biometrics Standards Committee Report. *First*, the Biometric Standards Committee report points out that given the fact that India masses live in rural areas and are involved in manual labour finding proper

²²⁷ Ramakumar Ramanathan, "DSIC report, etc Document Identity, Authentication and Ownership: The Future of Biometric Verification" - M.C. Fairhurst.

²²⁸ Money Life Digital Team 'How UIDAI goofed up pilot test results to press forward with UID scheme', *Money Life*, URL: <http://www.moneylife.in/article/how-uidai-goofed-up-pilot-test-results-to-press-forward-with-uid-scheme/14863.html> accessed on 25/05/12.

finger prints would be a challenge. Hence it suggested that iris scan too be taken to improve accuracy.²²⁹ *Second*, the PoC in its report (which was undertaken on a sample size of 40,000 people including people from rural and urban areas and both adults and children) concluded that by taking multi modal biometrics like two fingerprints and iris scans the False Positive Identification Rate (FPIR)²³⁰ can be as low as 0.0025%.²³¹ Again that False Negative Identification Rate (FNIR)²³² can come down to as low as 0.01% by using ten fingers and two irises.²³³

The UIDAI further came with another report titled *Role of Biometric in Authentication*. The report carried out results from 8 PoCs spread out in the country held starting from April 15 2011 to January 31 2012. The PoCs were conducted over a time period to find out the accuracy of authentication taking into account environmental problems, electricity (load shedding), breakage (non-performance) of equipment if any and disruption of telecom network. The key findings of the report are the following. *First*, it was known that rather than just the finger print to authenticate, the *best finger model* is best way to do so and correspondingly during enrolment the enrollee should be informed about the information regarding the finger with the best match for biometrics. *Second* that by using two best fingers the authentication can be improved to upto 98% in single attempt and above 99% with upto three attempts. *Third* that even buffered authentication (*buffered transactions are those are sent to CIDR for authentication a little while later and not instantly after capturing the request*) was possible.

From these reports the UIDAI intends to state that even if the technological impediments are possible and prevalent yet they have been able to put in place proper mechanism of checks and process in the system that helps it in overcoming such difficulties in both the back end and front end of the project.

²²⁹ Unique Identification Authority of India, 'Role Of Biometric Technology in Aadhaar' Planning Commission, Government of India. URL: http://uidai.gov.in/images/FrontPageUpdates/role_of_biometric_technology_in_aadhaar_jan21_2012.pdf accessed on 20/05/12.

²³⁰ False Positive Identification Rate: This is the likelihood that a person's biometrics is seen as a duplicate (i.e., the biometric de duplication software identifies his biometrics as matching with that of a different person), even though it is not a duplicate in reality

²³¹ Unique Identification Authority of India, 'POC Enrolment Report' Planning Commission, Government of India, URL: http://uidai.gov.in/images/FrontPageUpdates/uid_enrolment_poc_report.pdf accessed on 20/05/12.

²³² False Negative Identification Rate: This is the likelihood that a person enrolls a second time and the de duplication software is unable to identify their biometrics as a duplicate set.

²³³ Unique Identification Authority of India, 'POC Enrolment Report' Planning Commission, Government of India, URL: http://uidai.gov.in/images/FrontPageUpdates/uid_enrolment_poc_report.pdf accessed on 20/05/12.

David Moss is however far than amused for according to him even the PoC was conducted and published only after the UIDAI had already initiated enrolment. For him therefore it is *back to front* and *which unnecessarily exposed the UIDAI to reputational risks if the trials were to disprove the concept*.²³⁴ He remains critical to the findings of the PoC report. The PoC report had stated that the FPIR was as low as 0.0025 and that the FNIR of 0.01% was achieved when multi biometrics including ten finger prints and two irises were taken. Also that this result which was tested on 40,000 people could be scaled to the level of 1 billion plus. For Moss as however it's undermining the stated positions of the *fathers of biometric testing*²³⁵. Referring to an article, written by these *fathers*, it states that "... *technology testing on artificial or simulated databases tells us only about the performance of a software package on that data. There is nothing in a technology test that can validate the simulated data as a proxy for the "real world", beyond a comparison to the real world data actually available. In other words, technology testing on simulated data cannot logically serve as a proxy for software performance over large, unseen, operational datasets.*"²³⁶ Therefore the test conducted in the PoC under fairly controllable conditions cannot always be replicated especially when it's intended to be scaled up to such large numbers.²³⁷ Moss doesn't stops there for again the major flaw in the PoC report is its data itself. He provides a calculation to prove himself. India's population is 1.2 billion and not 40,000 (number of people in the PoC) the number of comparisons between pairs of biometrics that would need to be made to prove uniqueness would be 7.2×10^{17} . Therefore if the FPIR is to be 0.0025% then the UIDAI will get 2½ false positives on average for every 100,000 comparisons. Since the UIDAI will have to make 7.2×10^{17} comparisons, how many false positives should they expect? Answer: $(7.2 \times 10^{17}) \times (2.5 \times 10^{-5}) = 1.8 \times 10^{13}$. That's 18,000,000,000,000 false positives for people to investigate and resolve.²³⁸ Therefore when the UIDAI has an established system which calls for manual check when duplicates are red flagged the present FPIR will be very difficult to handle in human terms. It is therefore telling of such problems that somebody was able to enroll in the name and get an Aadhaar card issued by providing his name as Mr. Kothimeer (coriander), son of Mr 'Pulav'. In the address section, it was mentioned as

²³⁴ David Moss, 'India's ID card scheme – drowning in a sea of false positives', *Dematerialised*, URL: <http://dematerialisedid.com/BCSL/Drown.html> accessed on 21/05/12.

²³⁵ *Ibid.*

²³⁶ *Ibid.*

²³⁷ *Ibid.*

²³⁸ David Moss, "India's ID card scheme – drowning in a sea of false positives", URL:<http://dematerialisedid.com/BCSL/Drown.html> accessed on 21/05/12.

Gongura Thota (*Hibiscus Cannabinus*), Mamidi Kaya Vuru (raw mango village) of Jambuladinne Mandal in Anantapur district. Not just that the card displayed the photo of a mobile phone against the name of the card holder.²³⁹ Well this was not the first time such mistakes have been made there has been an instance where the acknowledgment receipt for the Aadhaar card had wife's photo in the husbands receipt.

However even if we were to discredit the points put forward by Moss and accept the claims made by the UIDAI in its second report which states that FTE is 0.14% then compared to NIST(National Institute of Standards and Technology) reports²⁴⁰ is 10x improvement.²⁴¹ Again when the UIDAI states the FPIR is 0.057% over this alone is a 50 times accuracy improvement.²⁴² Therefore what can be discerned is that the UIDAI has taken the biometric accuracy to the top. Mosses along with Ramakumar however, have constantly asked for independent PoC studies to be conducted to test the veracity of the results and the systems design.²⁴³

Another technological problem that seems would continue to bug the UIDAI would be during authentication. As it has reported in its report on authentication that buffered authentication is possible. Also that electricity outages can be taken care of for during that time it would work on the battery backup of the laptop. Also that by using two best finger till upto three attempts it can bring about an improvement of 99% in authentication. The problem however seems inherent in this, first there are still many places in India not covered by telecom network and the same goes with electricity. Therefore what will be the process of authentication in these regions remains unanswered. Again even in places where there is electricity and network coverage there has been instances where due to natural disasters there has been a complete outage of power and telecom network. What would be UIDAI's response to that is still to be seen. Lastly since it is only through the *best finger model* that it can properly authenticate then the simple problem is that it is very confusing. The UIDAI's response that the local

²³⁹Suresh Dharur, 'Coriander, s/o Pulav, gets Aadhaar card in Andhra!', *Tribune India*, URL: <http://www.tribuneindia.com/2012/20120416/main6.htm> accessed on 21/05/12. and <http://www.deccanherald.com/content/241720/coriander-has-aadhaar-number.html> accessed on 22/05/12.

²⁴⁰URL: http://biometrics.nist.gov/cs_links/ibpc2010/pdfs/FundamentalIssues_Final.pdf accessed on 22/05/12.

²⁴¹URL: http://www.planetbiometrics.com/creo_files/upload/article-files/India_boldly_takes_biometrics_where_no_country_has_gone_before.pdf accessed on 22/05/12.

²⁴² Ibid.

²⁴³ David Moss, "India's ID card scheme – drowning in a sea of false positives", URL: <http://dematerialisedid.com/BCSL/Drown.html> accessed on 22/05/12.

authenticator should mark the first best finger with green sketch pen and the second best with blue²⁴⁴ can be a cause of great confusion and long delays in getting services such as rations in the Fair Price Shop. Therefore rather than streamlining and increasing efficiency in government services that the Aadhaar was programmed for may result in otherwise.

2.4 Conclusion

Aadhaar is not a card it is just a unique 12 digit alphanumeric number generated after taking biometric and corresponding biographic information from those who have enrolled for Aadhaar. This number is but a mnemonic to access a variety of information that we have come to gather in course of accumulative *data footprints* that dataveillance talks about. The government uses this number to have seamless access to various data repository that it has come to have. It uses this number in tracking of its funds and project implementation to dispersal of rations to delivery of various assortments of government services. Aadhaar has been both supported and reviled by the main political parties in India depending on whether they are in opposition or power. Therefore, we see if we were to look closely as to how Aadhaar came about then we can see that it actually makes a full circle in terms of it's origin and initiation. It had its origin in the MNIC which was rolled out by the BJP in 2003 but which comes to a stop and renaming at the hands of the changed government now ruled by the Congress ruled UPA which redesigns MNIC into NPR however takes the same scheme and creates a new identity based delivery platform. Such a scheme is not only novel for it aims to be based on the biometrics of the people but also massive in scale for such identity scheme is to be for all those found residing in India, citizens or not. This is to have a desirous effect in the way many and most government services are rendered or delivered to the people. More so when we see that such an identity based mechanism based on digital infrastructure not only does away with fake, duplicate and ghost identities plaguing the system but also does away with the middle men and in doing so also with corruption which has been eating our system hollow from within. The service through this digital framework aided by the biometric identity which itself has become digital through the coming Aadhaar presupposes that now all that is to be delivered in the terms of benefits or services to its citizens would now actually reach the concerned person claiming or demanding it. Undercutting the

²⁴⁴http://uidai.gov.in/images/role_of_biometric_technology_in_aadhaar_authentication_020412.pdf accessed on 22/05/12.

prevalent notion advocated by the late Prime Minister Rajiv Gandhi that out of each rupee advocated for the poor only fifteen paisa actually reach the poor. Perhaps, it is also fitting that Mr. Gandhi himself because of his endeavour in promoting ICT in governance is called the father of ICT revolution in India. Now with the coming of the same ICT technology manifested through the e-based platform that the Aadhaar provides for various government services to adapt it in the respective way how they work or how government services are delivered as such. Important in this endeavour is the few government agencies who while making their services aligned to the identity mechanism provided for by the UIDAI has sought to make Aadhaar mandatory. Such government schemes among others include the PDS, MNREGA and LPG connections. These schemes are very important to a large section of the population and especially to the poor. Because of which UIDAI has been able to seed Aadhaar at a phenomenal rate and has also come to be generally accepted among the people. However, because of government's advertisement of Aadhaar as an identity card, people have come to identify it as such even though it actually is an identity number and not a card. This new identity document which as said before contains biometric information about the person who has come to enroll themselves in the program. This biometric information becomes of particular interest to those who are interested in the advancement e-governance and digital infrastructure in India. As we have come to know how not knowing who is who especially in the digital world where it becomes very easy to become anonymous is something which has greatly hampered the eventual spread of digitization or e-governance over all sectors and the length and the breadth of the country. This anonymity can be great cause of concern for the state for if it wants to impart its governance digitally all over its land it must know what is what and who is who and that all things in the physical world must be legible to it in the digital world. For which all such persons must have digital identities and all such information concerning the physical world must be digital. It is here that biometric based identity based mechanism is useful.

However, at the same time the need for digital information has slowly but surely led to gradual decline of documentary practices which were based on paper. This comes about through the change in the materiality of the document which previous to digital documents was based on paper. The decline of paper perhaps is also because of not only technological innovations in ICT but also with growing suspicion of the paper documents in terms of legitimacy and increasing chances to be faked or copied and also in terms of it

increasing corruption and ineptness in terms of how governance which the documentary practice encumbered with the domain of paper documents allows for.

Interestingly, though it has been found that digital documents which also includes Aadhaar showcases materiality trait which was supposedly missing in such documents. This neo materiality of digital documents is therefore in the way and practices through which digital documents, identities made and maintained. These digital documents including digital identities follow the rituals and practices that went unto creating paper documents. More important the paper documents, the practices that went into creating it, possessing it and accessing it became much more elaborate. As we could see in terms of digital documents too, more serious the digital information held on the page more stringent the checks, more security the internet protocols over that web page containing the information and more important the information that was to be shared digitally more encrypted the said info. All of this has but mirrored the documentary practice that the materiality of paper mandated.

Aadhaar too follows such dictates as necessitated by documentary practices. But it also goes a step ahead for as we see in the desire by the government to make it popular it has been advertised as an identity card based on paper. Even though it may have that unique number generated after de-duplication of the biometric and biographic information of the person possessing it but it is laid on paper which is designed such by the government that people may also use it as an identity document detailing the name, address, date of birth along with a photo of that person therefore automatically making it another of such paper based identity documents. Therefore, Aadhaar becomes unique not just in terms of allowing physical identities of the person to get transposed in the digital world and have digital identities but also unique because it is able to traverse both the physical and digital world at the same time and with equal ease.

CHAPTER 3

Digital Ration Cards and Aadhaar: Study of Changing Documentary Practices in fourjhuggi-jhopriclusters in South Delhi.

*Saruman: "Concealed within his fortress, the Lord of Mordor sees all — his gaze pierces cloud, shadow, earth and flesh. You know of what I speak, Gandalf — a great Eye... lidless... wreathed in flame."*²⁴⁵

3.1 Introduction

Identity documents and documentation are largely the medium through which the citizenry and the State come in contact with each other. It is through such documents that citizenry becomes visible to the State, and their relationship is defined. Documentation, however, is a field where power relations come into play, as we saw in Chapter 1. Documentary practices originate from and are ensconced within the power relations that create it. At the same time identity documentation can also be used as a means to challenge and vilify the power structure through which it was sought to be imposed. Thus, a multifaceted and multi-layered political and sociological understanding of documents, documentation and documentary practices emerges. This is most palpable and visible at the proverbial margins of the State. However, Veena Das and Deborah Poole (2008) clarify that this 'margin' need not be literally on the margins or the periphery of the State, but that it might well be located within the *core* itself, if we were to use such an analogy. Slums in the city, owing to their unique legal situation, become the proverbial margin within the *core*, i.e. urban spaces. It is for such spaces that documentation and documentary practices become not just important but unique in their application as compared to other parts of the city or the state.

The modern state, as we have come to know, is very concerned about its mobile and migratory population.²⁴⁶ It not only suspects such population of spreading diseases²⁴⁷,

²⁴⁵ 'The Lord of the Rings: The Fellowship Of the Ring' directed by Peter Jackson. Produced by Wing Nut Films and New Line Cinema. Adapted from the novel *The Lord of the Rings: The Fellowship Of the Ring* by JRR Tolkien

²⁴⁶ Torpey, John. *The invention of the passport: surveillance, citizenship and the state*. Cambridge University Press, 2000

crimes or criminal activity,²⁴⁸ but also in terms of spreading or supporting political and social unrest²⁴⁹. The idea behind these suspicions is that mobile populations are not easily disciplined by surveillance apparatuses of the state, for they are always on the move, going from one place to another. As such, all documentary practices that are directed at these spaces and the people residing in them have evolved to keep such people settled and under the surveillance of the State. Therefore, the documentary practices for such 'marginal' spaces create possibilities and practices which are unique to these spaces. They produce a different kind of sociology of documents, documentation and documentary practices. Partha Chatterjee's book 'Politics of the Governed' demonstrates that many a times it is essential for people who are on such margins to make themselves *legible* in the eyes of the State in order to seek particular services from the government, while at other times they remain sufficiently hazy so that they are not seen. As such both people and the State contribute to this sociology of documents.

3.2 Conceptual Framework

It would be interesting to see how people in on such marginal spaces have come to terms with the changing nature of documents and documentation over the years. Not just for understanding the way people use such documents and how they have come to understand or perceive documentation, but also to know what they believe is the proper and correct way of handling such documents available to them in such a spatial context. This gets all the more complicated when we see that documents and documentary practices have increasingly become standardised. It would also be interesting to find out what the impact of biometric *Aadhaar* and the digitisation process that is underway in almost all the government departments. What is the *effect* of paper documents on people handling or possessing them? What are the effects on the behaviour of people or government officials dealing with documents? These are some of the questions the chapter tries to answer.

²⁴⁷Sriraman, Tarangini. "Assault and Assuage: Identification Documents, Colonial Rationalities and Epidemic Control in British India", in *Critical Studies in Politics: Exploring Sites, Selves, Power*, edited by Nivedita Menon, Aditya Nigam and Sanjay Palshikar, New Delhi: Orient Blackswan, 2013

²⁴⁸Singha, Radhika. "Settle, mobilize, verify: identification practices in colonial India." *Studies in History* 16.2 (2000): 151-198.

²⁴⁹Torpey, John. *The invention of the passport: surveillance, citizenship and the state*. Cambridge University Press, 2000

Our research is concerned with the ‘*what*’ component of the document, especially with regard to bureaucratic documents in general and identity documents in particular. We know that identity documents, among all bureaucratic documents, exercise a major influence on our lives.²⁵⁰ While defining our relationship with the state they come to be seen as something which signifies or represents that relationship. Such an understanding of identification documents permeates the works of several scholars like Matthew Hull (2012), Veena Das (2004), Goody (1986), Cody (2009), Verdery (1994, 2003) Riles (2000), Sharma & Gupta (2006) among many others. We are told that identity documents work as bureaucratic documents through their material form and their effectiveness creates a certain kind of political space where people become political agents and contest governmental strategies directed at them. At the same time, they are also able to create an *affect* among the officials handling such documents (Sriraman 2013). Hence, understanding the materiality of identity documents which creates a space and scope for politics is the key to understanding identity documents as political objects.

Documents are political in what *affect* they have on people (Ann Stoler 2002)²⁵¹. As such, the databases created by the government are active political projects, which are used not just by the State to direct governmental strategies but also by the people to challenge such strategies or create a political space that has not been made available to them as yet. Thus, both identity documents and their databases are to be seen as constituting a political process, which opens up a space hitherto not grasped by us but which has a bearing on all of us. Keeping this *political* dimension of identity documents and their databases in mind, this research wants to investigate what happens to this political aspect when traditional paper based documents, like the ration card,²⁵² and documentation methodologies are

²⁵⁰Garcelon, Marc. *Colonizing the Subject: The Genealogy and Legacy of the Soviet Internal Passport in Documenting Individual Identity: The development practices in the Modern World*, eds Jane Caplan and John Torpey, Princeton University Press, New Jersey, 2001.

²⁵¹Stoler in one of her essays, *Colonial Archives and the Arts of Governance* writes how the colonial archival work was done by native clerks and scribes which then reflected on the archives. For it not only brought their interaction with the information that they mediated but that at the same time these mediations also contained the peculiarities and informal information of everydayness which itself was very rich in social and political imaginaries. At the same time the colonial state in their hunger for information did not discriminate the information coming. As such archives could also produce affect when we see such mediations are not brought on by colonial methodologies of rule alone.

²⁵²In one of the many visits to the Food and Civil Supplies Office in ITO, Delhi undertaken by this researcher. Ration Card databases were found to be stored in huge metal racks and almirahs where they were placed in terms of the district. The official at guard there told this researcher off record that this was the repository from where when any checks (not primarily with regard to ration cards itself) in terms of

digitized, coupled with the introduction of biometrics in identity documents (Aadhaar) which are to be linked with the new smart ration cards that are to be introduced following the implementation of the National Food Security Act, 2013.²⁵³

The shift to digital documents and digital databases poses a new challenge to our understanding of documents (Hull 2012)²⁵⁴. A big question seems to pose itself with regard to the materiality of the digital document, the affect produced by the materiality of the digital document and the experiences generated by the materiality of documents which were earlier based on paper? This process of digitization leads to questions such as what happens to the lives of documents? Are they made socially inert, divested of all affects? Do they lose their materiality and become some sort of utopian bureaucratic document bereft of any human element?²⁵⁵ Most importantly, what happens to that political space which traditional documentary practice based on paper traditionally used to engender? Do digital documents inaugurate a new kind of political space? What are the theoretical issues involved in this transition from paper to digital? How does this impact the understanding of the political subject –especially the subject of governance and subject of financial transactions with the State? These are the primary questions of this research.

3.3 Research Methodology:

Two distinct slum areas in South Delhi were chosen for fieldwork in this study. One is Govindpuri (where three camps namely Jawaharlal Nehru Camp or Nehru Camp, Navjeevan Camp and Bhoomiheen Camp are located) falling under Kalkaji Assembly Constituency and the other is Tigri (JantaJeevan Camp) under Sangam Vihar Assembly Constituency. They were chosen after conducting pilot surveys among various Jhuggi/Jhopri (JJ) Clusters/Camps in and around Delhi. Criteria for selection was that the research site should have a heterogeneous population. Homogeneity along the lines of ethnicity, employment, language or religion was eschewed. During the course of the pilot study it was found that homogeneity in these factors was influencing the data that was

paperwork of handling of official papers pertaining to the department was concerned. The required papers were found out from these racks, dusted off and sent to the tables of the concerned official.

²⁵³ The Right to Food Act (2013) mandated that new smart rations cards were to be issued after thorough checking and that it should be linked with Aadhaar.

²⁵⁴ Hull, Matthew S. "Documents and Bureaucracy." *Annual Review of Anthropology* 41 (2012): 251-267.

²⁵⁵ Weber (1978, p.975) propounded, "bureaucracy develops more perfectly, more it is 'dehumanised', the more completely it succeeds in eliminating its official business love, hatred, and all purely personal, irrational and emotional elements"; this digitisation of identity documents then seems to emulate this.

being collected. As the study involved documentary practices of the State, it wished to cover as many aspects as possible while conducting research. Homogeneity was found to be an impediment towards that goal. Interviews of the respondents in such places provided very similar narratives not just in terms of the histories of their existence but also in terms of their everyday common problems. For example, people in Kathputli Colony were all very anxious about a possible displacement of the camp to a nearby Transist Camp at Anand Parbat; slum dwellers in Sanjay Camp in Central Delhi were mostly working in the diplomatic area in Chanakyapuri, hence did not have much problem regarding documents, for their affinity with diplomatic missions as employees provided them some sort of confidence unseen in other such slums. In addition, it was a very small slum as well. The Bengali Camp in Okhla was found to be largely populated by a single ethnic group and again the camp itself was very small. The Lal Dora camp was found to be very small and also extremely poor in terms of income and living standards vis-a-vis other slums. Their interactions with documents and how they saw documents were therefore very much influenced by one or two overriding concerns like fear of displacement, employment in diplomatic missions and ethnicity. In order to mitigate overarching influence of one or two factors on practices and perceptions of documentation, only such places were sought whose heterogeneity would allow for a play of several different factors in the local discourse on documentation. The places where there was no threat of displacement, where people's income and their living standards was neither very low, as in the case of Lal Dora camp, nor very high, and where people of mixed ethnicity and religion stayed together were chosen as fieldwork sites. Care was taken to avoid newly rehabilitated bastis or camps. This was done because the study wanted to grasp the change in documentary practices over the years. This would not have been possible if we were to take up a newly settled or rehabilitated JJ cluster.

Two such camps were found which met all selection criteria in the pilot survey. These were Govindpuri in Kalkaji and Tigri in Sangam Vihar. These camps came into existence well after Independent India had evolved its own documentary regime. These spaces showcase the evolution of documentary practices with regard to margins of the state. Now, with ongoing digitisation and introduction of the Aadhaar, which is aimed to standardise governance processes, mechanisms, response, documentation and documentary practice, it would be interesting to see if and to what extent some or all of the prevalent documentary practices change. This chapter will look at such questions and aspects of documentation and changing documentary practices.

3.3.1 Research Design

The research is divided into a Qualitative and a Quantitative segment. The quantitative part shall focus on several important areas like:

- Use of documents by people of different socio-economic backgrounds.
- Variation in the use of documents among different populations.
- Common perceptions related to documents.
- Changes in documentary practices,

In the Qualitative segment, the focus shall be on the lived experiences of people as regards their use of documents and accessibility to services.

3.3.2 Sources of Data collection:

For the *Quantitative study*, information was gathered from households in the camps of Govindpuri and Tigri through a primary survey. The details of the sources shall be provided in the sampling frame discussed later.

For the *Qualitative study*, information was collected from

- Key Informants- Non-Community stake holders in Aadhaar and Public Distribution System
- Beneficiaries of Aadhaar and Ration Cards
- Local youth, elderly and women.

3.3.3 Social Mapping:

Social Mapping is an important tool to locate community resources. For the purpose of this study, this tool shall be used:

- To understand the location of PDS and the services related to Aadhaar and Ration cards
- To understand the availability and accessibility of community resources and how documents are related and spaced pertaining to government and non-government services.

3.3.4 Sampling:

Understanding the limitations of pilot surveys, everything was done methodically and with proper documentation.

A pilot study was conducted in some households to determine the feasibility of study and the technicalities involved in it. Based on the pilot survey a complete study plan was designed and study was conducted through proper channels.

All stake-holders were identified and with thorough discussions on the process of documentation, questionnaires were designed for quantitative and qualitative study.

Government offices like the Food and Civil Supply Office, Government of Delhi, Delhi Jal Board (DJB), Delhi Urban Shelter Improvement Board (DUSIB), Government of Delhi and Delhi Development Authority were visited, each department was consulted and permissions were taken to consult the units of the various agencies involved in the welfare of Govindpuri and Tigri camps and nearby areas. Stakeholders of these agencies were also interviewed as key informants. While doing so, the practice of documentation was keenly observed. Government and Non-government agencies were visited to understand the process of documentation. Repeated visits were made in the area and the nearby communities to witness the process of making of ration cards, Aadhaar and other documentary practices.

Based on discussions with the political society and civil society, selection of sampling units was done. This approach was not only scientific but also made the survey simpler because by the time sampling units were selected, conducting a survey had become easy because of increased community participation and acceptance.

3.3.4 (a) Qualitative sampling method

After a period of observation in the field key stakeholders were identified and the main agencies involved in the day to day activities of the camps were found. Field interviews were then conducted by asking a set of open ended questions to various government functionaries, local politicians, resource persons from the PDS, agencies which deal with Aadhaar etc. In addition, local households, vendors, shopkeepers and workers were interviewed. A total of 35 interviews were conducted and discussions involved:

- Knowing the history of the concerned camps.
- Understanding of the community as a whole.
- The daily living and the use of documents.
- Understanding how people realise and imbibe the documentary nature of documents.
- Understanding the linkage between services and documents.
- People's perception of documents in terms of services that can be availed through these.

- Understanding which sections of the community have more accessibility to government services and how documents play a part in it.
- Knowing how different agencies look at these camps- in terms of their historicity or with regard to the kind of people staying there.
- How do agencies and their officials react to documents that emanate from these camps?
- Similarly if agencies or government officials have to issue documentation to people in these camps, do they do anything differently to what they normally do?
- Do people realise the changing nature of documents and is it having an effect on how people understand or use these documents?

In addition, three focussed group discussions were carried out amidst specific population groups like elderly and youth to understand the changing practices of documents and their views on it and to understand how the young population perceived documentary practices. Another group belonged to women who could provide information on how documentary practices changed the household structure and living patterns. In all these, the lived experiences of people were given due importance.

3.3.4(b) Quantitative Sampling Method: The entire population universe is divided into two categories. One being Govindpuri which is further subdivided into three camps namely Nehru Camp, Navjeevan Camp and Bhoomiheen Camp, and the second being Tigri which comprises the Janata Jeevan JJ Cluster. A total sample size of 228 is taken considering availability of resources and time. Based on population strength and household size, Sample sizes were decided as per the following table.

Sl No	Name of the sampling unit	No of samples
1	Govindpuri	114
2	Tigri	114
	Total	228

A scientific sample design is needed for understanding socio-political phenomenon. Since documentary practices have their own social and political dimensions and are influenced by complex socio-political relations in the community, sample design for this study underwent much introspection which entailed a pilot study and then a feasibility check.

For the purpose of this study, qualitative study played a major role in determining the participants for field interactions. The sampling was carried out with the help of stakeholders in the community, and by using the method of systematic random sampling, respondent households were then selected. The use of Systematic Random Sampling in this study has proved to be very efficient because of the characteristics of the sample population. In certain households Quantitative surveys were followed by Qualitative surveys, and in order to maintain the integrity and essence of the sampling procedure, those households which fell in the sampling frame were not excluded just because they were also interviewed in the qualitative interviews. However such households are very less in number. The Quantitative survey took some vital information from almost all categories along the axes of age, gender, religion, language, housing etc. A quantitative analysis of documentation in the area has never been done and this study is the first of its kind.

Even though the slum has been surveyed before, this study is unique because it also took into account the surveying involved in how spaces are documented and how people respond to them. Such a study can also be replicated in other areas to see if similar results are achieved so that a tentative universalisation could be made. As shown in the figure below, the following sampling procedure was adopted for the survey. Since the areas are not homogenous, after repeated visits and discussions, and based on the qualitative study, the population universe was divided into two units and each unit was further divided into 6 sampling units. The sampling unit was designed based on the social map which was made with community participation. In doing so, the feasibility of the study and all possibilities of representation were considered. The sampling units were exclusively determined. From each sampling unit, several households were selected. Thus, a desired sample of 228 was divided into two units (114 each) and from each unit, 6 units were carved. Thus, 19 households were interviewed from each unit. Thus, the process of selecting household is taken by the conventional method of dividing the total number of household in each unit by the desired household. Thus, if any unit had a household was 57, then the survey would be carried out in every 3 household ($57/19=3$). It was different in different units because of the variation in the number of households in each unit. No units or households were selected based on any socio-economic criteria.

Sampling Frame for the purpose of the study

Based on Qualitative study, observation and interactions, the site was selected. Govindpuri was discovered to be the most required

Since the area was already divided in many units, a purposive process was used to select two units for the sampling.

Each unit was divided into certain sampling blocks for convenience of surveys.

Each block was divided into six primary sampling units. Thus, there was 12 primary sampling units for the purpose of this study.

House listing was done with the help of pradhans and community elders

From each Primary sampling unit, a random sampling was carried out.

Informed Consents were taken and the purpose of study was mentioned before conducting the interview

Households were interviewed with the help of a structured questionnaire.

3.4. 1. Field Sites: Govindpuri is primarily a resettlement colony located in South Delhi, which is nestled between Chittaranjan Park in the west, Kalkaji in the north, Okhla in the east and Tughlaqabad in the south. This case study however focuses on three jhuggi/jhopris clusters within it, namely Jawaharlal Nehru Camp or just Nehru Camp (as



Figure3.4.1(a): Location of Govindpuri in google map

it is called), Navjeevan Camp and Bhoomiheen camp. As a municipal seat, it comes under ward no 195 Govindpuri, in the South Delhi Municipal Corporation, while in the Delhi Legislative Assembly it falls under the Kalkaji seat.

However a significant part of

Govindpuri on its western side bordering Chittaranjan Park falls under Greater Kailash legislative assembly seat. While Govindpuri in its entirety falls under the South Delhi parliamentary seat. The local councilor of ward no 195 is Mr. Chandra Prakash who is a local businessman. He won the councilor seat on an Indian National Congress (INC) ticket. The MLA of this area is Mr.Avaatar Singh of Aam-Aadmi Party (AAP). However, the western fringe of the Govindpuri, which comes under the Greater Kailash constituency has been won by Mr. Saurabh Bhardwaj of AAP. The land owning agency of the Govindpuri JJ Clusters is Delhi Development Authority (DDA).

Nonetheless, all these three slums are closely attached to one another. If we come from the north, i.e the Govindpuri Metro station, following Ravi Gurudas Marg, the first slum that we would encounter is Nehru Camp and then Navjeevan Camp and finally the Bhoomiheen Camp respectively. The history of these camps goes back before the 1980's. While most of respondents state that all the three camps started simultaneously, a few mention that it was the Bhoomiheen camp which first came into existence. Before

these camps came into existence, the whole area was forested with wild bushes and shrubs and the terrain was very rocky, and numerous small muddy streams flowed through the area and there was a big *nallah* between them, which presumably still flowsthroughpresent day Navjeevan Camp.



Figure3.4.1(b) Location of Navjeevan camp in google map

According to several respondents people had started coming there to settle around 1975. The first settlers consisted of groups of 10 to 20 families occupying different places in the present area of the three camps. The place at that point of time was very scantily populated, but people really started

arrivingaround 1979. At that point of time, housing consistedchar *bhans* (four bamboos and a tarpaulin sheet) settlements which provided little security either from nature or the criminal elementscoming from Tughlaqabad Fort area. During that time, the respondents claimed, theDelhi Police had on a number of occasions evicted them from this area but after a few days they would come backand settle down. This went on for a number of years but eventually some clever people started collecting money from the settlers and paid bribes to the police to put a stop on evictions. Thus, the daily menace of the police on the settlers came to an end. However, the government too tried to evict them twice during the 1980's, but the settlers came back and settled again. The government too stopped its eviction attempts. Interestingly, when a slum near Kalkaji was sought to be resettled, a transit camp on the eastern border of these three JJ camps on the Okhla side was established. During the same time Guru Ravidas Marg too was broadened because of which many settlements on the Nehru and Navjeevan Camps were resettled in that Transit Camp. The people of this Transit camp who were to be resettled in Bhawana, never got shifted there and now they have settled here permanently.

3.4.2 JantaJeevan Camp in Tigri, SangamVihar, South Delhi:



The land owning agency of the Tigri JJ Cluster is Delhi Urban Shelter Improvement Board. The cluster started around late 1970s. Many respondents referred to the end of

Emergency as the period when people started settling here. People here mostly come from Rajasthan, Haryana and Uttar Pradesh, but at times also belong to other parts of the country. The local councilor seat is held by Miss JyotiKohli of the AamAadmi Party and the local MLA, Mr. Prakash Singh Jarwal, too belongs to the same party. This area is surrounded by VayuSenaVihar in the East, Khanpur Village and Extension in the West and South respectively and Tigri Extension in the East. On the basis of respondents' testimonies, it was found that this place earlier used to have a number of brick kilns. Gradually the brick kilns have shut down and disappeared but the scarred earth with huge depressions all over the place remains. It is in such inhospitable terrain that people come and stay.

3.5. Major Findings

3.5.1 Socio-Economic Profile:

The demography of this area is very mixed. People have come to live in these camps from all over India but majority of them are from Uttar Pradesh, Haryana, Rajasthan and Bihar. Most of them are migrants who have settled. As we could discover from our sample almost 90.7 % of them are migrants while the remaining 9.3 % are the original settlers. Interestingly, the findings from the sample have proven the generally held belief that most of the slum dwellers are from other States. As can be seen from the table below most of the people have migrated from outside Delhi. However, a huge chunk of it, 45.6%, comes from the NCR and almost 9.3% are original settlers, while 5.3% come from outside of India and have made these JJ clusters their home. Through the means of interviews, it was found out that there are presumably three kinds of narratives about how

people have come to stay in this slum, especially about those who came first when this slum started expanding. The first narrative is that they arrived here because someone in Delhi informed them that if they came and squatted here, in the coming years they could claim tenancy rights over the plots. The second narrative is that they came here because they were facing lots of problems in the place they were originally from, and in order to escape they came to Delhi. The third narrative is that they already had a relative staying near the present slums and they came here either to help their relatives make a new beginning in the slums, or that they came here after they got married to people who were staying in this place. The table below corroborates the findings of qualitative sampling.

Place of previous migration	Percent
same locality	9.3
Different locality in the same city	16.8
other district/town/city of NCR	28.8
Other states	39.8
Other country	5.3
Total	100

The table below shows that migration began almost 20 years ago and thrived till about 15 years back. But in the last 10 years migration has come down. Table below shows the duration of migration from different places in the sample population.

Duration of migration	Percent
Less than a year	.9
1-4 years	5.3
5-9 years	6.2
10-14 years	8.8
15-19 years	15.5
20 years ago	56.6
Original settlers	6.6
Total	100.0

This marked reduction in migration to these could be ascribed to the following three reasons, as revealed in the interviews:

Proto- formalization of holdings: When Sheila Dikshit led Congress government came to power for the first time in Delhi in 1998, it legally provided electricity to these slums for the first time through an arrangement. The arrangement was such that slums would be divided into groups. Each group consisting of 10-20 households had to pay an electricity charge of 1.05 per unit and a leader among these households had the responsibility to collect Rs.100 to Rs. 200 per month from each family in that group. What this arrangement did was that it partially formalized land holding and ownership in these slums. As we all know electricity connection is given only to those who have ownership deeds. It not only led to consolidation and proto-formalization of landownership for those who lived there but a social grouping was also formed with political awareness about the land on which they were vested with. The electric connection and the political leadership which was locally created and maintained through this arrangement not only led to growth of a political consciousness about their land and rights. Hence, people became possessive about their plots and would not give away easily a part of their land until forced by local pradhans, government etc. Thus it resulted in limiting the number of new migrants in the area.

Paucity of space: After 10-15 years of people settling down in these areas, there was generally less space for any new comers to come and settle. Those intent and willing could still do it but it meant that they buy the houses (jhopris) which already stood on the lands. They would be able to do this by buying of **Malba**²⁵⁶ (as the land deeds did not belong to them) attached with the identity documents that came with it. It was found during the course of interviews that parting of identity documents was considered a great personal loss. However, even though getting identity documents now had become much easier including that of Aadhaar and Voter card but people were still very anxious and sentimental regarding their identity documents.

Reverse Migration: The qualitative study found that the partly well off among the slum dwellers were trying to look for other places to stay. Many were trying to get lands in newly rehabilitated places like Bawana and Jaitpur, or slightly better off places than these JJ clusters, like Sangam Vihar, Madan Gir, Okhla, etc and even far off Noida and Greater Noida. These low price places in Noida and Greater Noida were located either near factory clusters or residential projects. The developers of these properties were actually

²⁵⁶Raw material of the house or the jhuggi/jhopri

trying to get a catchment of easy labour for either their factories or construction of residential apartments or domestic help in those apartments.

These lands at cheap rates are now popular among residents of JJ clusters. There are two offices also that have come up in Govindpuri which cater specifically to queries regarding such new places and many a times squatting too has being encouraged through these offices.

Let us study our sample group along religious faiths and caste belonging of the respondents. We find from the appendix attached at the end that Hindus form the largest denomination at 64.6%, followed by Muslims at 35% and Christians at 0.4%. In terms of caste it is a mixed bag as can be seen from the table 3.5.1.3

The OBC in this sample are mostly Muslims, while it was found during the course of interviews that the General caste people are either from UP or Maharashtra, and the SC generally come from Haryana and Rajasthan among other states. One could also make a few demographic observations for the population living in these camps. Muslims predominantly occupy the place where Navjeevan and Bhoomiheen Camp face each

Table 3. 5.1.3: Different Caste Background in the sample

Caste Background	Percent
SC	31.0
ST	1.8
OBC	27.4
General	39.8
Total	100.0

other. Muslims also occupy the *jhuggis* where Navjeevan camp faces Ravi Guru Dass Marg or the main road as it is called. There are two mosques in the vicinity- one facing Bhoomiheen camp and the other Ravi Gurudass Marg. As we enter approach Bhoomiheen camp, from the main road we can see that on the left we have Navjeevan camp and on the right we have Bhoomiheen Camp. Just near the Mosque, the road cuts into a right which provides access to the residents of the eastern side of the Bhoomiheen Camp. The majority of the people staying in Bhoomiheen camps are Bengalis. However, the northern side facing Navjeevan camp is populated more by Muslims, and the eastern side of Bhoomiheen camp facing the road which cuts near the mosque, is populated more by the SC communities or jatav communities as they are called. The Jatav community was also found to be in a majority around the eastern side of the Navjeevan camp

bordering the road which from the mosque 50 meters ahead takes a left on towards the Nehru camp. The Nehru camp does not have a definite border, unlike the Bhoomiheen camp which is separated from Navjeevan camp by road. Nehru camp starts more or less from in front of a Delhi Jal Board pump house on the other side of the road. Nehru camp has a very mixed population in terms of caste, religion or linguistic ethnicity. The same road flanks Nehru Camp on its eastern side. Similarly in Tigri, there is a mosque right at the entry of the Janta Jeevan Camp and a new one is also being constructed nearby. The Muslim population of the Janata Jeevan camp though stays mostly in mixed population areas in contrast to Govindpuri. Yet most Muslim households are concentrated near the mosques.

There are quite a few schools which are in the vicinity of these camps which is also the reason why the number of primary and secondary educated respondents in the sample showcased in the table below is quite good.

Table 3. 5.1.4: Educational Status in the sample population

Educational status	Percent
Primary	59.7
Secondary	20.8
Graduate and above	3.1
Illiterate	16.4
Total	100.0

The above data must be compared to the information shown in the table below which ranks the number of people in terms of their employment. We see that a straightforward link between education and employment is missing in these camps.

Table 3. 5.1.5: Occupation of the Household heads in the population

Occupation	Percent
Daily wage	33.2
Government Service	4.0
Private Service	20.8
Vendors	5.8
Entrepreneurs	0.9
Provide Houses on rents	35.4
Total	100.0

Most of the people in the sample, work for a daily wage. However, this may also be because they might not have got employment opportunities near these camps when they first settled down.

The daily wage workers include those who are working in factories in Okhla, in embroidery shops run illegally in the basements of the places nearby these camps, construction workers who form a large chunk of these daily wage earners and lastly those who pull vans and are involved in works such as painting. Those listed against the head 'government service' are largely employed as sewage and sanitation workers in the MCD. Interestingly, domestic workers or house maids have marked themselves as those who are employed in private service.

The vendors in this category are 'rieriwalas' who run push carts on the road and sell an assortment of things from vegetables, to eatables, to utensils, to cosmetic items. Most of them go out during the evenings and set their carts on the roads leading to these camps. Entrepreneurs listed here are the shop owners that line up in front of these camps. Their numbers vis-a-vis the population is quite less. Interestingly, through quantitative sampling, it was found that about 35.4 % of the sample population was dependent on renting out their houses.

In the course of conducting interviews two important points about houses and house owners were noticed. First, the house owners were dead set against their tenants getting any kind of documentation or identity documents made on the address²⁵⁷ of jhuggis that they rented.²⁵⁸ Second, because the owners were generally

²⁵⁷DDA has assigned specific jhuggi numbers to each jhuggi. In the course of fieldwork it was found that the DDA while conducting this survey had also written down the number of members in household in each of these affixed jhuggis. As this data is used in terms of any displacement or rehabilitation undertaken by the government hence house owners i.e. jhuggi owners are very wary of their renters getting documentation which may later harm their prospects.

²⁵⁸Hence, documents such as Aadhaar and Ration Cards were found to be greatly wanting in this section of the sample population.

Table 3.5.1.6: Housing status in the sample population(out of total 228)

Status	Percent
House owners	90.7
Reinters	9.3
Total	100.0

well off compared to others in the sample population they also owned homes in other slums or unauthorized colonies. The tables below will showcase the true picture of the householding status in these camps.

Table 3. 5.1.7: Status of House build or bought in the sample

Status	Percentage (out of total 228)
Bought House	46.0
Built House	44.7
Reinters(Not applied)	9.3
Total	100.0

Lastly, to add to this socio-economic profile of the camps, the sample had almost 77 % male respondents. This is quite interesting, as we came to know through field visits and interviews, that although many of the Pradhans in these camps were women, they are not actual heads of their households. Ration cards though acknowledge only women as household heads.

3.5.2 Ration card vis-à-vis Aadhaar as identity document:

Our study focused on two specific set of identity documents issued by the government and looked how people view them. These two identity documents are Ration Cards and Aadhaar. The table below describes the number of people who possess Aadhaar and Ration cards.

Table 5.2.1: Describing the possessing of Ration card and Aadhaar in the sample household(in percentage)

Every cell is a percentage share of the total 228 Households		Aadhaar		Total (%)
		Posses	Do not possess	
Ration card	Posses	84.51	4.42	88.94
	Do not possess	10.62	0.44	11.06
Total (%)		95.13	4.87	100.00 (Total No of Household=228)

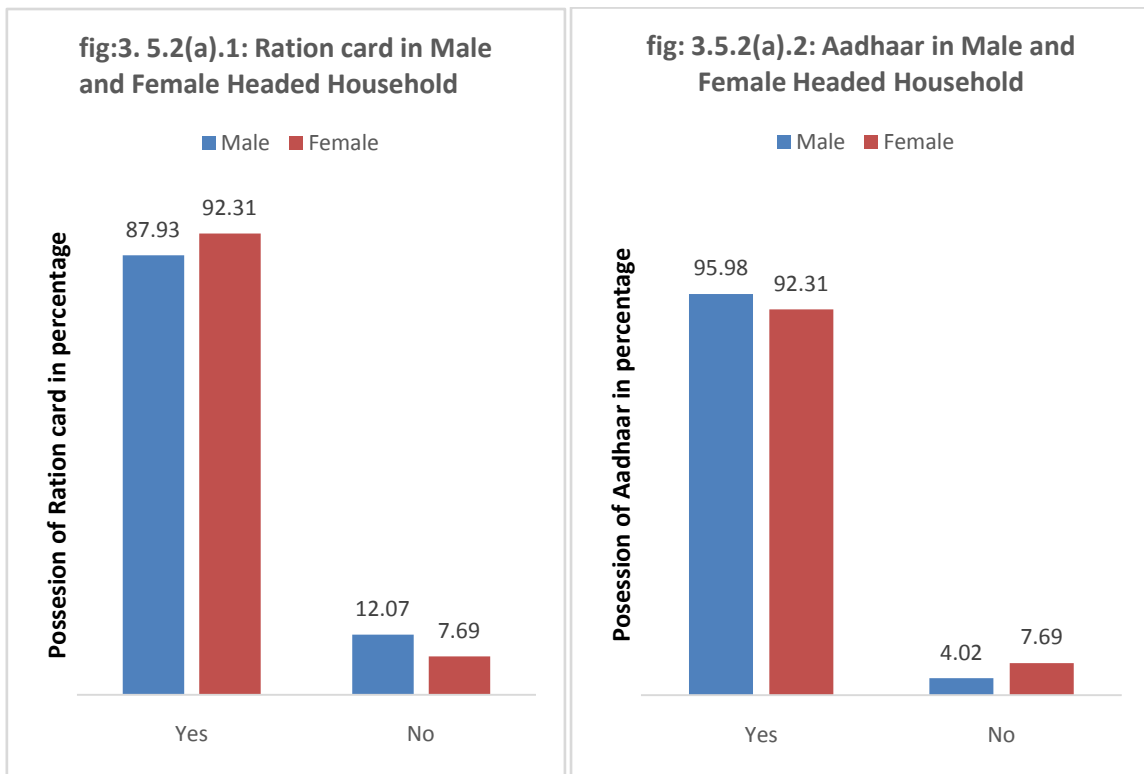
88.94% people have ration cards while 11.06% of the total 228-sample household does not have it, and 95.13% of the samples have Aadhaar. Again 84.51% of the household possessed Aadhaar and ration card both and 4.42% of the people who do not possess Aadhaar card possess a ration card. While 10.62% of the people who do not possess ration card possess Aadhaar card, only 0.44% of the people do not possess any of the cards.

As is evident from the data, and the qualitative survey done among the respondents, quite a sizeable percentage of those who have Aadhaar does not have ration cards. This number can actually indicate the number of tenants who as per the Table above are 9.3 % of the population. We know that they are not allowed to get ration cards as it strengthens their claim to ownership of the jhuggis. Many renters have their Aadhaar from the place where they are originally from. The house owners see to it that the tenants don't make these two documents.

First being the Ration card and second is the Aadhaar. Interestingly, Aadhaar is not meant to be address specific and even the new smart ration cards could be linked movable among addresses of the same person. But in their actual day to day functioning both the identity documents are seen as attestations of address. This is a unique feature of the day to day functioning of the State.

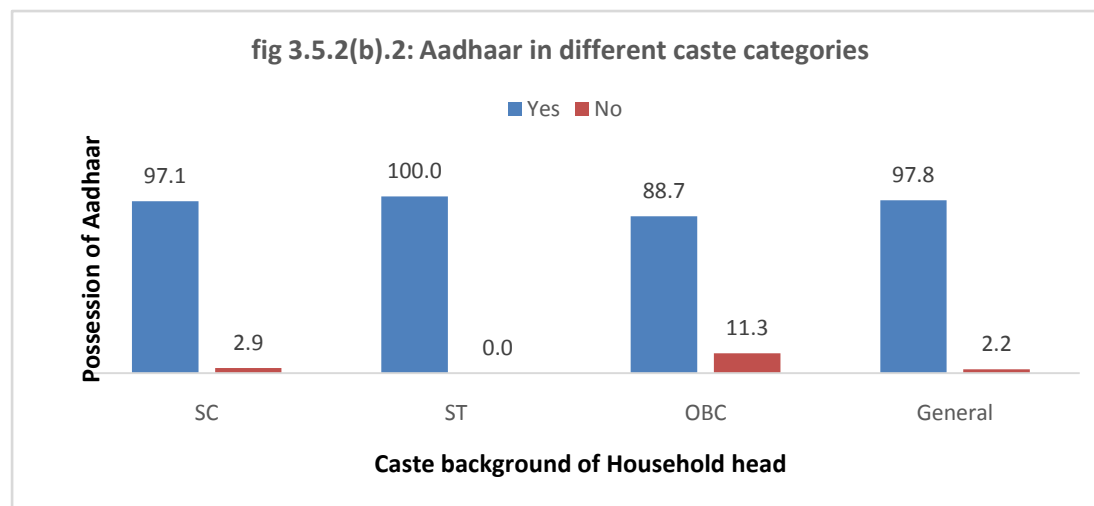
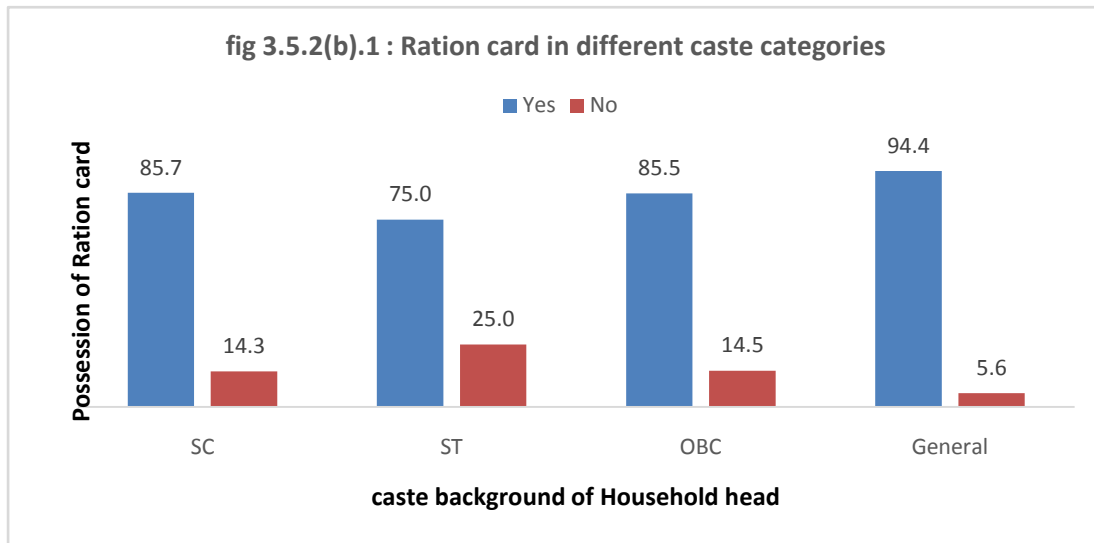
Next we have the break-up of how many male and female headed households have Ration Cards and Aadhaar in the surveyed sample.

3.5.2(a) Possession of Ration cards and Aadhaar in male and female headed households.



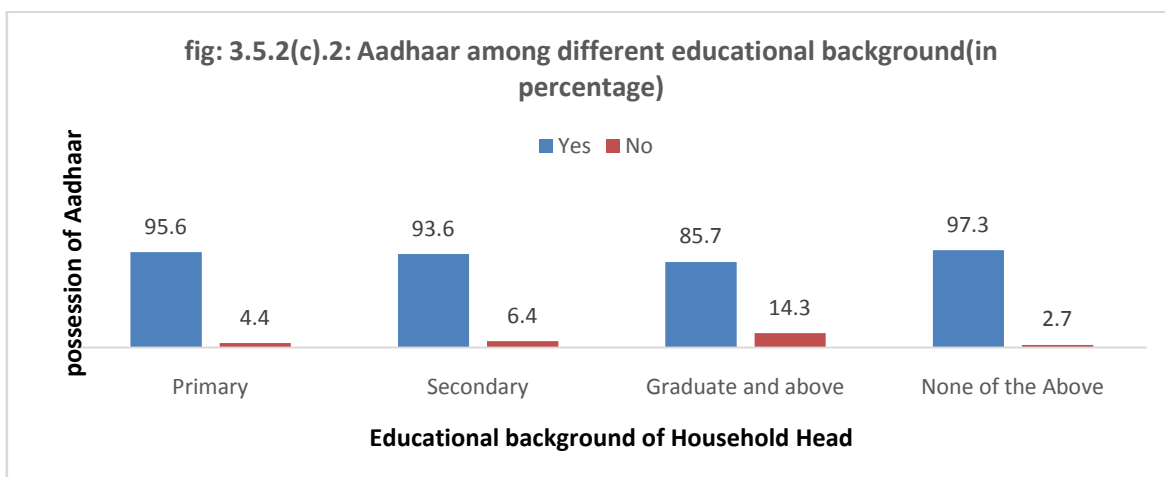
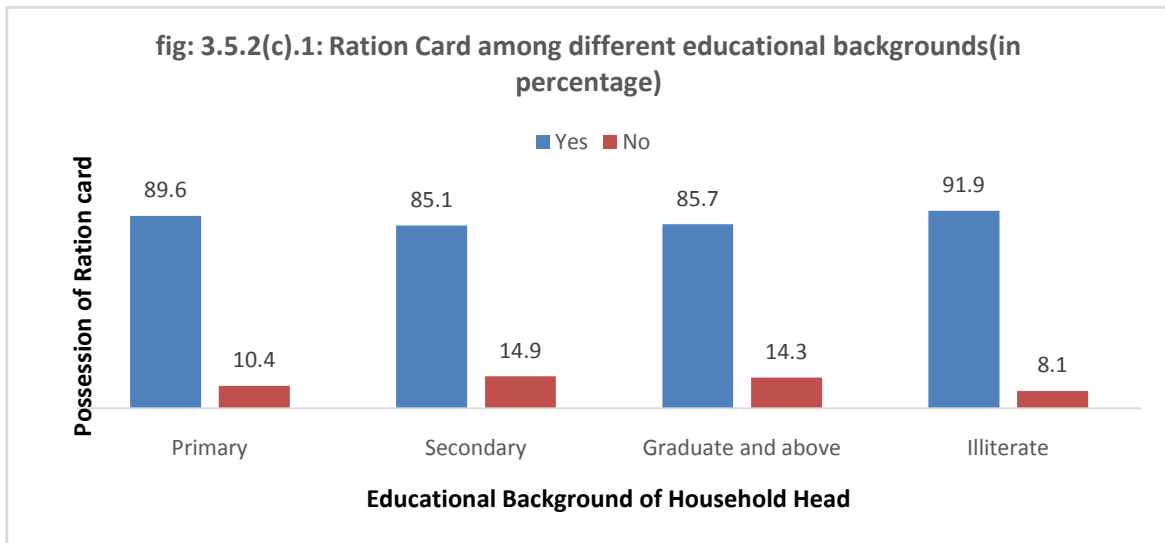
As we can see from the figure above that, it is among the women headed households that more ration cards have been registered in the survey. From the interviews during our qualitative study it was found that, it is probably so because ration-card provision itself encourages women to register as head of the household. Even though, male headed households owned Ration cards considerably, it was found out that for the purpose of getting rations or being concerned about ration was thought of as a woman's responsibility. Most of the time it was the women in the house who had to go and get the rations while the men folk either worked during that time or were busy in other activities. Ration card is considered as an important identity document. However, in its actual utility that was providing rations, was considered a woman's affair. Same however was not the case with Aadhaar because both male and female headed households have Aadhaar in equal measure, albeit men headed household have a slight edge over women.

3.5.2 (b) Possession of Ration cards and Aadhaar in various caste categories:



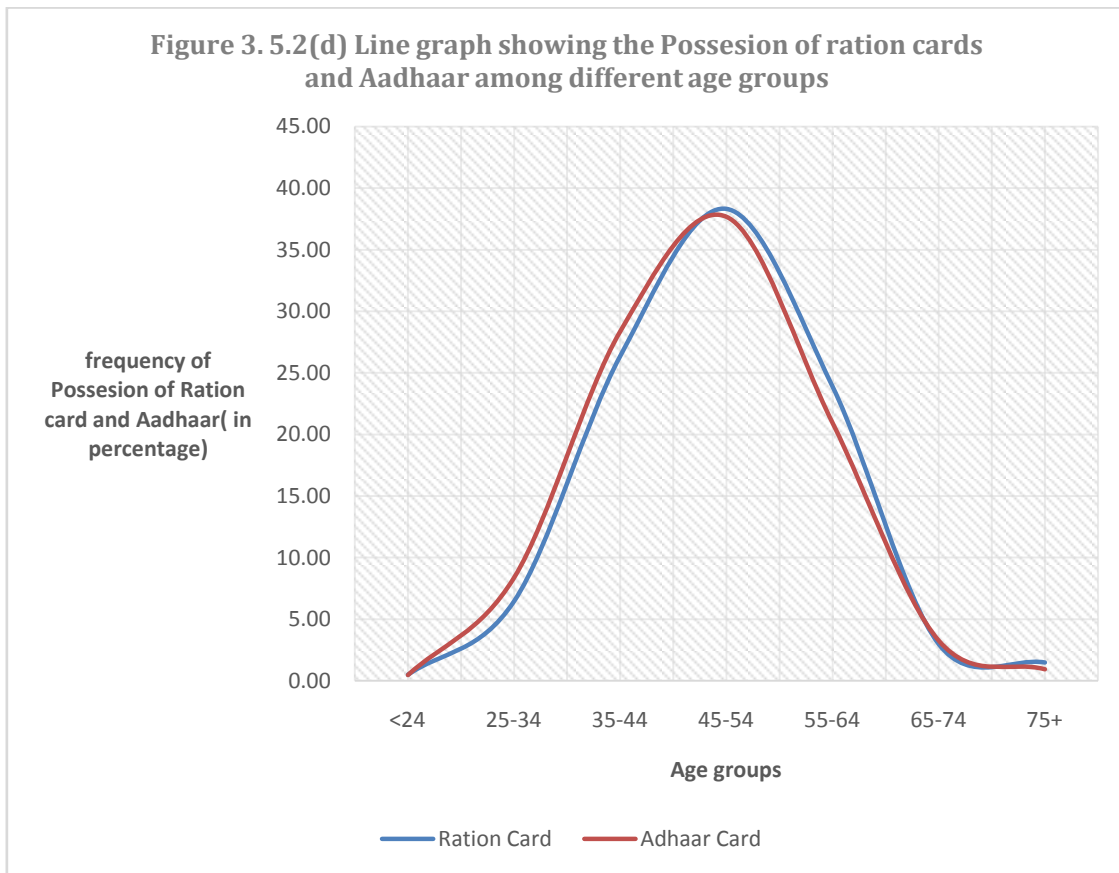
As we can see in figure 3.5.2(b).1 and 3.5.2(b).2 that both in the case of Aadhaar and Ration Cards, the upper caste access to identity documents such as Aadhaar and ration cards is much more. When it comes to OBC both Aadhaar and ration cards show a drop in possession. We also know through our fieldwork that most of the OBCs are Muslims. Lack of documents implies inaccessibility to utilities provided by these documents which indicates that access to resources is also linked to religion of the person. These identity documents which are being introduced to curb or lessen the role of prejudices based on ascriptive identities of the people have not fully succeeded in their endeavour. They seem to work in accordance with power relations based on ascriptive identities. In terms of possession of ration cards both SC and ST households are much behind their upper caste counter parts. It seems caste informs this documentary landscape and influences it accordingly.

3.5.2 (c) Ration cards and Aadhaar over educational backgrounds:



In terms of education, we see that the people who are most illiterate or uneducated have the most need for both Aadhaar and ration card. During the course of interviews, it was found that not being well versed with the documentary practices, their rights and the fear of the State in terms of displacement or unwanted police harassments makes less educated people desire an *official* proof of identity. People consider documents as effective instruments to negotiate with the police, may be through submitting ration cards for bail (this practice though has greatly ceased) or to use them as tenancy rights to the place where they have squatted.

Possession of Documents (Aadhaar and Ration Cards) vis a vis household head of different ages



We can see from the above figure 3. 5.2(d) that there is a pattern in the possession of Ration card and Aadhaar card in the sample. A number of assumptions can be made from this. One of the reasons for such a pattern may be that there is a heightened awareness of the importance of documents in specific age groups there is an exponential rise in possession of documents till the age group 45-54 and after that age there is an exponential decrease. This suggests that the middle aged population makes greater use of documents. This may also be due to the fact that most households are headed by this population group. This may also be due to the fact that the age group of 45-54 might have settled here when the camps were being established, and they had to go through a lot of anxiety over their terms of existence and stay in these places.

This might have led them to develop positive attitudes towards documentation and made them understand the need and utility of such identity documents. It is, however, quite interesting to see that the oldest groups make less use of such documents. One thing that

Table 3. 5.3 : Ration card possession among people as per house owning status			
		Own house	
		Yes	No
Ration card	Yes	95.1	28.57
	No	4.88	71.43
Total		100	100

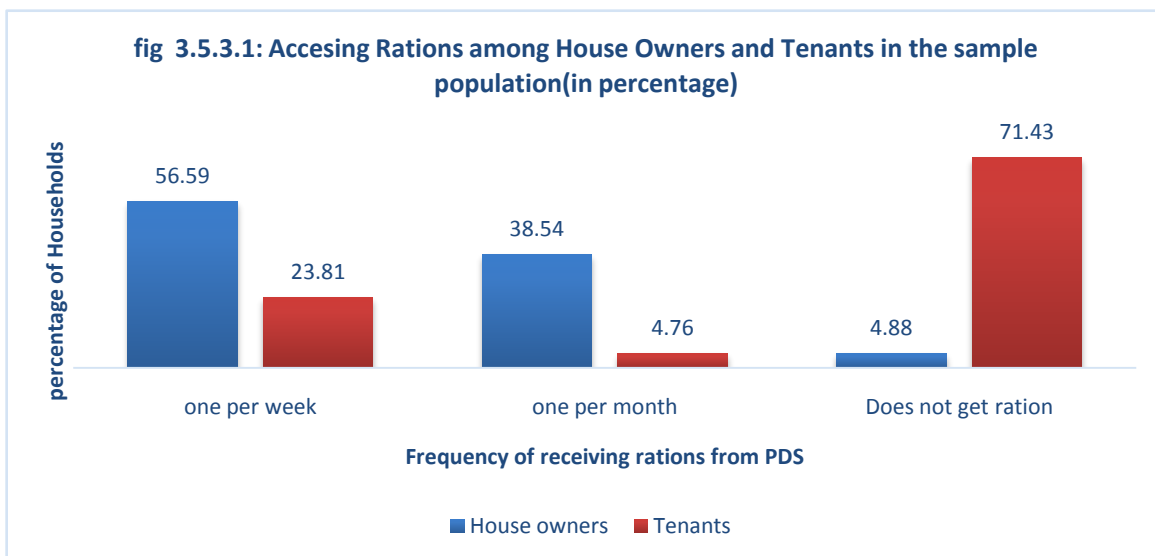
Aadhaar card possession among people as per house owning status			
		Own house	
		Yes	No
Aadhaar card	Yes	94.6	100.00
	No	5.37	0.00
Total		205	21

documents in the sample population is a somewhat new phenomenon. It is also quite interesting to observe in the sample population that the use of ration card in the older population is quite prominent as compared to Aadhaar cards. It was also found from the qualitative studies and interactions with older people that ration card still hold a prominent position for them. Although descriptive analysis cannot provide the entire picture but it can act as an avenue to explore the dynamics of the idea of documentation prevalent in the field.

3.5.3. Housing and Documents: Availability and usage

As we can see from the table above, possession of documents in these camps is to a great extent dependent on whether you own a house or not. Having a house, whether it is bought or built, is an indicator of being the original or true ‘son of the soil’. As ration cards previously came with house addresses, they were treated as identity and residence proof. People who possessed them could assert their rights and make claims to the place/space on which their house/jhuggi stood.

This formalization of ownership was crucial to link them to these places. Ration card as such played a huge role in this. As such attempts by any new persons to possess a valid identity document that mentions residential address are resisted and seen with doubt, fear and suspicion. Even documents like the new smart digital ration card, which as per orders of the government cannot be used as an identity or address proof, or for that matter Aadhaar, which can be used for authentication and identification but does not serve as a residence proof, are being denied to new entrants in the camp. Salim Siddique who migrated to Govindpuri with his family from Uttar Pradesh five years back, is finding it very difficult to stay here. He stays with his family in his rented jhuggi, but without a ration card he is facing difficulties in accessing rations. Because he doesn't have any ration card from Govindpuri he is being denied other identity proofs like Aadhaar or Voter Card by the local pradhans who normally help the jhuggi Dwellers in their endeavor to get identity documents. Salim is illiterate and does not know that the Aadhaar card that he already possesses from his previous residence is good enough. Aadhaar, once made, cannot be remade. Only demographic information like address or date of birth can be changed.

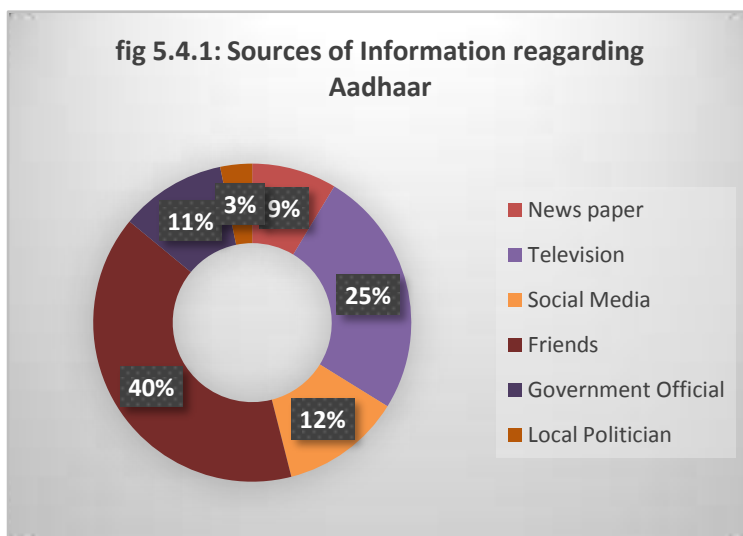


It is evident from figure 5.3.1 that 56.59% of the population who own houses get ration once a week, 38.54% get ration once a month and 4.488% of the house owners do not get ration at all. It gives a clear picture regarding the management of the distribution system in the sample population.

For the tenants, the situation is quite difficult as 71.43% of the tenant population has complained that they do not get rations or it is not regular with them. Among the various

issues are distance, non-availability of ration, favouritism to people who own houses and other factors. These reasons were not only collected from the community stake holders but also observed by means of a non-participatory engagement in the community lives. From the figure it is also evident that only 23.81% of the tenants collect ration once a week. Most of the tenants in the sample are from low economic background as compared to their counterparts owning houses. In such acute poverty, the non-accessibility of ration card raises many questions in the management of the PDS.

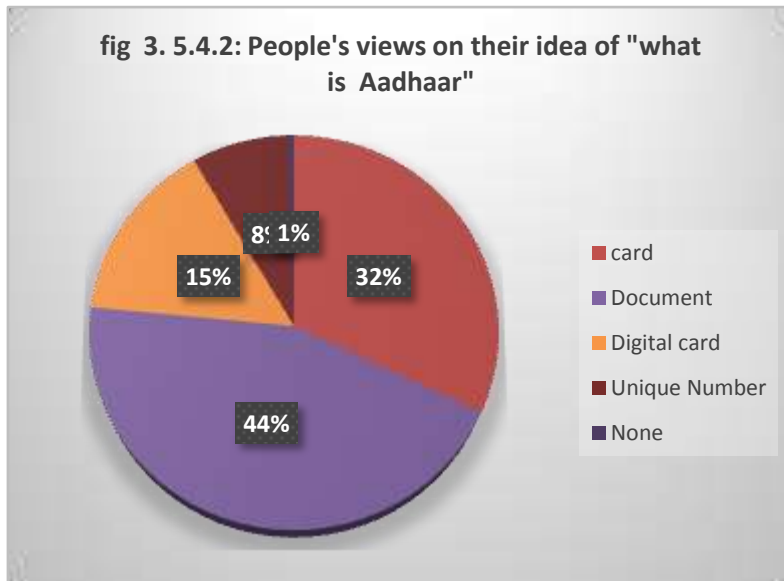
3.5.4: Aadhaar: Awareness, perceptions and Satisfaction



People get information about Aadhaar from varied sources. It was found that people get to know about Aadhaar from newspapers, television, social media, like Facebook and Whatsapp, friends, government officials and local politicians. It was found from the sample that

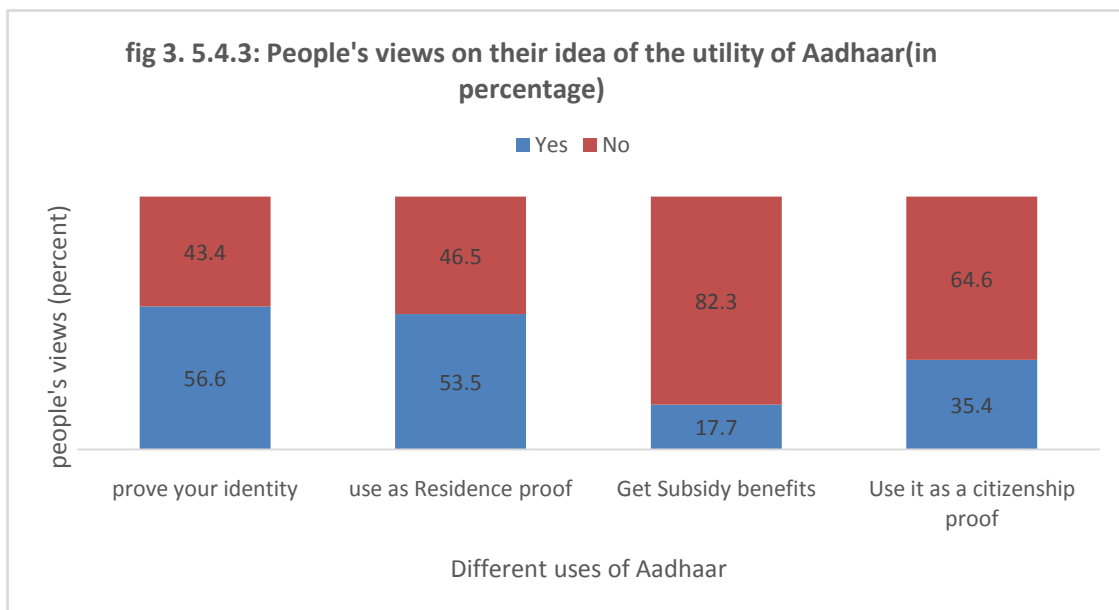
40% of the entire population heard about Aadhaar from friends or peers. Since the sample population had a very rural character, information travelled through word of mouth. Government officials and local politicians play a lesser role were the source of information for merely 14% of the entire sample. Local politicians were not easily accessible and thus they act as source of information for a measly 3% of the respondents. A good size of the population, exactly one fourth, have reported that they got to know about Aadhaar from Television. This must be owing to various advertisements broadcasted by the government.

It was found that people have varied perceptions of Aadhaar. From the figure on the left



hand side (fig 3.5.4.2) it is very clear that 44% of the sample have described Aadhaar as a document and 32% of them think of it as a card. Merely 8% of the sample sees it as a unique Number. Although Aadhaar is primarily an

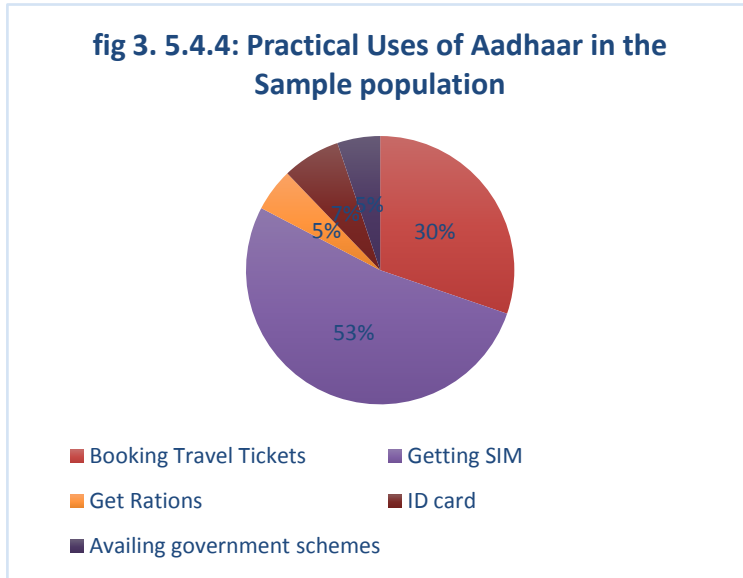
identification number, its usability as a card has made it more relevant as the latter, and it is no surprise that people perceive it as a document. It was found that 15% of the sample population perceived Aadhaar to be a digital card. It was also found during field observations and interactions that people often had confusions regarding digital card and unique number.



As far as people's views on the utility of Aadhaar, are concerned following responses were obtained. It was found that 56.6% of them had used Aadhaar identity proof. Out of every 100 respondents who had Aadhaar in the sample, it was found that 53. % had used it as a residence proof. Out of every 100 respondents, it was found that 17.7% got

subsidized benefits using Aadhaar. It is also important to note that Aadhaar has immense significance in affirming citizenship status. In the sample population, it was found that 35.4% respondent's had used it as a citizenship proof. (Refer to fig 5.4.3)

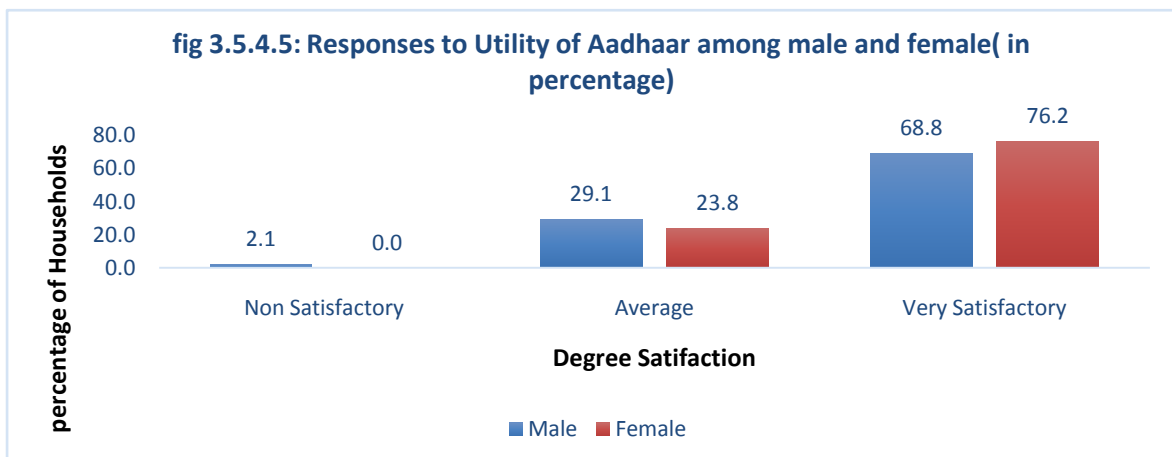
The pie chart shown in fig 3.5.4.4 clearly indicates that 53% of the entire sample uses



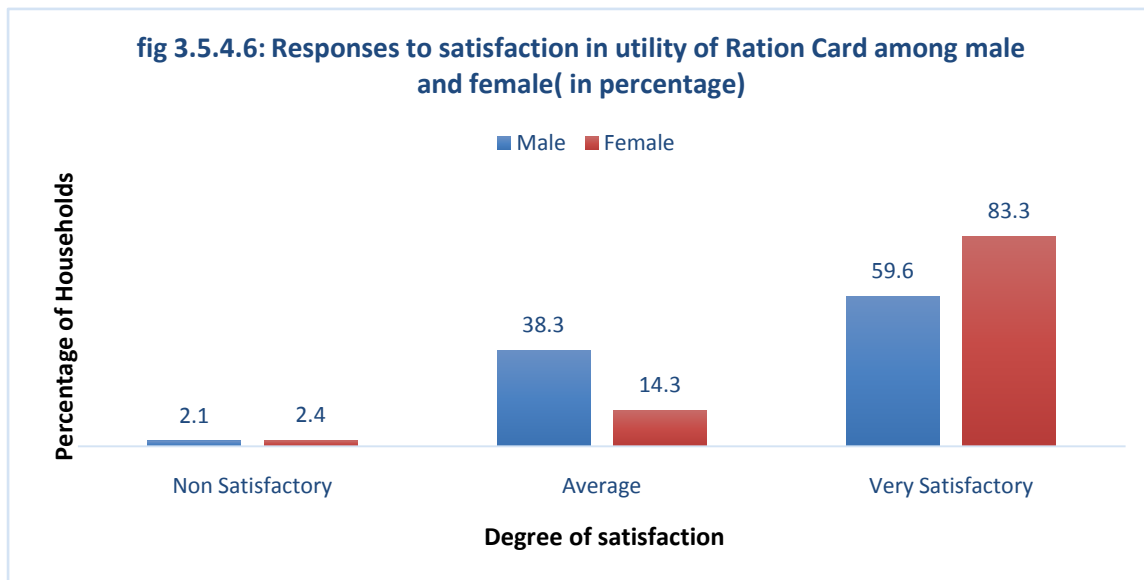
Aadhaar for accessing Mobile SIM and 30% for booking tickets. The use of Aadhaar for getting SIM cards and booking tickets is prevalent these days and Govindpuri is no exception. While a lot of surveys are being carried out by different NGO's and voluntary organizations, it

was found that only 5% of the sample in Govindpuri was using Aadhaar for availing government schemes. There are two points to be considered-first, although surveys are happening, yet government schemes do not benefit the people and the use of Aadhaar has not been holistic, the real purpose for which it was designed. It has remained just a valid ID card in daily lives although people have responded that Aadhaar is more a document than just an ID card (Refer to the earlier figures where many people have responded that Aadhaar is a document, rather than just an I-card).

Satisfaction in the services - Aadhaar v/s Ration Card

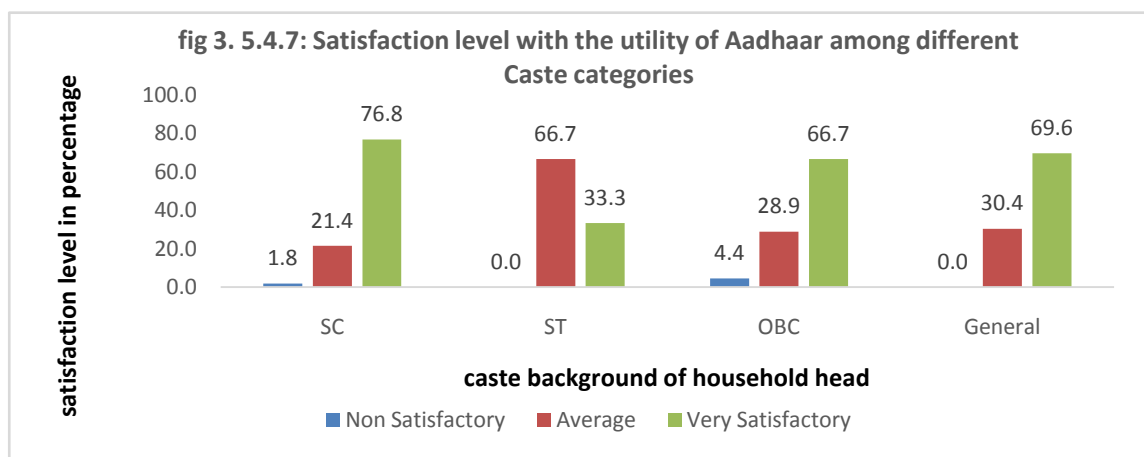


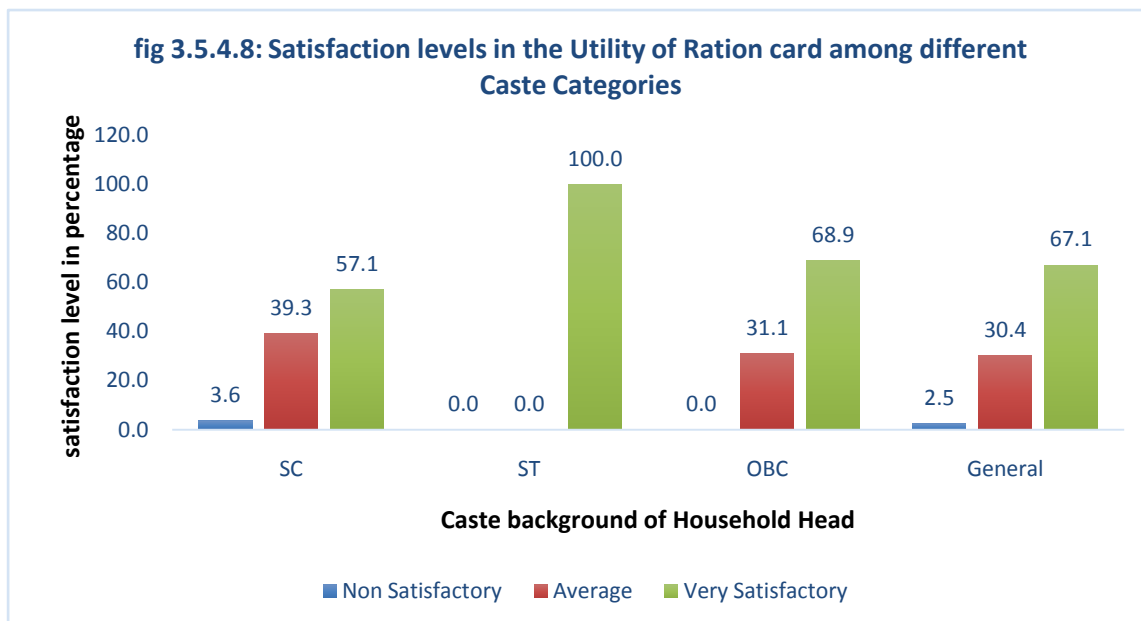
Males and females have different perceptions as to the utility of Aadhaar. It was found from the sample that 2.1% of the sample males were unsatisfied with the use of Aadhaar while no female was found to be unsatisfied. It was found that 68.8% males and 76.2% females were satisfied with the usefulness of Aadhaar (Refer fig 3.5.4.5)



It was found that 2.1% males and 2.4% females expressed their dissatisfaction with the utility of Ration card. 38.3% males and 14.3% females expressed moderate satisfaction with the utility of Ration card. It was also found that while only 59.65 male headed households were ‘very satisfied’, 83.3% female headed households were very satisfied with the utility of ration card. While male headed households were more satisfied with Aadhaar, female headed households are found to be more satisfied with ration card (Refer fig 3.5.4.6).

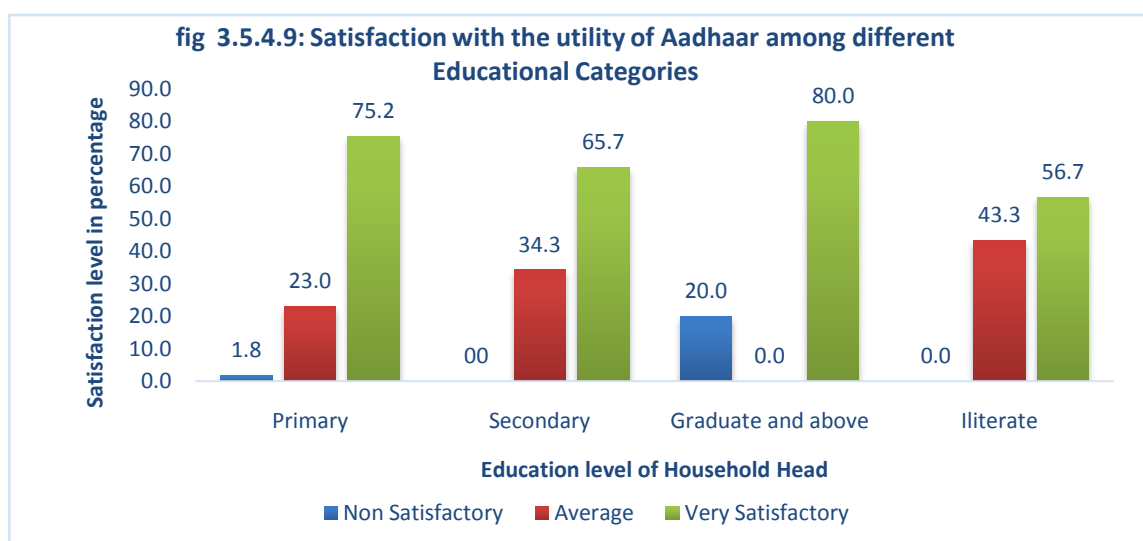
Among various caste categories, it was found that the Scheduled caste was ‘very



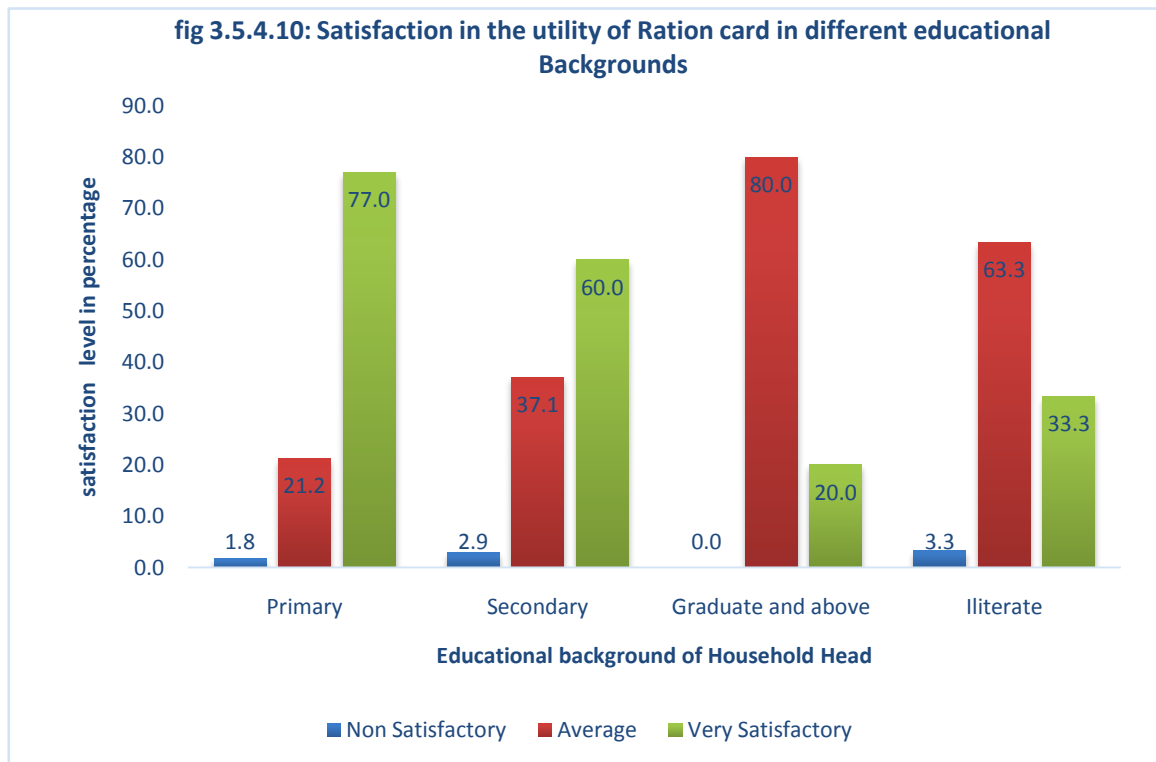


satisfied' with Aadhaar, followed by the general category and OBC. It is quite interesting that none of the respondents from general category was dissatisfied with Aadhaar. In the SC categories, it was found that 1.8% of them were dissatisfied, 21.4% expressed moderate satisfaction and 76.4% were fully satisfied. Among the OBC's only 4.4% expressed dissatisfaction, 28.9% expressed moderate satisfaction and 66.7% reported that they were fully satisfied. The case with the general category is quite different as no one reported their dissatisfaction with the utility of Aadhaar and almost 70% were found to be fully satisfied with it (Refer fig 3. 5.4.7)

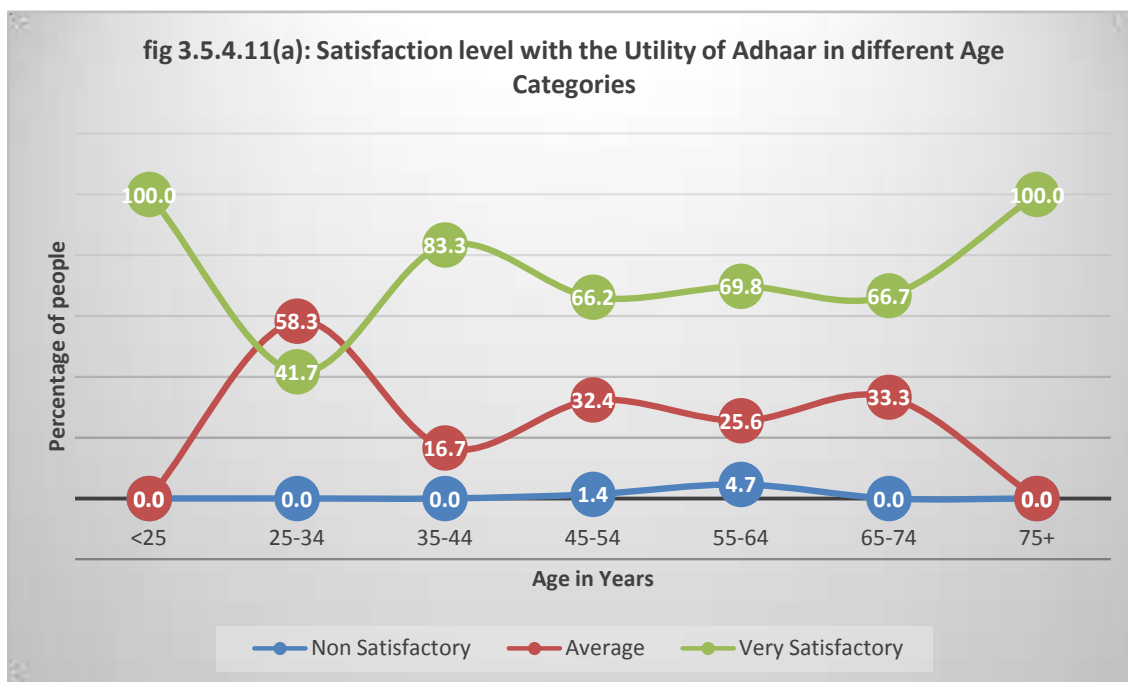
In case of ration card, it was found that 68.9% OBC were satisfied with the utility of Ration card followed by 67.1% general castes and 57.1% SC. In almost all categories, barring ST, more than 30% of their population expressed moderate satisfaction as far as the utility of ration card was concerned (Refer fig 3.5.4.8)



It is evident from the figure 5.4.9 that most graduates and literate people were happy with the utility of Aadhaar. It was found that among the people with primary education, 1.85 expressed their dissatisfaction with Aadhaar, 23% expressed moderate satisfaction and 75.2% persons were fully. Among the illiterate, however, it was found that no one expressed their dissatisfaction, while 43.3% were moderately satisfied and 56.7% said that they were fully satisfied with Aadhaar.

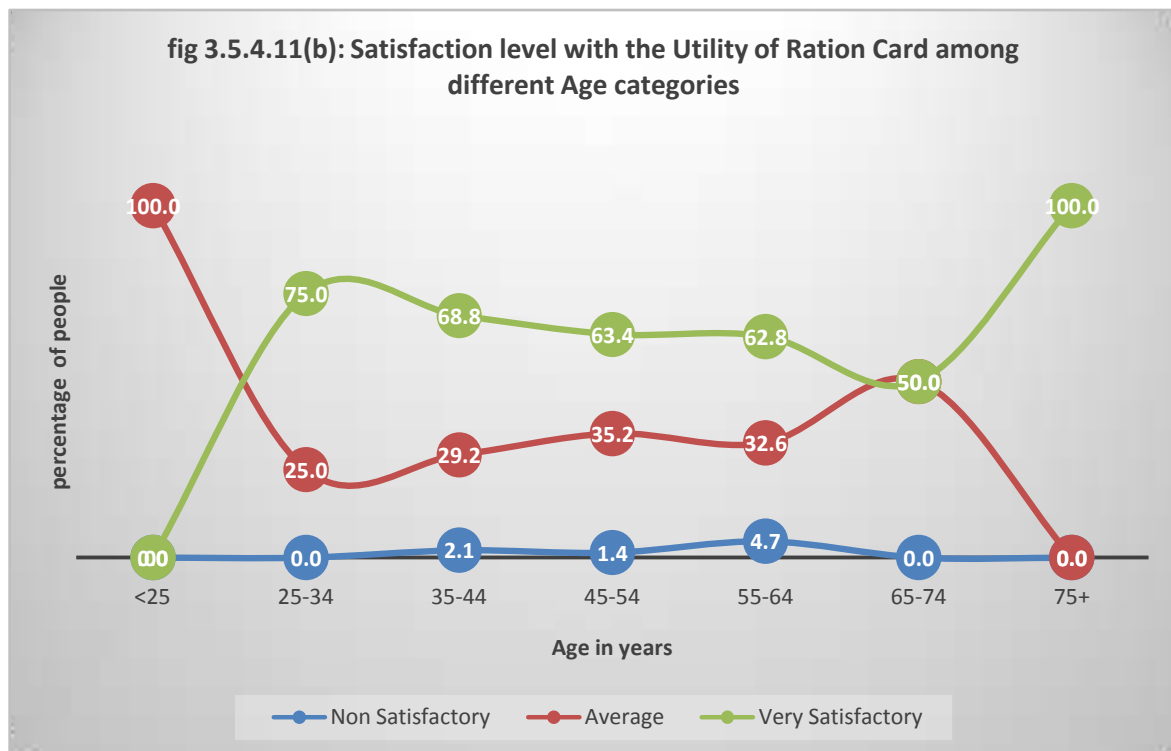


In case of ration card, it was found that only 20% of the most educated people in the sample expressed their full satisfaction while 80% indicated their moderate satisfaction as far as the utility of ration card was concerned. While 33.3% of the illiterate population was fully satisfied with the utility of Ration card, 63.3% expressed average satisfaction and 3.3% people were found to be dissatisfied. It was also found that 77% of the people who were educated till primary school were fully satisfied with Ration card, 21.2% of them were moderately satisfied, while 1.8% were not at all satisfied.



From the figure 3.5.4.11(a) it is evident that most of the dissatisfied people in the sample fall in the age category of 45 to 64. However, the extent of such dissatisfaction was very less. Households with young heads in the sample were found very satisfied with Aadhaar, especially those below the age of 25. However, there is a drastic change in the age group of 25-34, which of course is a difficult age in terms of education and employment. 58.3% of the people in that age group were found to be satisfied with the utility of Aadhaar in an average manner, and only 41.7% of them were found to be fully satisfied. In the age group 35-44, it was found that 83.3% of the respondents were fully satisfied with the utility of Aadhaar and 16.7% of them were satisfied in an average manner. In the middle age group, it was found that 32.4% of the household heads were satisfied in an average manner, and 66.2 % of them were fully satisfied as against their counterparts in the age group 55-64 wherein 69.8% registered their full satisfaction and 25.6% reported that the utility of Aadhaar was average. In the older age group of 65-74, it was found that while no one was dissatisfied, 66.7% of them were fully satisfied and 33.3% moderately satisfied. It is quite interesting to note that older people after 74 years were fully satisfied with the utility of Aadhaar.

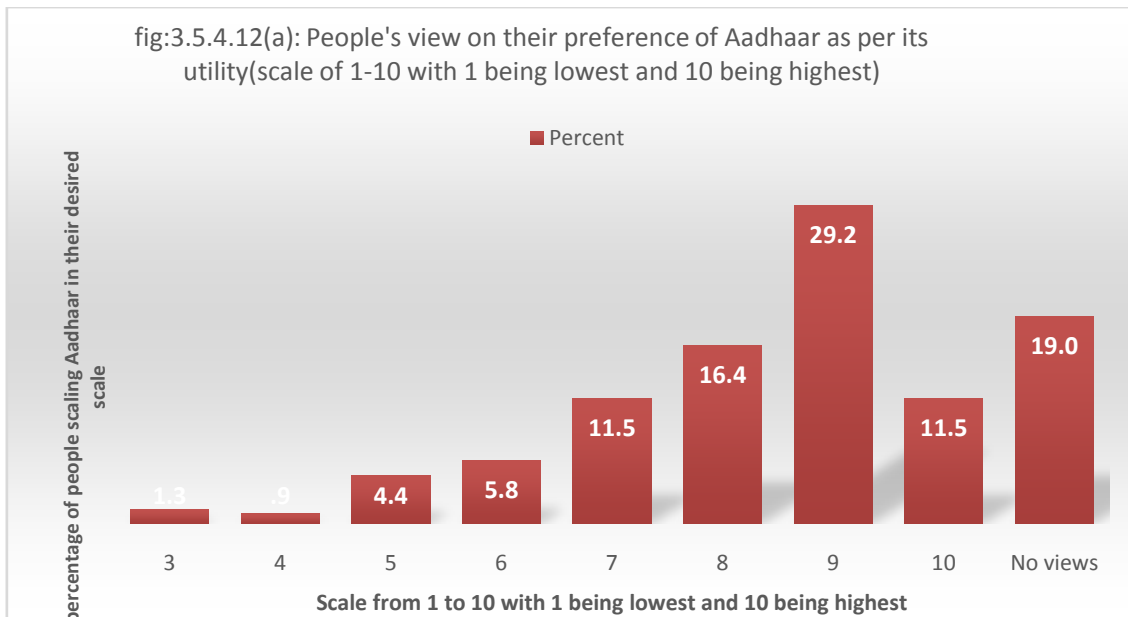
The perception about the utility of Ration card is quite different as it was found that the young population below 25 registered moderate satisfaction with it. Ration cards have



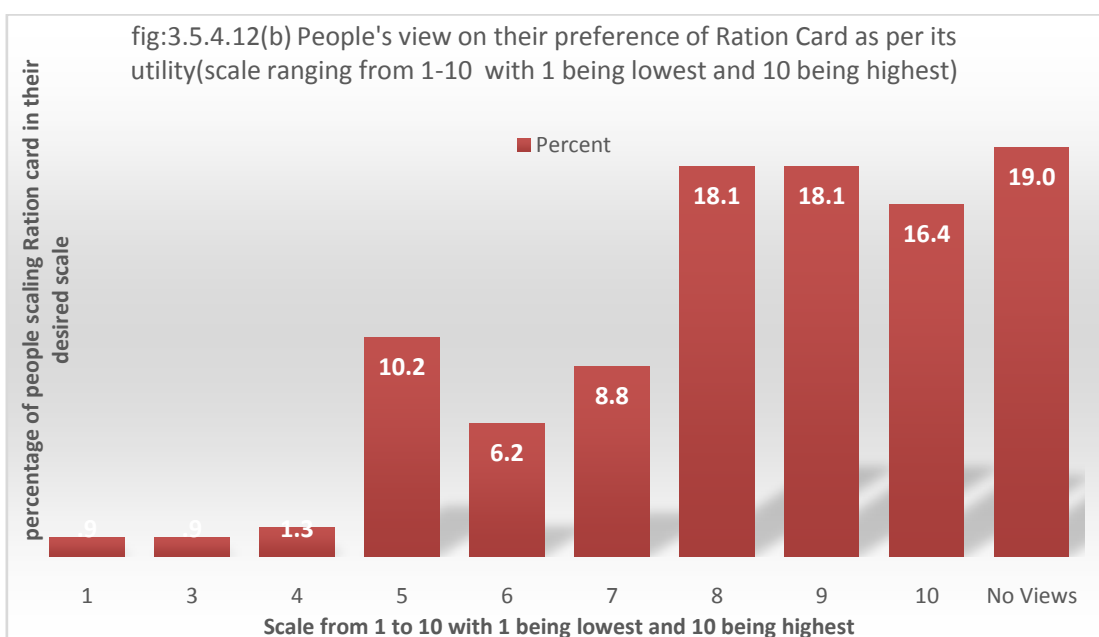
been in use for long and it was found that among the oldest people, satisfaction with ration-card was highest. In the age group 65-74, however, while half of them were moderately satisfied, the other half were fully satisfied. It was found that none of them had registered any dissatisfaction with the utility of ration card. In the middle-age categories, in the age group 55-64, while there were very few (4.7%) who were unsatisfied with the utility of Ration card, 32.6% registered moderate satisfaction and 62.8% were fully satisfied.

This is not very different from their immediate predecessor in the age group 45-54, wherein 63.4% expressed full satisfaction against 35.2% who believed that Ration Card had average utility. In the age groups 25-34 and 35-44 it was found that 75% and 68.8% of the respondents were fully satisfied with Ration card and its utility.

Scaling of Aadhaar and Ration as per their utility: The people’s vote

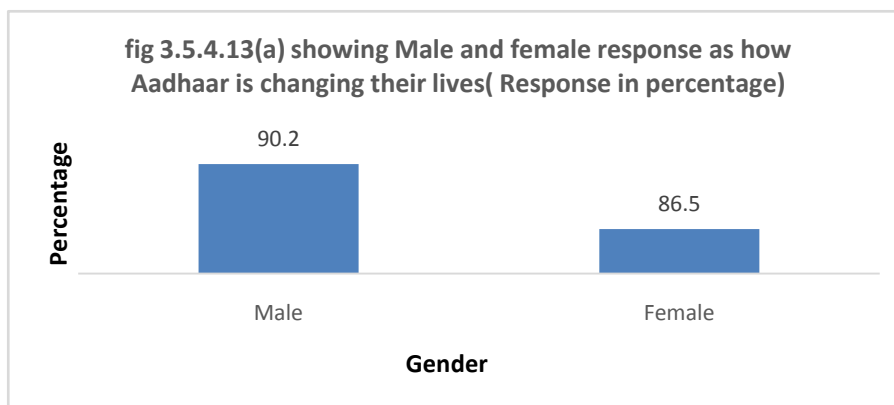


What can be seen now is that in the case of Aadhaar 29.2% of the population scales it at 9 in terms of utility. Interestingly, the happiest people with the utility of Aadhaar at 10 are a measly 11.5 % of the populations. In the case of Ration cards 18.1 % of the population sample gave it 8 and another 18.1 % gave it 9. 10 was given to ration card by 16.4 % of the people, meaning that there are more people who are more happy, in terms of utility, with the ration card than the Aadhaar. This outcome of the survey, as we shall see in the data that will be discussed a little later, is also reflective of the growing significance of the Aadhaar over the last few years.



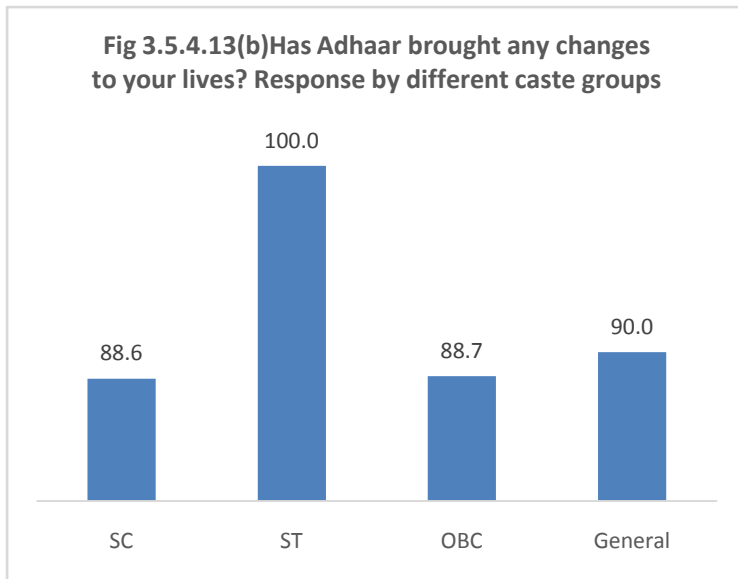
Previously Aadhaar was the least useful government document, even though residents of the camps got it made. Saif Islam, a Pradhan in Kathputli Colony, stated, ‘*Aadhaar ye sabse bakwas card heh, ishe toh kuch nahi hota*’ (Aadhaar is the most useless card, no benefits come out of it). While there were others like Vinod, an Aam Aadmi Party supporter working in the office of the local MLA, or Shiv Bhagwan, a clerk in the local electoral office, who were of the view that Aadhaar heralded a change in documentary practices and would open access to new facilities. Such observations had to do with the fact that these two persons worked and dealt a lot with documents and paperwork in their daily lives. Same could not be said of the common people of these camps. This might help explain why Aadhaar was accorded less importance as compared to ration cards in terms of their utility. Another reason, however, might lie in how people in these camps view identity documents, documents, paperwork etc. for in all of these camps the main concern was ‘*faayda*’ (benefit). How does this document help me or benefit me? How does anything that is written or documented going to help me? Even while talking about documents or during the course of filling up forms of this survey, the recurring question was ‘what *faayda* am I getting from this’. All of them had to be explained that this was part of a research for a thesis on camps, their people and their lives, especially how they interact with documents, and it would not lead to any material benefit for them.

Has Aadhaar changed people’s lives?



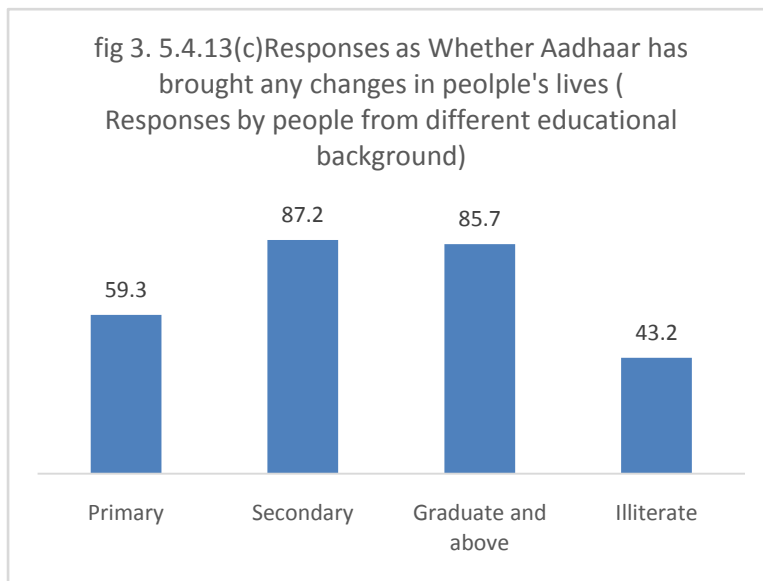
Male headed households have benefited more from Aadhaar card. This can be seen from the angle that

female headed households have difficulty in accessing most of the benefits from Aadhaar. Even though there are difficulties, both male and female households have reported that Aadhaar have impact their life in many ways. Such impact, they felt was also at the household level which includes participation of the women in decision making.



Among the various caste groups, it was seen that among the Scheduled Caste, 88.6% of them have reported that Aadhaar have brought changes to their life. Among the OBC, 88.7% of them have reported that they have realised changes in their life because of Aadhaar. Among the General caste have, 90%

of the respondents have realised changes in their lives because of Aadhaar. While, there is not much difference in the responses by most of the caste groups, it may be inferred that Aadhaar has been successful in impacting people's lives.



There has been no considerable change brought by Aadhaar in the lives of illiterate people as compared to others. Mostly benefited people are people with secondary education and graduate and above. It is clear that with education, the uses of Aadhaar are immense and mostly educated people

knows the pros and cons of the document. They can use the community resources through Aadhaar for their own good. It was found that the few benefits that illiterate and people with primary education received was through the Pradhans or local politicians. Educated people have an independent understanding of the Aadhaar unlike their illiterate counterparts.

3.5.5. Few select personal experiences of respondents and their life stories.

Jagmohan (President of an RWA called *Jagriti Jan Sewa Manch*, a self-styled politician, a contractor by employment and lives with his family inside the Navjeevan Camp).

I met Jagmohan by chance. While walking on Guru Ravidas Marg towards Bhoomiheen Camp, I saw a flex/vinyl banner on one of the houses near the road advertising the presence of a resident welfare association inside Navjeevan camp. Normally RWAs are found in housing and gated colonies, so finding one in a slum I followed the address of the RWA into the house of Jagmohan. He welcomed me in his house which was one big room, most of which was taken up by the big bed where his wife, sitting in one of the corners, was nursing a fractured leg. He said he had two sons; one was working in Chennai and the other was studying at school.

After exchanging pleasantries and explaining about the survey over a cup of tea prepared by his wife inside the kitchen which was also inside the same room. He opened up and shared a brief account of the history of the camp. At a very young age he came to this slum from Sadiq Nagar where he used to stay with his *mama* (Uncle). His mother used to stay in a *jhuggi* here and local criminals from the nearby Tughlaqabad fort area would constantly harass the people staying in these *jhuggis*. To help his mother he started staying here. He, along with a group of people, made a team, which later challenged these ruffians. After sometime, criminals stopped coming to this place. He has been actively involved in politics since his youth. He reminisced that he had seen both the good and the bad side of politics, recounting the horror of 1984 Sikh riots and how the local politician sought to use them. Now, however, he saw himself more as a networking guy, a fixer who knew people and could get things done. He informed how, very recently, he had helped one of his son's friends to buy a house in Navjeevan camp and got him identity documents thereafter. Selling houses is somewhat different here, as Jagmohan explained, for people here are illegally squatting on government land and do not have title deeds for their houses or *jhuggis*. Therefore, when they wish to sell their *jhuggi* to someone they rather sell the *malba* or the raw materials of which the *jhuggi* is made. This selling of *malba* is, however, made official, as Jagmohan informs, by transferring any documentation that could be linked to that address of the *jhuggi*. The person selling the *jhuggi* has to part with his ration card and electrical connection made in his name from

that address and give them to the buyer of that *jhuggi*. What actually gets sold in this transaction is not the title deeds of the house or the *jhuggi* but rather documents that mention its address.

Talking about his role as a social worker he tells me grudgingly how he was aligned with the Aam Aadmi Party earlier. He quit because he thought that Arvind Kejriwal, “*woh to bahut talibani kissam kaa admi hai... jouske man meh ayah wohi karta hai, kissi ki sunta hi nahi*” (very dictatorial and does not listen to anybody). On being asked as to how his RWA came into existence in a slum. He answered that as he had 150 families under his care and Mr. Amit Mehta, who was from the BJP and worked for the local BJP candidate, encouraged and helped him to establish the RWA and persuaded him to help the BJP. However, he insists, that he is apolitical. But at the same time he was very pleased to show his photographs with local BJP leadership. He also considers himself a social reformer. In his anecdotes he mentions how he along with few likeminded people led a successful crackdown on illegal and illicit liquors dens in the slum. Jagmohan prides himself on reading self-help books such as those written by Dale Carnegie and David J. Schwartz. He is also very ready with quotes, one such, which he kept repeating was ‘*sabse pahale apna swasth ka khayal rakho phir apna business or kaamka, aur phir apna parivar aur anth meh apne samajka* (the most important thing in life is health than business/work then family then society) and that is how one should conduct oneself and keep our priorities in our lives.

Praveen (*Pradhan of Navjeevan camp, Congress Party supporter, mother of five children, wife of a vegetable seller in Okhla-Mandi*).

Praveen, a resident of Nehru camp is a typical representative of people residing in slums in Delhi. Her anecdotes are reflective of the inner workings and vagaries of life that pervade the mundane lives of people inhabiting these camps. Although born and brought up in UP, Praveen had to come to Delhi after her marriage and ended up living in one of the numerous *jhuggies* around the area. She recalled that when she came to Delhi she was an introvert and faced difficulty in mixing with people of her locality, but with passage of time and after meeting a woman, she began to open up slowly. A lady persuaded her to join the Congress party, which she eventually did. She reminisced that these events had happened long time back, probably 25 years ago.

Praveen had some interesting observations to make. One of the most pertinent points that she made was on the changing nature of the *jhuggies* in her locality. She observes that when she had come, the whole locality resembled a jungle, devoid of basic amenities. The place, she remembers, had around 100 *jhuggies*. But now, she says, there are more than 10000 *jhuggies* in the locality. Praveen also observes that there was no electricity in the area when she had started staying. But, she says, it has been 15 years since they have had electricity, and now they even have metered connections.

Nonetheless, Praveen's stay in the slum has not been a perfect stay. She had to face numerous difficulties. One of them being, the frequent water pipe blockages that she and her people had to face while staying in the *jhuggies*. She remembers that a local leader, Prem Singh, managed to get a water tanker for the colony which was a temporary solution to the water shortage. Gradually with the help of local MP Sajjan Kumar and Shish Pal (ex-local MLA), they managed to get water pumps installed. This was a positive development according to her and it greatly helped in addressing the water woes in the locality.

She was also hopeful about the initiatives undertaken by the DDA to construct flats for the *jhuggi* inhabitants. While sounding optimistic, she observed that poor people had all the documents that the government issued. From ration cards to voter id, they have everything. She further observes that possession of these documents by the poor is inquired into during various surveys undertaken by the government or the various agencies. Praveen makes an interesting point when she says that everyone wants to get surveyed. The poor people have hopes pinned onto them. They feel that they are likely to gain something or the other from these surveys.

Being a Pradhan of this *jhuggi*, Nehru Camp, she is hopeful that she will take care of her locality and would not allow any trouble to befall on her people. In one of her statements, she observes that the water problem had started to haunt the *jhuggi* again, and she wrote to the Junior Engineer of the DDA to take necessary steps. However, with the AAP winning the local MLA seat she was a bit apprehensive as to what would happen.

Robin Das (*works in the local councillor's office*)

Robin is born of refugee parents, who had migrated from the erstwhile East Pakistan into India during the tumultuous period of early 1970's i.e. when the independent sovereign

state of Bangladesh was being created. At that time Robin's parents had moved to the undivided state of Madhya Pradesh, in what is now the modern state of Chhattisgarh. Born and brought up in Chhattisgarh, he cautiously avoids the word 'Bangladeshi' while referring to himself and his parents.

This anecdote, like that of Praveen's, is an insider's testimony of the internal functioning of the refugee camp. Robin's life is reflective of the changing dynamics of his own surroundings. From being a mere technician in HCL to being presently a points-man of a local BJP councilor, he has treaded both the worlds of the 'official' and the 'unofficial'. The entire conversation with Robin, centered on the activities of his boss, a local Congress councilor named Chandra Prakash. Of the many anecdotes, he provides us, the underlining theme was that it was the multiplicity of authorities that is creating obstacles in the proper management of camps. Simultaneously, he shows his 'political' leanings when he blames the AAP for all the ills presently afflicting the camps, as he is closer to a Congress councilor.

Robin talks about his political master Chandra Prakash, who is a great soul and great social worker helping the people who are needy. When asked about why people did not have any ration cards in his constituency, he replied that it was primarily due to some changes made during the delimitation of constituencies carried out by the Government recently. Thus, when the constituency changed from Tughlakabad to Kalkaji, it came with its own bureaucratic /technical problems, which he thinks need to be sorted out at the earliest.

He further talks about Prakash and his philanthropic activities in the locality. From funding weddings, to helping people in financial distress, Prakash, according to Dash has been a good-Samaritan of sorts for the people in the camp. Prakash, unlike other previous councilors, doesn't take money from builders who used to charge a high amount of rupees 1 lakh per construction. The reason according to him is that Prakash has his own well established business.

Panna Lal Garg (*Mr. Panna Lal Garg is one of the candidates who fought the Delhi Municipal Election in 2012. He fought unsuccessfully on a BSP ticket from Govindpuri ward number 195. We learnt through interaction with people in the camps that he was primarily a BJP supporter but as he was not given a party ticket to contest, he fought on*

a BSP ticket instead. He is a local businessman who is involved in wholesale business of bananas. His cold storage/godown also doubles up as his office)

Mr. Panna Lal Garg was sitting in his office cum cold storage facility. On being informed about the purpose of the survey he readily accepted the request for an interview. (To be noted: this facility is in Navjeevan Camp only, the western side of the camp facing Guru Ravidas Marg). After introducing myself and informing him about the purpose of my survey, he agreed to talk to me.

The first question that I asked was about the nature of his interaction with the camp and its people. He replied that he had been actively involved with the people of the camps since a long time (*arseh se*). He continued that he had unsuccessfully fought the 2012 municipal election on a BSP ticket even though he was primarily a BJP supporter. Right now he is a BJP worker. Then he went on about the history of the camp. He said that all these three camps (Nehru, Navjeevan and Bhoomiheen) date back to earlier than 1979. They came into existence simultaneously during the reign of Indira Gandhi's. First, there were 15-20 people staying in clusters/jhuggis in three different camp areas. He continued, that as more and more people started arriving in the camps, these clusters expanded. On being asked as to how these camps were named, Mr. Garg answered that as most of the people living in these camps were Congress supporters, some of them started naming their camps in order to show their affiliation to the Congress Party and hence the name Nehru Camp..

I then asked him about the kind of identity documents that camp dwellers possess, especially if he could talk about the earliest ID documents to the present. He said that the first identification documents that these camp dwellers used were Ration Cards. Then came the *Matdaata Pahchan Patra* (Voter's Card), and VP Singh's *Token* in the 1990's. However, he added, that there was a lot of corruption in issuing Ration cards. Earlier people used to receive ration against their BPL cards. Now these cards have been taken away in lieu of a receipt (*parcha*), but these *parchas* cannot be used to get ration. Only a few BPL cards have been issued again, while most people have been given APL cards using which one hardly gets sufficient rations. He says the modus operandi of this corruption, in which big political leaders of the area are also involved along with ration

shop owners and other government officials, is that they have taken the ration cards of the people for renewal but have not issued new cards. The group involved in this corruption, according to him, continues to take ration issued from these cards and later sells it in the black market. It is because of this that people still suffer.

He reported that such corruption was also prevalent in the payment of electricity bills. This was when **Delhi Electric Supply Undertaking** (DESU) used to supply electricity in Delhi. During that time, people in the camps would simply steal electricity from transmission lines. When Sheila Dikshit came to power for the first time, this changed. She rolled out a scheme whereby people of the camps were to pay Rs. 1.05 per unit. However, electric meters were not issued to individuals but arrangements were made with groups. Each group consisted of about 10-20 families or more; normally the leader of the group would be responsible to collect Rs. 100 to Rs. 200 per month from each family in that group. These leaders would thereafter go to DESU office and pay the amount. However, according to Mr. Garg most of the leaders instead of depositing up that money in the DESU office kept it for themselves. Since these leaders were *thekedars* and close to political parties (namely the Congress Party), questions were hardly raised by either the people in the camps or the DESU. These *thekedars*, according to Mr. Garg, made a lot of money in this way. However, such *thekedari* came to a stop when electricity supply got privatised. For now private electricity discom, BSES Rajdhani, which supplies electricity in the area rather than going for the old arrangement, made available electric meters to each *jhuggi* to end corruption and for timely payment of electric bills.

After this he returned to the issue of various identity documents that have been issued to the people in the camps. He again talked about ration cards being the first of them, followed by Voter ID or *pechenpatra*, and next were VP Singh *tokens* in the 1990's. New kinds of ration cards arrived such as APL and BPL, and now Aadhaar has been introduced. He was asked about which of these identity documents the DDA accord most important in the survey of these camps does. He said that most of these surveys are a sham. These kind of surveys, the most recent being 6 months back are nothing but "*logon keankhon meh dhooljhokna* (fooling the people)." He revealed, these surveys always take place near the elections and that Ministers come up with empty promises to build homes for the camp dwellers, sample houses are built and plots earmarked but nothing really happens.

The hard earned money of these people is gobbled up. Since I did not understand this ‘gobbling up of money’, I requested him to explain.

He explained how, for various housing scheme plans, forms are sold at a price (Rs.100-government’s price). However,most forms are boughtby the *thekedars* of the camps who then sell them at a higher price. The selling price of such forms could go up from Rs.200 to as high as Rs. 3000 for a single form, and that people in their desire and greed end up buying more forms than required,most of it sold in black by the *thekedars*. He informed me that the last time such forms were distributed was in 2003 (Rajiv Rattan Niwas). A camp at Jaipur Pahari was set up to distribute/sell such forms. The lines there were so long that the salecontinued for 2-3 days and a number of scuffles broke out.One such scuffle even led to the death of a woman.

After this I asked him about the roles of the Pradhans in the camps and their workings? He simply referred to them as *thekedars* and said that “*aaj kal koi Pradhan-wahannahi hotah, haan dekha jaaye toh aajkal phir sabhi Pradhan hojate heh* (nowadays no one is a Pradhan at the same time almost everyone seems to be a Pradhan)” A long time back there used to be Pradhans here in the camps (names Uday Bhan, Ashok ji and Jiyo Devi as some), now there are only *thekedars*, he complained. These Pradhans get *theka* (contracts) of water distribution, sewers, toilets, issuing identification documents, and most importantly,get the support of local political leaders by promising them votes of camp population, in lieu of which the Pradhanextract large sums of money from the leaders. For the political leader too it is a convenient arrangement and hence this kind of corruption flourishes in the camps. However, he was quick to add, that he and his party people, both outside and inside the camps were not involved in such activities.

I asked him whether he was politically active in the camp and ifpeople come to him with their problems. Mr.Garg replied that people do come but as he wasnot in an elected or official position (not a councillor) he only advised and offered them suggestions to take up the issue with the said government department or governmental officials. On being probed further aboutthis advisory role he talked aboutcases where the tenants had wrongfully enrolled their name in the DDA survey.These kind of such cases seemed to be many. However, he replied, “See, the tenants are also human, some of them have been living in some places for more than 20 years, should they not want to be included in the survey as well?”. He continued, “Where will they go? They have their voter ID, ration cards issued here”. He said that some mischievous people in the camps have very cleverly

divided their *jhuggis* and started subletting them to tenants. These sublet *juggis* become a problem during the survey. In any case, he repeated, these surveys were of no use and were just a tool for seeking electoral profit.

3.5.6. Identity documents and identification (*different kinds of identity documents, creation of Pradhan politician nexus, impact on slum residents*).

Once while talking to me, Parveen (one of the respondent) exclaimed, '*aapgaribke ghar me jayyie tohaapkosabh documents dhang se rakhe milenge, lekhin aap koi paise wallahke pass jayo to aapko shayad hi who sabh document milenge*' (you go to a poor man's house you will find that the documents government issued are kept properly while the same thing cannot be found in a rich man's house). Parveen's statement clearly indicates the irony and harsh reality of slum dwellers' lives. Identification for them is very important. Getting visible or legible in the eyes of the State can help them not just in proving their existence in the slum, but also helps them in accessing much needed social services. Identity documents as such provide them the necessary tools to make themselves legible and get their demands heard, and it is also the basis of such identity proofs that they contest governmental decisions. The political hierarchy in the slums is itself organized around these identity documents, as we will show in the course of the discussion.

There are various identity documents that, over the years of existence of these camps, have been issued to these slum residents. Some of such identity documents are specific, like the VP Singh Token and the Delhi Administration Card, and others are universal such as the ration card, voter card, pan card, birth certificates and Aadhaar card/number. It seems that each of these cards/identity documents has a distinct impact and allows for certain kind of political activities to take place on the basis of possession or non-possession of each card. However, they also make possible the existence of an informational nexus/ circuit. This circuit is the Pradhan- Politician nexus/network. This network grew out of the chaotic situation that existed while the camps were being populated. As has been said before, the slum residents were evicted more than once from this place but every time they came back and squatted in the same place. The local police had made their life hell by constant threats and intimidation of eviction. Along with this, the miscreants/thugs from nearby Tughlaqabad Fort area were also a cause of constant

problems. These thugs would come and steal their goods and harass the women residents of the camps. To overcome this problem some people started organizing themselves in groups in order to guard their respective slum areas from thugs. At the same time they also developed an ingenious method to stop routine police harassment by collecting money from slum dwellers and paying it as bribes to police on a monthly basis. The members of such groups were predominantly musclemen of the area and could *speak cleverly with the police*. The leaders of such groups eventually came to be called *pradhans*²⁵⁹. From then onwards anyone who wanted to come and settle here would have to get permission from the *pradhan* of that area before they could put '*char bhans*'. People who would want to settle here either had to be on good terms with these *pradhans* or had to pay some amount of money. Following which the *pradhan* would either allot them a free space in their area or would make an existing *jhuggi* dweller limit their *jhuggi* to give space to these new people.

The sway that *pradhans* had over these people eventually attracted the local politicians to them as one of the respondents Jagmohan clearly elucidated in his interview. The local politicians of this area started giving these *pradhans* their political protection. The tradeoff being that the *pradhans* would mobilize people for various political programs and would get votes for them. Both of which could be easily undertaken by the *pradhan* by mobilizing people under their sway and telling them who to vote for. The people too had to follow what their *pradhan* would ask them to do. The involvement of politicians in this matrix between people and *pradhans* helped people get identity documents. For in cementing the position of *pradhans* vis-a-vis their people, the politicians started providing identity documents to the slum dwellers through the *pradhans*.

As many respondents during the survey reminisced, it was only through their local *pradhan* that they could get application forms for various identity documents and the local politician would approve their applications/forms only if they had come from their local *pradhans*. The *pradhan*-politician nexus was at the centre of people's attempts to obtain official documents and gain access to social services provided by the government.

²⁵⁹ These *pradhans* are unlike the *Pradhans* that are found in rural areas who are elected leaders of their villages. It is not like that here. The *Pradhans* of these slums are not and have never been elected. They have come to be called so in their capacity to lead people in the slums and help them in resolving their problems

3.5.6.1. Voter card – The voter card, according to respondents, was the first such document which sort of legalized their existence on the place they had squatted. However, the introduction of the voter card was involved several middlemen. As it has been mentioned before, such documents got made only after going through the mediation of the pradhan-politician nexus. Getting one independently from outside such a nexus was impossible. It is important to remember, however, that Voter card as an identity document only came into existence in the year 1995. Prior to that having a voter identity entailed having the name in the electoral list of the said constituency. Even getting up one's name in the list required the active intervention of the pradhan-politician nexus for the *jhuggi* dwellers. As Shiv Bhagwan, the officer at the local voter registration office at Kalkaji (under which these three JJ camps also come in), told me earlier it was very easy to get your names on the voters' list. The office at those times (alluding to the eighties) would only work according to the lists provided by the local politician. It was the local politician who would come at the local voter registration office with a list of people who were in that politician's constituency. It was on the basis of those lists that names would be updated on the voter lists of that constituency. However, things changed in 1995 when Electoral Photo Identity Card (EPIC,) or simply the voter's card, came into existence. It was then onwards that the electoral office started the process of verifying the identity of each individual voter by through photos. In the process, of which generally a voters' registration camp was set up in a government schools near the *jhuggis* and people were photographed holding a slate with their details written on it. This Bhagvan believed, removed *farzi* or false names to a great extent.

The advent of voter cards also led to the creation of an informal political economy within the camps. The people became connected to the Pradhans who had helped them get the voters card, who in turn were connected to the politicians. Each resident now was a part of that chain and their existence and the kind of lifestyles they would have in the slums would be very much dependent upon this linkage and on the question of where they were situated in this chain. This is so because the Pradhan-politician nexus was and still is able to control the informal economy around the slums as many respondents claimed.

This nexus effectively controls and decides who runs the various community toilets dotting the slums, including the weekly *haat* (bazaar) which sits on the Bhoomihen camp road every Thursday, which has vendors with pull carts selling various things on the road on either side of the camps. All of these are controlled by the Pradhan-politician nexus. This nexus also controls the key to the various DJB pump houses dotting the slums. Only

the ruling party pradhan-politician combine can have the possession of the key. Water distribution is crucial for all the inhabitants of the slums and becomes a tool for political control. This is a hierarchical relationship.

3.5.6.2. Ration Card – By 1980's however, another identity document had assumed significance in these *jhuggis* and that was the ration card. Ration cards had been in existence in India since 1939 but it was only during the 80's that they were introduced in the camps. Ration cards are ideally/actually not identification documents. They are documents which give rations/food supplies to the poor. However, ration cards became known as identity document because they helped provide rations to people living in a particular location. Since ration cards were locality specific they had the verified address of the applicant printed on the card. This allowed the ration card to serve as an identity and residence proof. Ration cards during those times, as many respondents recalled, were also used for a lot of other purposes apart from getting rations. They were used as identity documents, they were used at the time of voting, they were used whenever people from the *jhuggi* would visit any government office (for that was the only thing that proved their existence), and lastly it could also be used to get bails. Rather than paying bail money, the *jhuggi* dwellers would simply deposit their ration cards at the local police station and the concerned person caught for small offences would be released. This practice, the respondents informed, has now come to a stop.

The earliest ration card was blue and had three folds. The distribution of a ration card, just like the voter card, was controlled by the pradhan-political nexus. As some respondents in the course of interviews divulged, the local politician's man (MLA in this case) would be present inside the local Food and Supplies Office and would be the first to examine the ration card application forms. It was only after the politician's representative would sign the form that it would be forwarded to the FSO officer for official response. The respondents also claimed that this is basically the norm and that it had been going on like this for quite a while. The respondents also claimed that most of the people are yet to get new ration cards after the submission of their old ones, and that the receipt that they had received while submitting their old cards does not get them rations. Some respondents also alleged that a few new ration cards have been issued to those people who are close to the local politician. One of the respondents, who also happens to be a small time politician of the area, alleged that there is a huge corruption scandal going on with the ration cards.

The politician alleged that the local MLA in cahoots with FSO officials have actually not submitted the old ration cards but are keeping them and pilfering the rations that are allotted for the slum residents. The veracity of the claim could not be established but this seems to be the general sense among the slum dwellers, who believe that the routine exercise of renewing ration cards is an attempt to deny them what is rightfully theirs. Therefore, ration card as an identity document possess a definitive political character of influencing political orientations in the slums.

In the context of the recent Right to Food Act 2013 the local FSO officials for Tigri at Asian Market, Khanpur see ration card not as an identity document but rather as an enabler document. It is merely meant to provide rations. However, this governmental position is far from how people perceive ration cards. For as we saw during the survey, the owners of the *jhuggis* were very apprehensive about their tenants getting ration cards. The house owners believe that this would allow the tenants to claim ownership rights on their houses when governmental surveys are carried out. Especially, during the surveys which are conducted for resettlements of the slums. As there has been a survey recently in this regard, many respondents fear that the rightfully deserving slum dweller might lose his/her claim while the conniving tenant might get selected on the list meant for resettlement.

There is no denying the fact that even though ration card may not be an 'official' identity document, but it surely is a 'breeder document', on the basis of which other documents can be sought like voter card, Aadhaar card, pan card etc. Again, here too the pradhan-politician nexus has an important part to play.

3.5.6.3 VP Singh Token –After VP Singh came to power in 1989 he initiated the city's first comprehensive slum survey to register and (partially) legalize all slum dwellers. The survey enumerated each slum household in Delhi and was issued what came to be known as V. P. Singh tokens. The purpose of V. P. Singh token was to provide slum dwellers with formal proof of residence. The slum residents of these camps too have this token and believe that it is one such document which provides '*pakkasabut*' (truth beyond doubt) of their residences in the camps albeit it's on encroached land. VP Singh token was the first of identity document which legalized the illegality of encroachment.

The VP Singh token is a small rectangular metallic strip with a number inscribed on it which is basically the number that each *jhuggi* has been assigned. Respondents, on being

asked the significance of the number inscribed in the token, explained that the number represents a series in the files in possession of DDA in its records of the slums.

However, several respondents appeared apprehensive as their VP Singh tokens got burnt or lost in the numerous fires that these slums suffer from time to time. Most of them have occurred in the Bhoomiheen Camp. They fear that since they don't have that document, other people or probably their tenants might have paid money to the DDA officials to get their name written on that file. One of the respondents in Bhommiheen camp, Sapna, was quite aggrieved about this. She had heard that her previous tenant had paid Rs. 15,000 to get her name removed from that file and instead added his own name. She said that she went to the DDA office (location not given) a number of times to ascertain this. In the end one of the officials assured her that she doesn't need to worry, they have the records and that they know who the original settlers are. The respondent was still apprehensive that at the time of their resettlement, she would be forced out from the survey list by the imposter.

The VP Singh token seems to be outside the influence of the local pradhan-politician nexus.

3.5.6.4. Aadhaar–

Aadhaar was introduced by the government through an executive order in January 2009. It mandated that each resident of India be given a unique number in lieu of some biographic and biometric information that was to be taken from him/her. Aadhaar is the first biometric enabled identity document in India. Though it is conceptualized as just a number, in everyday use it is seen as a card by both the people and government officials. It was meant to be an identity platform through which various government services were to be distributed.

Aadhaar is truly a unique card for the residents of these slums in many respects. It is one of those cards which anyone in the slum can easily get. It also seemed to be outside the purview of the pradhan-politician nexus. Its ease of access is demonstrated by the fact that there are quite a few shops in the area which are printing Aadhaar cards after entering the enrolment number of the person into the UIDAI website. These shops also sell phone

vouchers, and charge Rs 50 for each Aadhaar card they print, from those who come with their Aadhaar enrolment slips. This aspect makes it truly amazing, for it is one of those identity cards/documents which they can apparently get outside the mediations of the pradhan-politician nexus and it is an identity document for which they do not have to be depend on the bureaucracy. However, our interviews revealed that despite this ease of access there is a shady underbelly of malpractices. As one of the respondents claimed, when Aadhaar enrolment was being carried out in nearby Tughlaqabad area, his friend who was working with the enrolment agency there called him up and asked whether he wanted that machine (meant for biometric capture) to be fixed in his home. The respondent stated that his friend said that they could charge money from people for each enrolment and they could do it whole night. The respondent claimed that he rejected his friend's plan. Few others respondent also claimed that such things had happened in the camp, and anyone with little identity proof was able to enroll herself for Aadhaar.

Again, this supposed ease of access has meant little for slum dwellers. As one of the respondents in Nehru Camp said '*ye card bekar hei... koi kaamkanahi*' (this is worthless... it is of no use). As such, these cards are not providing any material benefit to the slum residents which a traditional identity document would.

At the same time, we know that the data from Aadhaar is to be used for implementation of various government schemes for the *jhuggi* dwellers including the ongoing in-situ rehabilitation program. It seems, therefore, that Aadhaar as an identity document is clearly serving the logic of governmentality where it goes unto feeding information for new techniques and assemblages and practices that various governmental schemes aim to bring upon the residents of the slum. However, accounts of pilfering of personal data including that of slum dwellers does put a question mark on the safety of that information that is being sought to be sourced through Aadhaar.

From the above discussion we can make some interesting observations. First, there appears to be a kind of hierarchy among identity documents in the way they are perceived by the residents of these slums. Such a perception seems to take into account these parameters (in ascending order) namely: i) provide proof of their rightful claim and existence in the slums (VP Singh tokens). ii) make them legible in the eyes of the State (voter cards, ration cards) . iii) provide them access to governmental services and benefits (birth certificates, pan cards, electricity bills, etc.) .

Second, we can see that these documents are used not just for its inherent intended purpose (identification) but they serve other purposes too. We can see the example of how

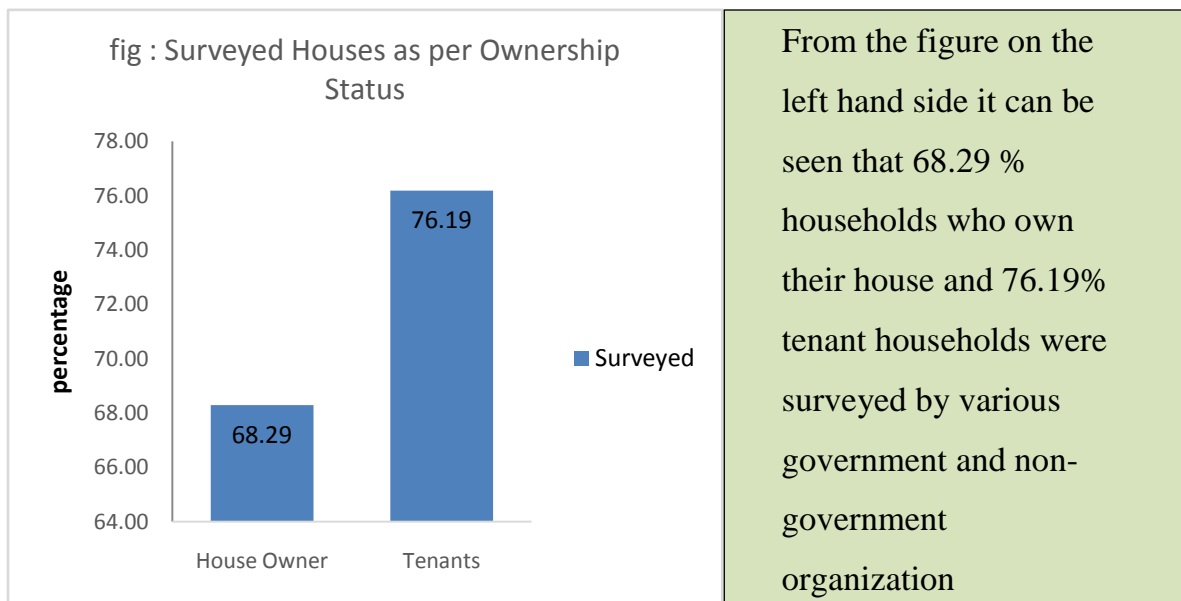
ration card comes to be seen and used as an identity document even though it is not. Again, these identity documents apart from proving identification also serve the purpose to indicate proprietorship of their *jhuggis*. When a *jhuggi* owner wants to sell their house, they have to renounce all claims to that *jhuggi* by way of giving up all of their identity documents to the new owner. Such a way of selling *jhuggis* is called 'selling *malba*' (material of the house). As the land doesn't belong to them hence what the seller is selling is the raw material of the house and relinquishing all claims to that place by surrendering all identity documents to the buyer. This is indeed unique in a space where legality appears only at the borders and where informal and quasi-legal means are prevalent. If such a deal was to be taken to court for arbitration, it would not carry legal force. Most importantly, such sales are concretized by having the local *pradhan* to act as witness. Again, few clever house owners have found a way to circumvent this *fait accompli* of handing over their right to their houses by surrendering their identity documents and then getting them reissued by reporting them as stolen. Therefore, when an eventual survey for resettlement would happen they can again claim their rightful place in that list.

All of this, therefore, shows that slum residents do know the politics of identity documents and know how to make the right moves. That is why politicians have invested so much in the identity documents. As one of the respondents in the local councilor office claimed, the previous year alone his office helped the residents by issuing close to 3000 voter id cards..

3.5.6.5. Survey

Surveys of the slum and its residents are crucial as they provide information for governmental strategies concerning these urban slums. Usually three types of surveys take place which are as follows: i) decadal census enumeration ii) surveys taken by various agencies of the state government like the DDA, DUSIB, DJB, etc. and iii) surveys undertaken by NGOs, in this case ASHA and Katha Khazana.

Surveys too, like the identity documents, provide the residents with an opportunity to prove their existence. As respondents testified, there has always been a massive participation whenever any survey takes place. However, like the identity documents, these surveys too have to mediate through the pradhan-politician nexus. A few pradhans claimed that pradhans from opposing political parties do not allow the former's supporters to be surveyed carefully when the latter's party is in power.



From the figure on the left hand side it can be seen that 68.29 % households who own their house and 76.19% tenant households were surveyed by various government and non-government organization

However, during the course of my own research survey it was found that the earlier way of doing government surveys has changed. Previously, the survey involved setting up chairs and tables inside the camp and asking people to come and get surveyed. Such approach of doing survey has changed. Many respondents claimed that surveyors started conducting such survey not within the camps but inside the compounds of local schools or local government offices, and the people had to go to such places with their documents and identity proof and provide relevant information. The surveys now move from jhuggi to jhuggi, surveying each household. This change in the process of doing surveys is basically reflective of the desire to produce information about camps which is not mediated by the pradhan-politician nexus thereby making the data collected more authentic and reliable.

There appears to be a link between methods of survey and how they are conducted and the changing nature of identity documents in the slums. The first kind of surveys appear very general, as officials sat on chairs and tables and people came before them offering information about themselves. Wherever such information was found inconclusive or doubtful, the help of the local pradhan was taken. The local pradhan testified whether the

information was correct or not. Such surveys thus tended to rely on the truth produced by the pradhan-politician nexus. The identity documents prevalent during those times were the voter card and the ration card.

The second method of survey involved conducting the survey outside the camps where people had to go and provide information. But it so happened that the surveying agency was left with little choice in conducting such surveys. From advertising the surveys, conducting surveys and to transform information thus generated into relevant and legible data, the help of the local pradhans was still required. Hence, the pradhan-politician nexus was very much apart of the survey. Importantly, the VP Singh tokens and the changed form of ration cards are reflective of change in survey methods. Therefore, change in primary identity document also seems to reflect the change in the way of collecting information.

Over time, however, the faith of the government in the kind of truth generated from such surveys seems to have diluted. Now the prevalent kind of survey is not held inside the local schools or local offices near the slums. Instead survey officials are now mandated to go to each *jhuggi* themselves and collect information and corroborate such information by being present in the *jhuggi* itself. Surveys undertaken by the DDA, surveys undertaken by PDS officials, and those undertaken by local NGOs are examples. The ration cards that would be given to slum dwellers after such survey, the numbers that have been accorded to each *jhuggi* by DDA are examples of identification and documentation arising out of such survey.

Interestingly, the advent of such surveys has gone hand in hand with the introduction of digital identity documents. In the case of ration cards, data is to be digitized and a smart ration card is to be distributed instead. Unlike the VP Singh token, which was a metallic token with the number of the household inscribed on it, the DDA number is just a number given to each household and that number is stored in the digital files of the DDA. It would be very interesting to see what other kinds of identification mechanisms would be introduced in the slums, based on data generated from in-depth surveys which are now meant to be conducted. This was witnessed in the enrolment process for Aadhaar and during MIS collection in DDA. We know through the works of Matthew Hull and others that identity documents, because of their materiality and affective-ness are able to create a certain kind of politics which again is best visible in the prevalent pradhan-politician nexus. This change in survey methods and concomitant digitization of identity documents is sure to have a bearing on the politics dominated by the pradhan-politician nexus.

3.5.6.6 Pradhan- Politician nexus: New Beginnings

The Pradhan phenomena seemed to arise out of concerns for securing and protecting the slum and its people from both criminals and the police, and the self-styled office has now become a political manager of informality of the slums. Keeping in mind administrative and electoral exigencies, both state and political parties have developed links with the pradhans. In addition, the pradhans enjoy hold over the people because they possess knowledge about any new rules or policies. Through that information they are able to mediate, negotiate, claim and contest various governmental strategies directed at the slums. What led to creation of such an authority was the ability of a few people to smartly and confidently talk to the police and stop them from harassing the slum residents. Even now when people wish to file cases in police stations, bail people out or fight cases in court, they are hugely dependent on the local pradhans to help them in such processes. All of which has led to the pradhans enjoying enormous authority, which, coupled with help from local politicians, resulted in the formation of pradhan-politician nexus. This nexus is involved in managing the informal labour market and other transactions related to the slums. It has gradually taken the shape of an organization. The ranges of services provided by the pradhans are namely:

- i) Issuing identity documents
- ii) Facilitating surveys
- iii) Managing social services like providing water, electricity, etc.
- iv) Controlling the informal economy and labour
- v) Managing the political discourse and action in these slums

The pradhans continue to have a considerable hold over the slum residents. However, it has been found that their authority is being increasingly challenged. Such challenges have arisen from the local NGOs operating in the area, from the local politicians who are part of the pradhan-politician nexus and lastly through increasing literacy about rights and legal processes among the people. There seems to be a growing disgruntlement among the slum resident's towards their pradhans. Most of them even go to the extent of not acknowledging the pradhan's presence. Few of such anecdotal quotes being, '*aaj kal yaha koi Pradhan nahi he*' (nowadays there are no pradhans), again others such as '*yaha to harkoi apne aapko Pradhan samajta he*' (everyone considers themselves to be pradhans nowadays), "*aajkal koi pradhan-wadhan nahi hotah, hah dekha jayeto ha ajkal phir sabhi pradhan ho jateheh* (nowadays no one is a pradhan at the same time almost

everyone seems to be a pradhan)”, *pehle pradhan hua karte the abhi to neta agayeheh* (earlier there were pradhans now there are only politicians). Pradhans with their clout were earlier able to generate and stop information generation regarding the slums and its people at will. Now with changing forms of identity documents and survey methods their dominant position has become untenable.

The pradhans may be losing their ground and becoming a shade of their previous glory but they are still relevant because of their crucial participation in the pradhan-politician nexus. However, they are having to mutate into other forms. Such new form arises when the institution of pradhan rather than being reposed in a single individual is coming to be identified with a group of individuals who work as a team for the local politician, maintaining the binary thereby albeit in a diluted form. These groups of people do the same kind of work that the pradhans used to do but they are more diffused in bodily sense. For example one can take a look at the local councillor who has an office on Guru Ravidass Marg. Or for that matter the office the Local MLA has in Tigri. These offices symbolize the syncretisation that has taken place. Like for the local councillor Chandra Prakesh has a team of people from the slums working for him. This group of people with their close access and proximity to the local councilor are able to produce the same affect on the people which previously the pradhan used to have. However, for their position and standing in the slums they depend on the good graces of the local politician rather than their own standing among the slum dwellers which was clearly the case in the pradhans of yesteryear. Such a syncretisation again seems to be peculiar to Govindpuri for the same was not found in Katputli Colony where pradhans seem to emerge out of the ascriptive affiliations and do not possess the classic binary of pradhan-politician nexus. Interestingly, this team of people working in the office of the local councilor carries out the day to day operation in a very corporate kind of way. Each complain that comes into the office is entered into a register and thereafter later into a computer. A receipt is given to the complainant. The complaint is then forwarded to be checked into by the corresponding local person of that team. The concerned person then goes to check the problem and returns with acknowledging the problem and a possible and suitable solution. A part of that team then starts working on providing the solution. After it has been done another person goes to the complainant house to check whether the solution was carried out or not and whether the complainant is satisfied. The satisfied complainant returns the complaint receipt and signs it acknowledging that the work has been done. Only after the receipt with the complainants’ signature has returned to the office then that

particular complaint entered into the register/ computer in the list of complaints is moved into list of complaints resolved. The people in the office claimed that this lists is up for inspection everyday by the local councilor. Because of this the team members though may not be pradhans but with the work that they do in the slums in conjunction with the local politicians they are able to produce the same effect and affect on the people as the older pradhan would have. This heralds the new kind of understanding and meaning of the idea of pradhans in the slums.

Conclusion: Field Investigations into affect of the document and changing materiality.

“Dekhiye is application me toh koi stamp bhi nahi heh, hum aapseh baat nahi kar payenge (See this application doesn't have any stamp on it, it would be difficult to talk to you), Dr Mamta Tripathi an official at the Delhi Jal Board (DJB) had this to say when I went visiting to get some official accounts about their work at the slums of the field sites. The letter of authentication issued by my institution for my fieldwork had mistakenly not been stamped. She saw me inside her office after being handed over the letter by the office clerk but she stopped talking when she realised that it did not have a stamp of my University, student of which I was claiming to be. The official letter head allowed me till her office room but the lack of stamp stopped any kind of access of information from her or her office.

This was my beginning of the research. From the very first day of the research into government offices I was greeted, rather stopped by the lack of a missing graphic artefact on a letter of application requesting concerned officials to help me in my research. I duly got it stamped and next day again I was sitting with Dr. Tripathi who accepted talking to me and told me off record about their work in the slums but was not ready to come on record because again. My application was a general “To Whom It May Concern” letter, according to Dr. Tripathi I was to have an application personally addressed to the Chairman of the Delhi Jal Board and it was only after he had signed it that she could say or come out officially on record to say anything.

Early on I was made to realize quickly that stamps and signatures were extremely necessary if one was to navigate the labyrinth of officialdom. Negotiating this terrain was possible if we were able to get the right papers, the more graphic artefacts on it the better.

Again these papers were like maps or clues to this spatial space dominated by paper documents. It was like to reach there, ‘follow the map’, similarly to get to somewhere in this space we had to follow the document. So the document was followed and like an arcade video game where after crossing each level the players were awarded with more powers and boost, similarly after crossing every level of office, more signatures were added to this letter or more people gave suggestions to reach to a different office elsewhere where the people there would either help us easily or were the correct offices to get such and such information.

This became clearly more evident that the paper documents occupy a physical space as well, this became very clear when trying to meet a concerned person of ICDS who oversaw the running of the Aganwadis centres in the slum areas of Govindpuri. Getting to the right person meant getting the right papers, which meant finding the right signatures, finding the proper signatures again meant finding the proper office, finding the proper office meant finding the right man this was then turned on its head and made into a spiral effort because finding a proper person meant again to have an apt signature. Interestingly, this was found that this endeavour could be actually traversed on a physical space and actually be treated as a map. I could get this when I went on to get necessary paper works so that the respective agencies who work with these JJ Clusters provide me official information.

The importance of having some kind of artefacts on documents was also brought home to me later during the research when I was about to begin the quantitative research part of it. Mr. Jagmohan, one of my respondents while giving a look at the questionnaire exclaimed back to me in shock, “*ye aapka questions, prashnavali shayad hi tikk paye, isme dum nahi heh* (the questionnaire that you are having is not good, it doesn’t have the necessary force),” to which I asked him *aisa kyun* (why)? He replied *dekhye Varun ji aap camp’o meh survey karwane ja rahe aur aapke prashnavali meh to na koi stamp, na koi letter pad ka istimal hua heh, mujhe nahi lagta janta aapko yeh dekh ke koi uttar degi* (See Mr. Varun, you are about to go to get your survey’s done but your questionnaire doesn’t have any stamp nor it does have any letter head, I don’t think the public is going to listen to you). Jagmohan further clarified that *haa, agar isme kuch aajaye toh shayd* (but the public might if you are able to get some there on these questionnaires).

What Jagmohan was trying to say I realised was that the questionnaire sample that I had shown to him did not look like paper document enough. A paper document should see and make one feel like one. It should stand out and prove its gravitas on its own. People should be able to respect it on its own. The way ahead as suggested by Jagmohan was then to have it either printed on official letter heads or have it stamped. So I eventually did accept Jagmohan's suggestion and added the emblem of JNU, my institution, to give the questionnaire a veneer of official touch. The interesting thing about this whole event however, was not just that paper by way of adding certain emblems, signatures, stamps become paper documents and hence official but that such documents were also required to get access to certain spaces which was but anything but unofficial. However, it these spaces which were illegal and unofficial and informal in the first place that organized and acted like one, on its own volition.

The spectral presence of the State that Veena Das and Deborah Poole (2004)²⁶⁰ talks about gets largely reflected to such observations. And rightly so, to mediate such spaces, to access it, to talk or converse with it was next to impossible without the issuance of some sort of document or holding some sort of documentation. These spaces seemed formalized on its own like that of the State. Just like in office then one had to have proper paper work to get one's things done similarly in such spaces one needed proper paper work. State though largely absent had to realise through such faux practices emulating the State.

The proper paper work as I came to know about these camps or JJ Clusters were but to be had by getting in touch with either the local Pradhans or local politicians of the area. They were the door keepers of these illegal unauthorised and informal space and they kept their positions as such by enacting documentary practices of the State. I met Parvej my local guide to the Govindpuri Camps at the office of the local Councillor, Mr. Chandra Prakash. Parvej is a young boy studying in College First year through distance at a local College. He has political aspirations, he sees himself climbing the ladder of political success by aligning himself with the work of the councillor. It was observed that political mobility also provided for social and economic mobility in the camps. He is in the good books of the councillor for he relayed very happily one day how he had been

²⁶⁰Das, Veena, and Deborah Poole. "Anthropology in the Margins of the State." *PoLAR: Political and Legal Anthropology Review* 30.1 (2004): 140-144.

given the knobs, of water connections (pipes) and that he has now the responsibility to close and open them at fixed times so that the various blocks in Navjeevan camp get their share of water equally. Conversations with Parvej made me realize that this according to him was the first step of becoming a Pradhan of one's area. He was very happy and held that this can change his fortune.

The next step then according to Parvej to becoming a Pradhan was having keys to various water pumps installed by the local politicians and the DJB. These pradhans were the right hand man of the local politicians. Immediately after this I was astounded by the change in the way Parvej dressed, he started wearing more formals and more white kurtas or shirts. I did not ask him the reason of this but got the answer while sitting in the local councillor office of Govindpuri, Mahesh, an up and coming Pradhan of Nehru Camp had this to say when we were having a general conversation about Pradhans... “ *dekhye koi Pradhan khud nahi banta heh, na hi koi mantri ya koi neeta banata heh, banata to sirf janta heh* (See no one becomes Pradhan just like that neither any minister nor any politicians can make them, they are and can only be made by the common public) ” . To which I replied that Pradhans unlike Ministers or Politicians are not elected. He replied that “*Yeh logo ka prem hi heh ki jo koi unke samasya ka sammadhan karne meh sakchamm ho, jo unke dard ko samjhe aur mitha sake, unhi ko voh prem karti heh* (This is people's love that anyone who can help them solve their problem and understand their problem that they lovingly look upto them)”, “*aur fir baad meh jab veh log safed kurta kaabhi kaabhi lagake chalet hein aura agal bagal meh doosre koi log unke saath chal rahe hoteh heh toh unhe janta snehe sa Pradhan, pradhanji bulati heh* (and later when those who help start wearing white kurtas and are found to be walking with a retinue of people, people out of love start calling them Pradhans). Mahesh himself was wearing a white kurta then. It was to this affect that the white kurta was to have that Parvej was conscious off that he had already started to come out more often in whites and he had also started talking about his team of boys who were to look after few blocks in Navjeevan and Bhoomiheen camps. Lines like this had started to become very frequent, *humne aaj apne team ke saath milke Bhoomiheen camp meh ek jhamela ta who suljahya..., Mere team bahut se log College ke student heh, hum apne team ko Id ke dawat meh bula rahe heh aap bhi aye please*, (with my team we together solved an issue in Bhoomiheen camp, there are a lot of young college kids in my team and I'm calling the team for the Id celebrations, you also

please do come). Parvej saw himself becoming a Pradhan soon and he had already starting acting like one in way he talked, acted and most importantly what he would wear. However, the real power that he cherished flowed through the offices of the local councillor of which Parvej too was an active supporter. This again as it unravelled before me was the power of paper documents and the documentary practices that the office inculcated amongst the people of these slums. This was to be the same for the local office of the MLA, Sri Prakash Jarwal there in Tigri (Deoli Constituency), there too people of the slums were more or less were being instructed on the way of handling and looking and utilising the documents. The local office of the MLA housed under the DUSIB's building for the senior citizens and library, people would come with their problems, the representative there would write down the persons problem. If it was something that could be easily fixed, calls were made through phones, other issues which were of different kind was asked time and people were requested that they would revert back to them. Most of the problems that people came up with at this office was either of no water, sewage being locked in the lanes and illicit drinking and gambling and the nuisance that it created. Other sort of issues were a few regarding pensions, ration cards and attestations. Most of these problems were written down on paper and care was taken to solve them. Compared this to Govindpuri, even the local office of the local MLA, Sri Avtaar Singh too performed on similar lines, it had a dedicated register as complaint book, most of the problems again were of the same kind and many of the people also came into that office with regard to pensions, attestation for forms in ration card forms, voter card, etc. Mr. Harjinder Singh was the point man and many a calls of complaint would come direct to him rather than people coming to the office. Also, as the local MLA had this to say, "It is not that we don't want people visiting us, but good governance is then when people are able to go to concerned offices and get their work done as a matter of their right. Public offices should not act as a barrier to service rather act as the gates that welcome them". "See, here I am signing attestation forms for voter ID application I should not be doing it, people should be able to do it through the local electoral office itself," he says showing a form in his hand. "It is only then when each government office is able to perform as it should be that proper kind of governance can come" he ends by signing up that form. Mr Harjinder is quick to quip back though that the MLA does so only after his office has completely vetted the supporting documents of such applicants. The chief among which is the Aadhaar document or Aadhaar card as he calls. "*Hum saabh documents ko baari*

baari se dekhte heh aur tabhi aage badhte heh agar unke pass Aadhaar card hota heh”

Mr. Harjinder states, adding up to what the MLA was saying.

This however, is more intense in the office of the local councillor in Govindpuri as I was able to gather from the numerous visits there. People who came with their problems were immediately made to sit. Their problems heard by a dedicated team of people employed by the Councillor though the councillor was never to be found there. The head of that team was his elder brother who acted like his PA and under him two other persons Robin and Manish. They would hear the people's problem register it in a register of sorts with each complainant given a number and if the problem is grave enough an acknowledgement slip. Problems were sought to be solved through mobile but when it did not happen either a person from there or the team that the local pradhans had under the councillor were informed and then the corresponding problem looked after. After the problem was solved a signature was required from the complainant on acknowledgment slip they had been given before. This acknowledgment slip on being produced back to the office, the complaint was cancelled as completed and the slip kept. The status of each complaint was also time to time checked as to what has happened to other such complains. One of the office had this to divulge to me in private that this registers were eventually uploaded in the computers and it is through them that the Councillor keeps a check on the workings of his office. Although I never saw any of a such activity going in that office or anyone involved in that office filling out complaints in the computer. Though there are computers in the office.

Again interestingly, there is a poster pasted in the middle of the room which declares a host of things that does not come under the purview of the councillor, these are pensions, ration cards, voter cards, Aadhaar cards, water, sanitation, etc but clarified later that does not mean that the Councillor is oblivious to the people's problems, this office will try its best to help the people solve their problems even though such issues do not fall under their purview people cannot claim it from here but if they request they can certainly try to help. To this, therefore, many people from the slums itself and the surrounding unauthorized colonies come in with regard to seeking help in these areas. People in Tigri also visit the office of the councillor come with regard to such issues, there too the people under the Councillor take up the complaints of the people, write them down but it is not done sincerely, each entries are not made, some are verbally solved, compared back to

Govindpuri, where each complaint is diligently entered and recorded. This whole experience about the slums and the roles played by the offices of the local MLA and Councillor was very important.

This entire experience proved one thing that documentation in these areas originated and flowed through these offices and that they were or keeping a monopoly in the documentation process of these areas. It is by keeping a check or becoming a door keeper of documents, documentation and documentary practices that these people represented by their offices that their hold or sway over these areas and the people was to be complete. The loss of materiality of the documents of these documents that we could so much foresee while looking at and theorising the research problem. However, in the field and while undertaking this research it was actually found that the suspicion about these documents losing even though not unwarranted something else was also happening to the materiality of these documents.

As we look into the introduction of digital identity documents especially like Aadhaar and the digital smart ration cards an expected effect of their loss of their materiality which earlier was ensconced on paper was set to happen. Both of these documents as we have already known were found to be very important documents for this areas. Ration cards even though not a document could be used to prove their proof of address but in these areas it was extensively used to showcase and prove their ownership of the land and the jhuggi that they had built on it. Ration card became that defining document to state and proclaim themselves as real settlers of that place. The legible and legitimate people in this illegal spatiality. And to this illegal spatiality documents and documentation is paramount.

We see that the whole document and documentary practices in these camps or JJ clusters have come to origin and be nourished through the offices of the local politicians and the resultant pradhan-politician nexus. The nature, understanding and importance of the documents or any kind of documents by the people living in these camps is made through acquainting oneself with the nexus and the local office. Here, as we saw through our observations, the understanding of these documents is also inculcated, a pedagogy is at play for making people understand the importance of the document and the corresponding linkage between power relations and knowledge. Most of the illiterate people or meek people not knowing how to traverse the world of officialdom are hand

held and taught to do this and in lieu of which their political loyalty is asked and an unwritten code to protect these slum dwellers from any eventual demolition of their slums is pledged. As these people they enter to complain about a problem pertaining to a document or not, they are made to enter themselves into the world documentary practice which is but based on paper as their complaint details are entered. Next the acknowledgment forms too are given in the form of a slip of paper. Even when few people have to go to other government office's like that of the DDA or the DUSIB or other such offices. It is these local politician offices and their staff that prep them, write their applications but interestingly make them write the original draft of such application even if the rough draft is written by them. This entire understanding of the paper and paperworks in these areas is mediated by the staff in these offices. So much so that people were also found to be coming to these offices with their problems regarding Aadhaar. Again this too has helped these offices that many a times Aadhaar enrolment camps have been found to be actively aided by the local politicians of their respective areas.

As such even if these digital documents then were not be based on paper however people's understanding and perceptions about it is greatly effecting the characteristics of these documents themselves. As the people have come to understand documents as only paper documents and that through a ritualistic practice of documentation in those offices where they write their name first in the register, and the corresponding paraphernalia on paper. Now we have seen that interestingly that even though some documents like Aadhaar are supposedly digital yet when people come to these offices for their problems regarding Aadhaar, they have to as usual undergo that ritualistic practice. So much so that a performativity is induced on the queries of such people. It is this performativity through a pedagogic understanding of the documents that the people of these camps have come to imbibe documents. So much so that digital documents have come to have a novel form of matter inscribed on it through the practices which are though still ensconced with practices prevalent on paper.

We therefore, find in our course of research that both the new smart ration card linked with Aadhaar and Aadhaar itself is gaining some kind of new materiality which it was expected to lose and with it, its corresponding political space as well.

Again, the new ration card is supposed to be issued to the jhuggi dwellers after a thorough check has been conducted. Now many of those cards have indeed now been returned as smart ration cards linked with the Aadhaar. During the course of the

qualitative field research many respondents were indeed found who felt the loss of the materiality of the previous card which was based on paper. Many people were circumspect and felt that this new card was not giving them proper rations and that it was rather a ploy by the government to shut change them of their rations. As one of the respondent exclaimed into this confusion, *“Mujhe lagta heh ki, naya ration card hume apne rations se vanchit karne ke liye banaya gaya heh”* (I think that the new rations cards have been introduced by the government to deprive the poor people of our rations).

As many of the ration cards have been returned as these smart cards, people take rations by way of attaching a slip of paper pasted to the digital smart card and just like the previous rations cards the ration shop owners would sign it on that slip of paper just like previous ration cards. Others who have not got it back use the slip returned by the FSO office in lieu of their ration cards. On being asked by the ration shop owners as to why do they do this and not take the biometrics for checking the beneficiary. Most of them replied that the government was yet to provide them such machines and that as Rajesh Kishore, a ration shop owner in Govindpuri exclaimed, *“Mujhe apne ration kharidaro ki bareh meh sabh jankhari heh, meh inko kitne saalo se janta huh, yeh naya smart digital card ki zaroorat nahi”* (I know all of my ration card holders, I know them since such a long time, these new digital smart cards are of no use) echoes, many other ration shop owners also said on similar lines.

However, these new ration smart card itself has become very political with many respondents claiming corruption as to the reason why the cards have been demanded back by the FSO and such cards issued back. Issuing of ration cards and getting them back have become political slogans in the area also exacerbated by the fact that each local level politician accusing the other of eating away the rations of the poor and the needy. Hence for most of the respondents a huge fraud is underway to eat away the rations of the poor. Such an understanding might be also resulting out from the previous practices that were seen and observed in these camps i.e. almost all identity document and other such documents created for the jhuggi dwellers was created through the pradhan-politician nexus and now when a new set of ration card which the people still take it as identity documents are to be created, they are still being made under this nexus. With each nexus of each political party accusing the other of corruption even the new set of ration cards which are sought to end this nexus and which is completely set to be outside its purview have not only become political even before its introduction but that they have also

entered in the political discourse of the pradhan- politician nexus thereby bringing it into its ambit of control as well.

Similarly, for Aadhaar, it was considered to be a card rather than a number and was increasingly thought of as a residence proof. Hence, making of Aadhaar by the tenants was greatly discouraged and proscribed by the house owners and to an extent the local politicians as well. Aadhaar however is not a card but a mnemonic number accredited to the biometric of single individual. However, it has seeped into becoming a document this has been because of the encouragement and advertisements of the government which still advertises Aadhaar as an identity card. To make it more acceptable to the common populace the government seems to have provided it some form of materiality. This materiality of the supposed digital identity have again come to be posed within the confines of paper and how it accords not just legitimacy in the eyes of the people but legibility too for those people who have not grasped the idea of what digital construes. Therefore, the exigencies of the requirement of having to introduce and make people aware and understand the workings of new digital documents and how in practices typically engendered in paper documents have both come to construe the materiality for new documents based on the government's endeavour towards digitization.

It is another matter altogether how such documents are increasingly being sought to be created, based and benched on the body of the people itself by the government through the introduction of biometric identities. How in the making of juridical documents based on the body the materiality of the paper documents is getting sidelined. It would be interesting to see how the understanding of the juridical self has increased with advancement of technology in knowing the body and setting new standards of biometrics. It is to these crucial questions that the fourth chapter would deal with. As such what we have seen is that even with coming of digitization and digital documents characterized by Aadhaar, the seepage of materiality in such documents may it be the new smart ration cards or Aadhaar itself has been possible because of the popular discourse that the new ration cards even in its absence has been able to create on these camps or the practices that have come to be attached with Aadhaar in its enrolment or being seen way it is, or most importantly the way people have generally come to understand document, i.e. through a medium of instruction inculcated by the people within the offices of local politicians office that therefore allows both the new smart ration card and the Aadhaar to have such materiality generally reserved for paper documents.

CHAPTER 4

Living in a Document: Body and New Forms of Digital Identities

“The State can exercise control over your body. Right to body is not absolute.” – Attorney General Mukul Rohatgi²⁶¹

My fingerprints and iris are my own. As far as I am concerned, the state cannot take away my body – Senior Advocate Neeraj Divan²⁶²

4.1 Introduction

Every day, all over the world, millions of people use the biometric scanner to mark their attendance in offices, colleges, schools, institutions, etc. They do this by placing their thumb at the thumbprint scanner, palm at the palm print scanner, eyes near the iris scanners, or even by voice recognition enabled access and registration. Biometrics and biometric enabled devices have become the new norm.²⁶³ They provide for easy accessibility and easy storage and maintenance. Most of the time they are considered non-invasive²⁶⁴ and all in all efficient²⁶⁵, but most importantly, definitive.²⁶⁶ One cannot deny one’s own biometrics, i.e. one’s own body. What appears to be an innocuous and

²⁶¹Krishnan, Murali. “Aadhaar and Section 139AA: The Complete Report of the Supreme Court Hearing.” *Bar & Bench*, <https://Barandbench.com/>, 24 May 2017, [barandbench.com/aadhaar-section-139aa/](https://Barandbench.com/aadhaar-section-139aa/). Accessed 4 July 2017.

²⁶²Staff, The Wire. “The Aadhaar Debate: ‘The State Has No Right of Eminent Domain on the Body.’” *The Wire*, <https://Thewire.in/>, 29 Apr. 2017, [thewire.in/129622/aadhaar-income-tax-supreme-court/](https://Thewire.in/129622/aadhaar-income-tax-supreme-court/). Accessed 4 July 2017.

²⁶³PTI. “Yogi orders installation of biometric attendance in all UP offices.” *The Hindu Business Line*. N.p., 23 Apr. 2017. Web. 02 July 2017. Also see Pandit, Ambika, “All Ration Shops to Get POS Devices.” *The Times of India*, City, 20 June 2017, timesofindia.indiatimes.com/city/delhi/all-ration-shops-to-get-pos-devices/articleshow/59242832.cms. Accessed 2 July 2017. also Vora, Priyanka. “Long Queues, Snags as Government Offices and Hospitals in Mumbai Link Attendance, Salary to Aadhaar.” *Scroll.in*, <https://Scroll.in>, 14 May 2017, [scroll.in/article/836674/long-queues-snags-as-government-offices-and-hospitals-in-mumbai-link-attendance-salary-to-aadhaar](https://Scroll.in/article/836674/long-queues-snags-as-government-offices-and-hospitals-in-mumbai-link-attendance-salary-to-aadhaar). Accessed 2 July 2017.

²⁶⁴Singh, Sukhdeep, and Sunil Kumar Singla. “A Review on biometrics and ear recognition techniques.” *International Journal of Advanced Research in Computer Science and Software Engineering* 3 (2013). “Biometrics: Frequently Asked Questions.” *Electronic Frontier Foundation*, EFF, 19 May 2017, www.eff.org/sls/tech/biometrics/faq. Accessed 2 July 2017. Also see Davies, Simon G. “Touching Big Brother: How biometric technology will fuse flesh and machine.” *Information Technology & People* 7.4 (1994): 38-47.

²⁶⁵Jain, A. K., R. Bolle, and S. Pankanti. “Biometrics: Personal Identification in Networked Security,” AK Jain, R. Bolle, and S. Pankanti, Eds.: *Kluwer Academic Publishers* (1999). also see Davies, Simon G. “Touching Big Brother: How biometric technology will fuse flesh and machine.” *Information Technology & People* 7.4 (1994): 38-47.

²⁶⁶Jain, A. K., R. Bolle, and S. Pankanti. “Biometrics: Personal Identification in Networked Security,” AK Jain, R. Bolle, and S. Pankanti, Eds.: *Kluwer Academic Publishers* (1999).

easy way of registering one's attendance is actually just the surface. Under the veneer of this simple, innocuous and effective method lies the tumult of academic deliberations, technological irruptions, ethical and medical considerations, governance strategies and even religious consternation. Each of these is effectively trying to understand, advocate, experiment, implement or preach vis-à-vis what lies at the heart of the matter – the 'body'. From putting our hands or eyes at the scanner, to storing information about us, to allowing access and identifying us, to sensitizing and making us aware about ourselves in terms of entitlement or empowerment, to controlling us and making us control others – all these 'us' is nothing but the 'body', 'our bodies'. The living, thriving, pulsing, thinking, imagining, sleeping, resting, contemplating, dying or even the dead body. It is precisely because it is the body, our bodies, human bodies, which are at stake here that it accrues such a lot of interest and ferment. What is this body or what do we understand about body or bodies?

This question has come alive and become most pertinent with the recent debate regarding the linkage of Aadhaar to PAN Cards in India. Two petitions in the Supreme Court have challenged the constitutional validity of the recent government notification, which mandates linking up of Aadhaar to PAN cards by end of June 2017. Non-compliance of the notification may be held as criminal and land one in a list of suspects who may be suppressing income and therefore invite scrutiny.²⁶⁷ The notification has been issued in a context where the Supreme Court has stated twice in the past that Aadhaar cannot be made mandatory for availing government services.²⁶⁸ The two recent petitions did not delve into the area of privacy concerns as a much bigger constitutional bench is to be constituted to hear privacy concerns arising out of implementation of Aadhaar.²⁶⁹ Instead, the arguments placed in the Court focused on questions such as, what could be construed as our bodies, do we have a right over our bodies, does the right extend over the whole of our bodies or just some parts of them, bodily integrity and control over the juridical parts

²⁶⁷Prasad, Gireesh Chandra. "Not Linking Aadhaar with PAN Could Invite Income Tax Dept's Wrath." *Http://www.livemint.com/*, Livemint, 4 July 2017, www.livemint.com/Politics/LioBMHmk6HoOHDeW8m8ZiI/Not-linking-Aadhaar-with-PAN-could-invite-Income-Tax-depts.html. Accessed 4 July 2017.

²⁶⁸Bhatia, Gautam. "'O Brave New World': The Supreme Court's Evolving Doctrine of Constitutional Evasion." *Indian Constitutional Law and Philosophy*, 6 Jan. 2017, indconlawphil.wordpress.com/2017/01/06/o-brave-new-world-the-supreme-courts-evolving-doctrine-of-constitutional-evasion/. Accessed 4 Apr. 2017.

²⁶⁹ Ibid

of our bodies.²⁷⁰ Should not juridical bodies fall within the ambit of the individual juridical self, which in turn should be able to decide whether or not such juridical parts are to be monitored by any agency or government? Should the government be in the business of collecting information about body parts of its citizenry? Would not such an action be construed as surveillance over the natural movements of the human body? Does it not impinge the Constitutional Right to Freedom, which includes right to live with dignity of the self?

All these questions become more challenging in the context of increasing requirements of identity mechanisms to deal with an array of issues, from terrorism to global commerce²⁷¹ to large-scale migrations brought out by wars and the economic order of our times. More importantly, there is a growing imperative for legal digital identities,²⁷² be it for smooth e-commerce transactions²⁷³ or for governments to regulate various aspects of peoples' lives. A major justification for government regulation through digitization has been prevention of identity thefts²⁷⁴ even though this claim is increasingly undermined by cyber identity thefts.²⁷⁵ Another major phenomenon has been the transformation of digital arenas into political spaces through social media platforms such as Facebook, Youtube, Whatsapp, Twitter, etc., which are able to shape ground realities.²⁷⁶ This development has not been lost either on the government²⁷⁷ or those who are contesting the

²⁷⁰ Analysis, The Wire. "As Arguments on Aadhaar-Income Tax Link End, Court May Read Down Mandatory Provision." *The Wire*, <https://thewire.in>, 7 May 2017, thewire.in/132141/aadhaar-pan-supreme-court-income-tax/. Accessed 4 July 2017.

²⁷¹ Whitley, Edgar A., and Gus Hosein. *Global challenges for identity policies*. Vol. 25. Basingstoke: Palgrave Macmillan, 2010.

²⁷² Sullivan, Clare. *Digital Identity: an emergent legal concept*. University of Adelaide Press, 2015.

²⁷³ Ibid

²⁷⁴ Whitley, Edgar A., and Gus Hosein. *Global challenges for identity policies*. Vol. 25. Basingstoke: Palgrave Macmillan, 2010.

²⁷⁵ Goswami, Dev. "Wanna Cry Ransomware Cyber Attack: 104 Countries Hit, India among Worst Affected, US NSA Attracts Criticism." *India Today*, India Today, 13 May 2017, indiatoday.intoday.in/story/wanna-cry-ransomware-attack-104-countries-hit-nsa-criticised/1/953338.html. Accessed 17 May 2017.

²⁷⁶ Allagui, Ilhem, and Johanne Kuebler. "The Arab Spring and the Role of ICTs| Introduction." *International Journal of Communication* 5 (2011): 8. Also see Vargas, Jose Antonio. "Spring Awakening." *The New York Times*, The New York Times, 18 Feb. 2012, www.nytimes.com/2012/02/19/books/review/how-an-egyptian-revolution-began-on-facebook.html. Accessed 4 Jan. 2017.

²⁷⁷ Rao, Madan Mohan. "10th Annual INET Conference." <http://www.internetsociety.org/>, *Regulatory Challenges in the Emerging Internet Media Environment*, 30 June 2000, www.isoc.org/inet2000/cdproceedings/8b/8b_1.htm. Accessed 26 June 2017. See also Bennett, Colin John, and David Lyon, eds. *Playing the identity card: surveillance, security and identification in global perspective*. Routledge, 2008.

government.²⁷⁸ Governments all over the world are attempting to police and regulate it through various means, which includes legislations among other things as to how we interact or behave digitally. Amidst this quandary are several moot questions – Are we seeing the creation of a ‘digital body’? Can we possibly have a digital body? What entails a digital body? Do we claim ownership of this phantasm that is the digital body? Can there be a juridical self to this assertion? Can the government make sovereign claim of exception²⁷⁹ over it?

In order to navigate this web of questions, the Chapter is divided into four sections. We begin first by mapping the ways in which the body has been construed, imagined and known. We will attempt a close understanding of subjectification and interpellation of bodies. We will then trace the centrality of the body in religious discourse and its transformation into the political field. The second section would try to explore how bodies are getting textualised and documented. We will further see how in that process of documentation we arrive at identities, whereby identification and selfhood pries itself from the body. Such identities are then utilized by the state through identification mechanisms through which it governs and various governance strategies then emanate from it. The third section would deal with the juridical and the judicial self and how different new methods of knowing the body has resulted in not just new definitions of the body or body parts but also new understanding of ourselves and how we are conjoined to it through different government strategies which are aimed at it. It would attempt to understand what does such knowing and dividing the bodies and placing and situating them through biometrics especially in the digital or electronic world and do to them. Do the bodies find new perception, purpose or definition, what happens to the ontological understanding of the body then? The fourth section then would take the conceptualizations that we have so far been able to arrive at and then take it forward to make sense of the recent debates we are having about bodies, our bodies, our rights over it, body integrity, the technological challenge over it and the government’s attempt through the use of such technology to govern, control or even put an ‘an electronic leash²⁸⁰’ on us. These questions have been raised again in the recent debate arising out of

²⁷⁸ Bennett, Colin John, and David Lyon, eds. *Playing the identity card: surveillance, security and identification in global perspective*. Routledge, 2008.

²⁷⁹ Cited from Agamben, Giorgio. *State of exception*. Vol. 2. University of Chicago Press, 2005.

²⁸⁰ Tharoor, Kanishk. “Aadhaar Is an Electronic Leash on Citizens.” [Http://www.hindustantimes.com/](http://www.hindustantimes.com/), 4 May 2017, www.hindustantimes.com/columns/aadhaar-is-an-electronic-leash-on-citizens/story-b9Q13XUK7aAwRfcUZFmehL.html. Accessed 14 June 2017.

the imposition of making the Aadhaar mandatory and using it for various activities governing private lives more so specifically the debates that have arose out of the petitions challenging Aadhaar in the Supreme Court. How does this debate fit into to what we have unraveled through the course of understanding the body? How are our bodies turning into numbers, databases and archives and what implications it would have for us?

4.1.1 Knowing the Body: Body Construction and Imagination

‘Body’ as a subject of enquiry is vast. We have the anatomical-physical body of flesh, bones, skin, etc. We also have the mental body, the immaterial soul, the disembodied body, we have the hylomorphic bodies.²⁸¹ We have the dualistic body²⁸², understood in terms of the soul and the body. We also have the body which is now thought to be increasingly created in the networks²⁸³ or the internet of things.²⁸⁴ We have the body in motion²⁸⁵, the body that is transparent. We have the mindful body²⁸⁶, embodied body²⁸⁷, lived body²⁸⁸, inscribed body²⁸⁹, gendered body²⁹⁰, performative body²⁹¹, abject body²⁹²

²⁸¹Sampaolo, Marco, and Gita Liesangthem. "Hylomorphism." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., 15 Mar. 2015, www.britannica.com/topic/hylomorphism. Accessed 4 July 2017.

²⁸²Robinson, Howard. "Dualism." *Stanford Encyclopedia of Philosophy*, Stanford University, 19 Aug. 2003, plato.stanford.edu/entries/dualism/. Accessed 4 May 2017.

²⁸³Clarke, Roger. "The digital persona and its application to data surveillance." *The information society* 10.2 (1994): 77-92.

²⁸⁴Bandyopadhyay, Debasis, and Jaydip Sen. "Internet of things: Applications and challenges in technology and standardization." *Wireless Personal Communications* 58.1 (2011): 49-69. also see Foote, Keith D. "A Brief History of the Internet of Things." *DATAVERSITY*, [Http://Www.dataversity.net](http://www.dataversity.net), 6 Aug. 2016, www.dataversity.net/brief-history-internet-things/. Accessed 4 July 2017.

²⁸⁵Lockrem, Jessica. "Bodies in Motion." *Mobility in History* 7.1 (2016): 50-57. Cited from http://s3.amazonaws.com/academia.edu.documents/38878521/Lockrem_Bodies_in_Motion.pdf?AWSAccessKeyId=AKIAIWOWYYGZ2Y53UL3A&Expires=1499227338&Signature=YUirffbHRDGQm425ZwuGIQJ0K4I%3D&response-content-disposition=inline%3B%20filename%3DBodies_in_Motion_Attending_to_Experience.pdf accessed on 4th May 2017

²⁸⁶Schepper-Hughes, Nancy, and Margaret Lock. "The mindful body: a prolegomenon to future work in medical anthropology." *Medical Anthropology Quarterly* 1.1 (1987): 6-41.

²⁸⁷McGuire, Meredith B. "Religion and the Body: Rematerializing the Human Body in the Social Sciences of Religion." *Journal for the Scientific Study of Religion*, vol. 29, no. 3, 1990, pp. 283–296. *JSTOR*, www.jstor.org/stable/1386459.

²⁸⁸Gerber, Ellen W. "Sport and the body: A philosophical symposium." (1979). cited from McGuire, Meredith B. "Religion and the Body: Rematerializing the Human Body in the Social Sciences of Religion." *Journal for the Scientific Study of Religion*, vol. 29, no. 3, 1990, pp. 283–296. *JSTOR*, www.jstor.org/stable/1386459.

²⁸⁹Butler, Judith. *Bodies that matter: On the discursive limits of sex*. Taylor & Francis, 2011.

²⁹⁰ Ibid

²⁹¹ Ibid

²⁹²Kristeva, Julia. *Powers of Horror: An Essay on Abjection*, trans. Leon S. Roudiez (New York: Columbia University Press, 1982)

andbare body.²⁹³ We also have the ontological body²⁹⁴, the religious body²⁹⁵, the secular body²⁹⁶, the sociological body²⁹⁷, anthropological body²⁹⁸ and the political body. To deal with all of them seems impossible. However, we live in a world where we are interconnected. We live and interact while being in relationship to one another, individually or in groups, within a society and a state. It is through these that we constitute ‘Us’ and also come to describe others in the process, for instance the case of ‘social vouching’, which we talked about in Chapter 1. It is these relationships, which tend to be borne out of our bodies, which we will dwell upon in this section.

In order to proceed, a sharing of a personal anecdote will be helpful. Dechen, my two-year-old niece is just starting to learn words and speaks them in mimicry rather than with a conscious understanding. However, she has perfected few phrases and word soundings for particular acts or events. For instance, when she is hungry and wants milk, she creates sounds such as *humphs* and *urghhs*. Her mother Dipika is intent on making her learn many things. Every day, she makes her repeat the alphabets, a few nursery lines, but most importantly she has been teaching her about different body parts. She asks her about different body parts and asks Dechen to show them to her. Few examples would be, “Dechen, show me your nose?” to which Dechen points to her nose; “Show me your eyes”, Dechen points to her eyes; same goes for ears, tongue, teeth, hair, head, hands, leg, feet and fingers. Seeing this, I too asked Dechen that where is her hand, head, eyes, ears, etc. She answered all of them correctly as taught, but when I asked her that where is Dechen, she became quiet as if mulling over the question. I asked her again, she then showed me her hands. I asked yet again, “Where is Dechen?” She showed me her eyes. As I kept repeating the question, she pointed to her ear, then her nose, then teeth. By that time her pointing and gestures had turned into self-doubt, looking at me for approving her actions. As I kept saying “No” to her gestures and moved my head in disapproval, she was left confused and ran away to Dipika, who was in the kitchen. At this moment I recalled a similar incident of naming body parts from my childhood. I too had been

²⁹³Agamben, Giorgio. *Homo sacer: Sovereign power and bare life*. Stanford University Press, 1998.

²⁹⁴Mills, Charles W. “Body Politic, Bodies Impolitic.” *Social Research*, vol. 78, no. 2, 2011, pp. 583–606. *JSTOR*, www.jstor.org/stable/23347191.

²⁹⁵Holdrege, Barbara A. “Body Connections: Hindu Discourses of the Body and the Study of Religion.” *International Journal of Hindu Studies*, vol. 2, no. 3, 1998, pp. 341–386. *JSTOR*, www.jstor.org/stable/20106613.

²⁹⁶Asad, Talal. “Thinking about the secular body, pain, and liberal politics.” *Cultural Anthropology* 26.4 (2011): 657-675.

²⁹⁷Turner, Bryan S. *The body and society: Explorations in social theory*. Sage, 2008.

²⁹⁸Asad, Talal. “Remarks on the Anthropology of the Body.” *Religion and the Body* (1997): 42-52.

taught in a similar fashion about my body parts, in my mother tongue rather than English.²⁹⁹ When I was in secondary school, I had seen a similar confusion with another kid and the memory has stayed with me. That kid too was naming his different body parts to one of his family members, however this naming game was of a different kind. The elder person was pointing to different body parts and the kid was similarly pointing his own finger to the concerned body part and naming it in Nepali, the kid's mother tongue. Each time the kid replied correctly, but when his relative pointed to his chest, the kid pointed his own finger to his chest and said, "Neeraj" which is his name. To this, the relative played spoilsport and said, "No." Neeraj was asked again by pointing at his chest. This time around Neeraj replied, "*Chati*(chest)." The relative was content but somehow I was not, so I asked Neeraj again by pointing to his chest, "*Nani yo ke ho*(kid what is this)?" Neeraj answered, "*Chati*(chest)." Then I asked Neeraj, "*Nani Neeraj khaei* (kid, where is Neeraj)?" He pointed to his chest, but when I disagreed, he, like Dechen, started pointing towards his different body parts to indicate Neeraj. Each time I disagreed, leaving Neeraj confused. So I asked him again about different body parts and he answered correctly. I then asked him that where is Neeraj and he pointed to his chest. I disagreed and asked him again that where is his *chati*, and he pointed to his chest. Then, when I asked him again that where is Neeraj, he began pointing to the chest, to the same place where he had said his *chati* was. Just at that moment he stopped and moved his finger a little bit to the side but still on his chest and said, "Neeraj." I felt happy with his answer then but did not know why.³⁰⁰

This long anecdote shows instances of how we come to construe our bodies and identify ourselves. Why is it that when confronted with questions of the self, identity or body, we are trained to go towards our body parts for answers, just as both Dechen and Neeraj did? How is the self-rooted in the body and how is the identity of the self-rooted in the name of that person (or the body)? Do we only encounter our body parts and not the body wholly and is it only through the experience of our body parts that we experience what

²⁹⁹ I have observed that within my linguistic community there is an attempt to make children aware of their bodies through what quintessentially is a small kid game and almost all in this linguistic community learn first about their bodies through such games. Also, I do not claim here that this is universal. The anecdote shared here is for the purposes of illustration of the point that is being discussed here only. Again such kid games whether they are prevalent in other linguistic or other communities is not known to me.

³⁰⁰ Now when I think about this, the naming of different body parts is a kind of child game which the child is intended to learn about its own body and the elders and their parents play this game with their kids to make their kids more smart

we come to understand as our body? Reposed in this is the idea of juridical self where different body parts stand in their evidentiary role for the individual judicial self and how it stands to control and create functions and utility for us both bodily and in terms of the self. Again the idea of the self of being someone, too is to be reposed in the body itself. In the case of Dechen it was the unfamiliar terrain of understanding the self which she tries to solve through mentioning of her body parts; in the case of Neeraj it was by placing his finger slightly away from where he was usually placing it for his chest.

As we now know through Catherine Mills and her reading of Judith Butler's works, subjectivity is created and induced the moment the body is called/intentionalised/textualised³⁰¹. When Dechen's mother calls into questioning the different body parts to Dechen, she is not just bringing them in existence, but also documenting them for her. Different body parts then get intentionalised when they are called into reckoning. This is made possible by constant reiteration. In the exercise of naming different body parts, a reiteration is made possible. A ritual is conducted with the body and upon the body. A performance is to be enacted. The body is rendered to Dechen through a performance. This rendered body is then available through the experience of different body parts that Dechen is supposed to be taught in her formative years. Hence, it is through the medium of instruction that subjectivity gets created but it is to be based on this rendered body, which also becomes the site where self and identity get created. The identity that Dechen would then be posing would be the delineated body that she has been rendered with.

Hence, subjectivity is created upon bodies just as bodies are delineated and created through submission to categories, terms and names established by power relations that precede and extend beyond the subject who is hailed into being. Thus, the site of the subject is the site for the reproduction of power through which it acquires a level of social intelligibility.³⁰² Therefore, subject hood or 'being in existence' is only possible if it were to continuously replicate the conditions of power under which it gets created and reproduced. According to Butler, if the subject is to exist, the power relations which calls the subject into reality, must also be reiterated.³⁰³ In other words, the subject must create

³⁰¹Mills, Catherine. "Contesting the political: Butler and Foucault on power and resistance." *Journal of Political Philosophy* 11.3 (2003): 253-272.

³⁰²Mills, Catherine. "Contesting the political: Butler and Foucault on power and resistance." *Journal of Political Philosophy* 11.3 (2003): 253-272.

³⁰³Butler, Judith. *Bodies that matter: On the discursive limits of sex*. Taylor & Francis, 2011.

discourse of the power relations which created it in the first place which means that if we have to use the anecdote again to illustrate this point, the calling out of different body parts by Dechen herself only would render those body parts to her. As such the price of existence is subordination to power relations that precede it and within which it is called or subjectified. Subjecthood therefore or being in existence is only possible if it were to continuously replicate the conditions of power under which they were created to begin with. Foucault would call this creating discourse³⁰⁴, Althusser as interpellation as in hailing or calling someone³⁰⁵. Just the mere fact of hailing someone gets that person invested in the power relations of 'hailing', i.e. a person is to be created and invested with subjectivity of the person hailing the other one. Discourse employs us as its 'authors' at the same time as it makes us its subjects.³⁰⁶

What happens when the person being hailed does not answer? Would it mean that the person who did not respond does not exist? Does subjectivity fritter away? We can unpack these questions by understanding that the body becomes bodies not because we tend to have physical and neural understanding of it that of course is there. But even the understanding of any and what we know of the bodies starts from a point where it has been known to us that what where or which the body is. As I have just mentioned through the illustration of the anecdote, bodies are coming into existence the moment they are hailed into existence. Dechen is starting to have bodies or Neeraj or for that matter anyone not the moment they are born which of course they are but when they as in persons start getting identified as who and what they are. It is as such when Butler would say that it is only when subjectification is brought through, that the agency of the person too comes alive. It is to this agency that is already subordinated to the dominant power relations the person has been hailed or subjectified that bodies and body parts or body experience becomes available to them. Hence they come to pose to what we would then call, describe, imagine or experience as bodies.

³⁰⁴ Cited from Said, Edward. "Orientalism: Western concepts of the Orient." *Delhi: Penguin*1995 (1978): 2001.

³⁰⁵ Althusser, Louis. "Ideology and ideological state apparatuses (notes towards an investigation)." *The anthropology of the state: A reader* 9.1 (2006): 86-98.

³⁰⁶ Hall, Stuart. "Signification, representation, ideology: Althusser and the post-structuralist debates." *Critical Studies in Media Communication* 2.2 (1985): 91-114.

4.2 Body Legacies: Religious and Political Narratives

Having broached the question of how the body is construed, it is pertinent that we now focus on why bodies are important to us? Our understanding of our bodies, we shall see, is largely influenced by how religions have conceptualized our bodies. The 'body' has been the prime concern of all the major religions of the world. Foucault's lectures³⁰⁷ on Christianity, about the shepherd and his herd and how to conduct oneself emphasize this centrality of the body as the prime concern of such conduct.³⁰⁸ In religions such as Hinduism and Buddhism, the site of the body is where the major tenets of the religions are sought to be enacted.³⁰⁹ In the Brahmanical tradition of Hinduism, the body is a site of central significance and is considered as the vehicle for the maintenance of the social, cosmic, and divine orders.³¹⁰ The body is supposed to be the instrument of biological and sociocultural reproduction. Hence, it is to be regulated through ritual and social duties, maintained in purity, sustained through proper diet, and reproduced through appropriate sexual relations³¹¹ In the Tantric tradition of Hinduism too, the body is construed as the site of ritual practices through which a person comes into communion with the cosmological body and attains bliss³¹² This it is believed can be brought about through the invocation of the *mantras*.³¹³ Interestingly, the Tantric tradition of Hinduism underscores the correlation between the body and the mantras. Mantras, which are basically speech acts, are considered as living entities. By invoking specific mantras, the different stages of bliss can be experienced bodily³¹⁴ The ritualistic reiteration of the mantras and the performances of worship make our bodies available to us, as it were. As such, these

³⁰⁷ 'arts of governing' arises, for Foucault, with the crisis of spiritual government and the pastorate in the fifteenth and sixteenth centuries. It inquires into a multiplicity of problems "concerning the 'right way' to govern children, a family, a domain, a principality" (Foucault: 1997a: 68). Cited from Foucault, Michel. "Security, territory, population, Lectures at the College De France trans." *Senellart, M., Ewald, F. and Davidson, AI New York: Palgrave Macmillan* (2007).

³⁰⁸ Foucault, Michel. "Security, territory, population, Lectures at the College De France trans." *Senellart, M., Ewald, F. and Davidson, AI New York: Palgrave Macmillan* (2007).

³⁰⁹ Holdrege, Barbara A. "Body connections: Hindu discourses of the body and the study of religion." *International Journal of Hindu Studies* 2.3 (1998): 341-386. Also see Powers, John. "Why Practicing Virtue is Better than Working Out: Bodies and Ethics in Indian Buddhism." *Chung-Hwa Buddhist Journal* 22 (2009): 125-152.

³¹⁰ Holdrege, Barbara A. "Body connections: Hindu discourses of the body and the study of religion." *International Journal of Hindu Studies* 2.3 (1998): 341-386.

³¹¹ Holdrege, Barbara A. "Body connections: Hindu discourses of the body and the study of religion." *International Journal of Hindu Studies* 2.3 (1998): 341-386.

³¹² Timalisina, Sthaneshwar. "Reconstructing the Tantric Body: Elements of the Symbolism of Body in the Monistic Kaula and Trika Tantric Traditions." *International Journal of Hindu Studies* (2012): 1-35

³¹³ Timalisina, Sthaneshwar. "Reconstructing the Tantric Body: Elements of the Symbolism of Body in the Monistic Kaula and Trika Tantric Traditions." *International Journal of Hindu Studies* (2012): 1-35.

³¹⁴ Ibid

appear similar to the interpellation or act of hailing in which a person gets subjectified. They allow the dominant relations through which hailing has been made possible, to use and act upon the body/person who has been hailed. The hailed subject, through the performative practice of rituals is able to achieve and do things with and on the body through which he has been subjectified. The performative act of invoking mantras that inscribes the body through rituals is then expected to help it attain higher stage of bliss, popularly depicted in the *kundalini chakras* emanating from the lower limbs to the head of a person.³¹⁵

The centrality of the human body can perhaps best be elucidated in the cosmological mythology of *Purusha and Prajapati*.³¹⁶ The metaphor of the body as an analogue of the world, ‘microcosm and macrocosm’³¹⁷, is one of the more familiar ideas of the body from ancient India as well as one of the oldest. It is explicit in the “Hymn of Man” or *Purusasukta* as mentioned in the Rig Veda.³¹⁸ In this hymn, the cosmos is likened to a body – a humongous, unidentifiable, unclean body which is unsorted and uncharted. It encompasses all, and is all. However, this form of the cosmos is very chaotic and unformed. Hence the first ritualistic sacrifice is made by *Purusha* (the Creator) by offering himself as oblation, as a result of which different beings, sentient and non-sentient, bodied and disembodied, living and non-living are created.³¹⁹ Hence, in the ritualistic sacrifice from different parts of the body of the *Purusha*, all form and entities are believed to have come into existence. Thus, from his mouth the Brahmins were created, from the arms the Kshatriyas, from the thighs the Vaishyas and from the feet the Shudras.³²⁰ Based on this myth, Hindu society came to be constituted into the varna system with each caste corresponding to the symbolic hierarchy attributed to different parts of

³¹⁵Timalsina, Sthaneshwar. "Reconstructing the Tantric Body: Elements of the Symbolism of Body in the Monistic Kaula and Trika Tantric Traditions." *International Journal of Hindu Studies* (2012): 1-35.

³¹⁶Wujastyk, Dominik. "Interpreting the image of the human body in premodern India." *International Journal of Hindu Studies* 13.2 (2009): 189.

³¹⁷ The Vedic concept ‘yat pinde tat brahmande’ suggests harmonious continuum of complex interdependent relationships between living and non-living forms in the interconnected Universe. Pinda as microcosm generally represents smallest of the smallest microscopic atoms, molecules, cells while Brahmananda as macrocosm represents earth, stars or galaxies in the universe. Pinda and Brahmananda share interconnected, interdependent and dynamic relations. Cited from Patwardhan, Bhushan. "Ayurveda and systems biology." *Ann Ayurvedic Med*3 (2014): 5-7.

³¹⁸Wujastyk, Dominik. "Interpreting the image of the human body in premodern India." *International Journal of Hindu Studies* 13.2 (2009): 189.

³¹⁹Boulos, Christine, "From Cosmogony to Anthropogony: Inscribing Bodies in Vedic Cosmogony and Samskara Rituals" (2011). *Graduate Theses and Dissertations*. <http://scholarcommons.usf.edu/etd/3715> accessed on 13th May 2017

³²⁰Wujastyk, Dominik. "Interpreting the image of the human body in premodern India." *International Journal of Hindu Studies* 13.2 (2009): 189.

the *Purusha*'s body. The people thus created were to adhere and maintain the hierarchy of bodies mentioned in the cosmic allegory of creation. Based on Butler's concept of performativity³²¹ Buolos argues that through the performative act of the ritual, the varna system is sought to be inscribed on the bodies of men.³²² As in the instance of ritualistic sacrifice, political order too is created by rendering bodies through performative acts of inscribing or vesting them with different political and social categories. Through the performative act of the ritual sacrifice, the *Purusha* is delineated into different body parts, from which different entities of the cosmos emerge. This naming and defining of the different body parts is effectively an act of documentation.

Documenting what is where, what originated from where, what corresponds to where in the political and social arrangement – it is through this process of documenting that the entities thus documented and created are given social and political roles and functions. Documenting makes bodies available to those who document, hailing and rendering bodies within the prevalent ideology and discourse. In the myth of *Purusha* it is the ritualistic sacrifice and invocation that makes it all possible. At the same time corresponding to the origin from the hierarchy of human physiology it attempts to create a discourse of power relations which are inscribed on the bodies of entities itself thereby making the reiteration or continuation of the discourse possible.

In Buddhist traditions, the human body is construed as the medium for not just performing dharma but also for accumulating it (*punya*, or good deeds) and passing it to on to the bodies which we come to have in our next karmic birth.³²³ Body is both the means and the ends of achieving *nirvana* (the end of cyclic birth).³²⁴ The Pali cannon mentions a number of stories wherein Buddha, after getting enlightenment, also attained the thirty two physical characteristics of the *Mahapursha* (Great Man), which included among other things golden skin, flat feet, a wheel pattern on the palms and soles of his feet, webs between his fingers and toes, a curled tuft of hair between his eyebrows, a fist-sized lump at the top of his cranium (*unhīsa*), arms that extend to his knees without

³²¹Butler, Judith. *Bodies that matter: On the discursive limits of sex*. Taylor & Francis, 2011.

³²²Boulos, Christine, "From Cosmogony to Anthropogony: Inscribing Bodies in Vedic Cosmogony and Samskara Rituals" (2011). *Graduate Theses and Dissertations*. <http://scholarcommons.usf.edu/etd/3715> accessed on 13th May 2017

³²³Coakley, Sarah, ed. *Religion and the Body*. Vol. 8. Cambridge University Press, 2000.

³²⁴Powers, John. "Why Practicing Virtue is Better than Working Out: Bodies and Ethics in Indian Buddhism." *Chung-Hwa Buddhist Journal* 22 (2009): 125-152.

having to bend over, a sheathed penis, and an enormous tongue.³²⁵ John Powers argues that these unique physiological features not only have an immediate effect on the onlookers and lead them to the path of *dharma*; they also suggest that through its maintenance, the body too can be used as the path to *dharma* and be extolled as a virtue.³²⁶ Thus, special emphasis was put on how the monks and the nuns were to appear publicly.³²⁷ Detailed prescriptions of what to wear, where to fold cloaks, how to move, etc. are given in various Buddhist texts.³²⁸ These prescriptions emanate from the Buddhist belief that the body too had an effect on the onlookers and hence it was important to pay attention to the appearance of the body.³²⁹ The Buddha is said to have possessed the most perfect of all bodies, which stood as a testament to his outstanding virtue and the vast store of merit he accumulated during innumerable past lives.³³⁰ It is believed that the mind cannot die and attains a new body through rebirth. The good deeds (*karma*) garnered through the medium of the present body get transferred to the new body when the present body dies.³³¹ Thus, the new body is reposed with the virtues (*puniya*) that had been collected by its previous body, which gets reflected in the physiological attributes of the new body. As such, the body is both, a unique medium and a repository or database. Body is then both the vessel and the passenger in this journey of births and rebirths till *nirvana* or *moksha* is attained. Each life leads the person either towards *nirvana* or away from it, which can only be understood and appreciated in the physicality of the body and all that accrues from it.

Thus, the body is crucial to the religious understanding of the nature of truth and life.³³² Body is the key to unlock and unravel the mystery, be it through meditation, penance, charity, or even starvation.³³³ Jainism goes further in laying emphasis on the body by prescribing how various acts are to be performed by the body or on the body.³³⁴ In Islam too, the body comes into prime focus in the teachings of Sharia and Hadith. Thus, religions have been centrally preoccupied with ordering the body and bodies in their

³²⁵ Ibid

³²⁶ Ibid

³²⁷ Ibid

³²⁸ Ibid

³²⁹ Ibid

³³⁰ Powers, John. "Why Practicing Virtue is Better than Working Out: Bodies and Ethics in Indian Buddhism." *Chung-Hwa Buddhist Journal* 22 (2009): 125-152.

³³¹ Ibid

³³² Boulos, Christine. "From Cosmogony to Anthropogony: Inscribing Bodies in Vedic Cosmogony and Samskara Rituals." (2011).

³³³ Coakley, Sarah, ed. *Religion and the Body*. Vol. 8. Cambridge University Press, 2000.

³³⁴ Coakley, Sarah, ed. *Religion and the Body*. Vol. 8. Cambridge University Press, 2000.

social interactions. An overview of the religious perspective helps in moving to the discursive understanding of body, which brings us to the immediate political dimensions.

As the famous maxim by Aristotle goes, “Man is a political animal.” In one of his essays about how the body interacts with the body politic, Mills writes that it is not merely that our somatic experience takes place within a body which is located in a polity. Rather, the experience itself is political, both in how it is experienced and how it is “intercorporeally” shaped in the first place.³³⁵ Ideas and theories about rights, freedom, duties, etc. have been centrally concerned with ordering society or a body of people. We see this in Plato’s ideas about the philosopher king, Aristotelian classification of government, Kautilya’s *Arthashastra*, Machiavelli’s treatise on how to govern titled, *The Prince*, so on and so forth. All these works from the ancient to the medieval to the modern, attempt to order or reorder society in bodily terms. How a ruler is to be found from a body of people and how the Philosopher King to be realized is by shining out the light of education, culture, fine arts, politics and rhetoric. Or how the Aristotelian classification of governments is to be done on the basis of the number of bodies which are to be ruled and how they are to be ruled. Or Kautilya’s reordering of society based on a hierarchy in which few men are deemed more important than others, which translates into making them duty bound to govern society. Machiavelli’s advice to the Prince on governance is once again on the same lines.

However, the pertinence of the body to politics has been most directly and extensively shown by Foucault. In his lectures on “Security, Territory and Population,”³³⁶ Foucault talks about bio power or the power of *bios*, which has been up for grabs. As enunciated in his lectures, from the 16th and 18th century onwards, states in Europe increasingly saw populations as resources which could be managed through multiple structures, applications, processes, apparatuses, etc., which would then lead to the fantastical arrangement of the “conduct of conduct.”³³⁷ The economizing and internalizing ‘conduct of conduct’ would come to use all scientific inventions and discoveries in post-Enlightenment Europe, be it in architecture, warfare, communication, geographies or

³³⁵Mills, Charles W. “Body Politic, Bodies Impolitic.” *Social Research*, vol. 78, no. 2, 2011, pp. 583–606. *JSTOR*, www.jstor.org/stable/23347191. accessed on

³³⁶Foucault, Michel. "Security, territory, population, Lectures at the College De France trans." *Senellart, M., Ewald, F. and Davidson, AI New York: Palgrave Macmillan* (2007).

³³⁷Burchell, Graham, Colin Gordon, and Peter Miller. "The Foucault effect: essays in governmentality." (1991).

most importantly, in the renewed knowledge about the body.³³⁸ The state came to mark its presence not just on territory but on its subjects as well. Making possible the creation of a body politic where the body of the state would mark and encapsulate everything, be it people or other living or non-living entities, within the territory of the sovereign's kingdom. This becomes more apparent through a reading of Hobbes who through the Leviathan envisages a body of the sovereign which encompasses all bodies, instruments, territory, etc. The state is depicted as a giant monarch, which both towers over its subjects and is made up of its subjects. With Hobbes, the body politic is made flesh, simultaneously unitary and multiple.³³⁹ We see a titanic figure, sword in the right hand and scepter in the left, composed of a mass of teeming homunculi.³⁴⁰ Mills mentions how Hobbes likens each part of the Leviathan's body to each function and agency of the state.

Therefore the sovereignty its artificial soul, judicial officers its judicial joints, rewards and punishments the nerves, member's wealth and riches its strength, counselors, its memory, equity and laws likened to artificial reason and will. But as this list indicates, the naturalization seemingly incarnated in the image and the metaphor is systematically undercut from the start. From the opening sentence, we are informed that this titan is a construction, a creature of art and artifice—"an Artificiall Man; though of greater stature and strength than the Naturall"—whose biology is ultimately "made, set together, and united" by human fiat rather than organic processes. It is the "contract" among men that brings society and the state in to existence. So the metaphor of a body politic is at one and the same time literalized and subverted—the body politic made flesh, yes, but the corporal as a corporation, the flesh as androidal.³⁴¹

The wellbeing of this body becomes paramount even though Hobbes is quick to mention that the creation of the body politic is not a concord that arises out of conscious and common will of all the people. Rather, the body politic is representative of a singular will, wherein the will by agreement of several men is taken to be the will of all. Only after the union that *civitas* or the body politic reposed in the body of the monarch or the

³³⁸Foucault, Michel, and Foucault Reader. "Paul Rabinow." *The Essential Works of Foucault 1* (1997).

³³⁹Mills, Charles W. "Body Politic, Bodies Impolitic." *Social Research*, vol. 78, no. 2, 2011, pp. 583–606. *JSTOR*, www.jstor.org/stable/23347191. Accessed on 13th May 2017

³⁴⁰Mills, Charles W. "Body Politic, Bodies Impolitic." *Social Research*, vol. 78, no. 2, 2011, pp. 583–606. *JSTOR*, www.jstor.org/stable/23347191. Accessed on 13th May 2017

³⁴¹Mills, Charles W. "Body Politic, Bodies Impolitic." *Social Research*, vol. 78, no. 2, 2011, pp. 583–606. *JSTOR*, www.jstor.org/stable/23347191. Accessed on 13th May 2017

sovereign that singular men are supposed to have singular bodies, which are identifiable and legal or legible.³⁴² Prior to that singular body are not identifiable.³⁴³ It is only through the state that the existence and identities of individuals bears forth. It is through the performative act of coming together that the body politic is created and it is through body politic that singular bodies are rendered.³⁴⁴ Foucault unpacks this by showing that bodies are rendered not just as something which is biological but also as artifact of discourse. Bodies are rendered as pliable medium in which political meanings and implicit ideologies are prosaically, continuously and materially inscribed and embedded, which become un-self-conscious practical knowledge.³⁴⁵ Thus, bodies become both the medium and the object. It is through bodies that things are to be effected and it is on bodies that things are expected to have effects.

Thus, the health and endowment of subjects became very important for the sovereign. Life came to be managed and maintained rather than just being lived or ended, and increasingly so with scientific and technological developments. All of this accrued from an economizing logic which when applied to peoples' lives and bodies, generated massive information about them. The knowledge produced came to be used in turn to render what Foucault calls "docile bodies." These developments in Europe reached various parts of the world through colonialism. Colonies proved to be the ideal spaces for furthering these developments and, given the circumstances, much needed to have this 'conduct of conduct' up and running. Colonialism in the Indian subcontinent built itself upon an enormous battery of texts and discursive practices that were concerned with the physical being of the colonized.³⁴⁶ The decadal census, various expeditions to map and document the people, terrain and topography of country³⁴⁷, creation of various gazettes³⁴⁸ and journals³⁴⁹ which documented the life, histories and traditions of the people spread across the length and the breadth of the Indian subcontinent, etc. We now know through

³⁴² Ibid

³⁴³ Ibid

³⁴⁴ Ibid

³⁴⁵ Janice Boddy. "The Body Nearer the Self." *American Anthropologist*, vol. 97, no. 1, 1995, pp. 134–137. *JSTOR*, www.jstor.org/stable/682389. accessed on 14th May 2017

³⁴⁶ Arnold, David. *Colonizing the body: State medicine and epidemic disease in nineteenth-century India*. Univ of California Press, 1993.

³⁴⁷ Sarangi, Asha. "Enumeration and the Linguistic Identity Formation in Colonial North India." *Studies in History* 25.2 (2009): 197-227

³⁴⁸ Ibid

³⁴⁹ Ibid

Said³⁵⁰ and Mitchells³⁵¹ how knowledge production about the colonies and the colonized helped in the process of colonization. Said writes about the creation of tableau through knowledge production and how it helped maintain control over the colonized. We also now know through Scott that colonial discourses attempted to standardize and make things legible for the gaze of the colonial state.³⁵²

Interestingly, in all these processes, the body was the site where the colonial state attempted to construct its own authority, control and legitimacy.³⁵³ Arnold in his book *Colonizing the Body*, argues that the hegemonic colonial practices were closely linked with the nature of colonial power and its coercive practices, which it sought to impose upon the colonized on the basis of the humungous colonial knowledge production. Arnold argues that this was most apparent in the history of colonial medicine and its understanding of the various epidemics prevalent in India. The accumulation of medical knowledge of the colonial subject or bodies fed into the evolution of political and ideological articulation of the colonial system.³⁵⁴ Thus, medicine too cannot be regarded as merely a matter of scientific interest. It should be seen in the broader context of the colonial order which was intent on creating legible and docile bodies, be it through medical interventions and management of epidemics like plague³⁵⁵, cholera³⁵⁶ and small pox³⁵⁷, or managing migration accruing out of famine³⁵⁸, pilgrimage to holy sites³⁵⁹ or the system of indentured labour.³⁶⁰

³⁵⁰Said, Edward. "Orientalism: Western representations of the Orient." *New York: Pantheon* (1978).

³⁵¹Mitchell, Timothy. *Colonising Egypt: With a new preface*. Univ of California Press, 1991.

³⁵²Scott, James C. *Seeing like a state: How certain schemes to improve the human condition have failed*. Yale University Press, 1998.

³⁵³Arnold, David. *Colonizing the body: State medicine and epidemic disease in nineteenth-century India*. Univ of California Press, 1993.

³⁵⁴Sriraman, Tarangini. "Assault and Assuage: Identification Documents, Colonial Rationalities and Epidemic Control in British India", in *Critical Studies in Politics: Exploring Sites, Selves, Power*, edited by Nivedita Menon, Aditya Nigam and Sanjay Palshikar, New Delhi: Orient Blackswan, 2013

³⁵⁵Arnold, David. *Science, technology and medicine in colonial India*. Vol. 5. Cambridge University Press, 2000.

³⁵⁶Sriraman, Tarangini. "Assault and Assuage: Identification Documents, Colonial Rationalities and Epidemic Control in British India", in *Critical Studies in Politics: Exploring Sites, Selves, Power*, edited by Nivedita Menon, Aditya Nigam and Sanjay Palshikar, New Delhi: Orient Blackswan, 2013

³⁵⁷Arnold, David. *Science, technology and medicine in colonial India*. Vol. 5. Cambridge University Press, 2000.

³⁵⁸Singha, Radhika. "Settle, mobilize, verify: identification practices in colonial India." *Studies in History* 16.2 (2000): 151-198.

³⁵⁹Mongia, Radhika Viyas. "Race, nationality, mobility: A history of the passport." *Public Culture* 11.3 (1999): 527-555.

³⁶⁰Singha, Radhika. "Finding Labor from India for the War in Iraq: The Jail Porter and Labor Corps, 1916–1920." *Comparative Studies in Society and History* 49.2 (2007): 412-445.

Arnold further argues that even the opposition to colonial rule came to be centrally located on the body, be it through bloodletting,³⁶¹ fasts,³⁶² self mutilations³⁶³, body scaring³⁶⁴, etc. As such, the body became ingrained in the economic and political rationality of India in the colonial period. Arnold further holds that this was not peculiar to India but unfolded all over the world. Western medicine created vast knowledge about bodies through which the construction and imagination of body politic was being shaped. New techniques of knowing the body were not only displacing the traditional medicinal health systems, but also effecting far wider changes. Mitchell's book *Colonizing Egypt* points to the re-ordering of public and private space, changes in pedagogy and fundamental shifts in how bodies were seen and construed. Much of this scholarship goes back to Foucault who shows how the management of the plague involved vaccinating, identifying and sorting out bodies. With the advent of modern hospitals, sick bodies got differentiated, marked, situated, and remedied.³⁶⁵ These methods and practices came to be generalized in knowing the body, dealing with and handling the body, finding and differentiate a healthy and a sick body, working and lazy bodies, economic and uneconomic bodies.³⁶⁶ Simply put, bodies were made legible and rendered open, to be accessed, read, effected and affected, through what Foucault calls techniques of power.³⁶⁷ Thus, we have come to see how body lies at the juncture and the intermediations between medical science, biology, economics, politics and society. Bodies become accessible, legible, readable and exploitable through identities and through a process of identification. It is through means of identification that inclusion and exclusion take place, be it through medical techniques or migration policies with its securitization paraphernalia ranging from x-ray machines, to biometric scanners, to biometric passports,

³⁶¹Sharafi, Mitra. "Blood Testing and Fear of the False in British India." *YouTube*, Centre for the Study of Law and Governance, Jawaharlal Nehru University, 14 Mar. 2016, www.youtube.com/watch?v=wraxmqDWe7M. Accessed 13 June 2017

³⁶²Scanlan, Stephen J., Laurie Cooper Stoll, and Kimberly Lumm. "Starving for change: The hunger strike and nonviolent action, 1906–2004." *Research in social movements, conflicts and change*. Emerald Group Publishing Limited, 2008. 275-323.

³⁶³Wilson, Liz. "Starvation and Self-Mutilation in Religious Traditions." *The Oxford Handbook of Religion and Violence* (2013): 242.

³⁶⁴Soriano, Dolores, and Victòria Medina. "The Body as Language and Expression of the Indigenous Australian Cultural Identity." *Coolabah* 3 (2009): 99-108. Also see Schildkrout, Enid. "Inscribing the Body." *Annual Review of Anthropology*, vol. 33, 2004, pp. 319–344. *JSTOR*, www.jstor.org/stable/25064856.

³⁶⁵Foucault, Michel, William J. King, and Stuart Elden. "The incorporation of the hospital into modern technology." *Space, knowledge and power: Foucault and geography* 26 (2007): 141-153.

³⁶⁶Sheridan, Alan. *Discipline and punish*. New York: Pantheon, 1977.

³⁶⁷Foucault, Michel. "The history of sexuality: An introduction, volume I." *Trans. Robert Hurley*. New York: *Vintage* (1990).

to 'no fly' databases. Identities and identification is intrinsic to bodies in their rendering and realization.

4.3 Body as a Document: Textualisation and Identities

Identities, as we have come to understand through the discussion held above, are actively generated through our bodies. Governance strategies are aimed at identities and through such identification markers, at bodies. It is through this process that the body becomes available, accessible, readable, legible and actionable to the state. The more our bodies get identified, the more the state can govern us. How does the state retain its control through bodies? What makes it possible to observe, mark, classify, measure, nurture, discriminate, impose, torture or kill bodies? The moment we ink, write, print, photocopy or capture in images, anything related to our bodies, whatever we know becomes ready for us to grasp, secure and open up for interpretation. Textualisation of the body helps in transforming it from the abstract, spiritual, tangible and the physical to a new paradigm of understanding. This understanding is able to create and open up the capacities of bodies in radically new ways. Bodies get transformed into what is discernible to all, to be observed, to be read, to be understood, to be listed, to be indexed to be acted upon, to be worshiped, to be nurtured, to be condemned, to be punished, to be killed, to be managed, to be disciplined, to be controlled, etc. All those things which could be done only through documents, are now possible through bodies. Body becomes a document.

This understanding of the body as a document opens up vast potentialities of what we could do to or with our own body or a body of people. This capacity to do things became possible when it is understood that even though each body was unique, all bodies had the same unifying physical attributes. Thus, the body is brought under a more physical understanding rather than an abstract or spiritual one. This understanding about a physical and tangible body, which is unique yet which remains connected to the vast multitude of other bodies of humankind through similar attributes, makes it possible to simultaneously understand our self and others. This knowledge of our own bodies and the bodies to which we have to be linked became possible as the body gained physical attributes. This attribute of tangibility was made possible by being able to document the body. This writing about the body was what helped in gaining and understanding the more physical and tangible forms of the body. It was writing therefore which made it possible to know

bodies, what to do with them and on them. If we review the scholarship on 'body' we would find that the literature has grown proportionally to our knowledge and understanding of the medical body, its physiognomic, neural, chemical and psychological study. From Aristotle to Descartes to Bentham and Foucault, all of them and their writings are greatly influenced by the medical knowledge of bodies during their time.

Thus, textualisation of the body, while making us aware of the body that we each have with its individual traits, has also made us acutely aware of the possibilities that can be realized if we were to act on them uniformly, and not individually. This process is similar to what Searle writes in one of his essays,³⁶⁸ that construction of social reality makes a printed piece of paper into currency. Similarly, Searle argues, the body gets transformed through documentation from *brute facts*, i.e. the physical, chemical and biological body to *institutional facts*, i.e. identities, relationships, ascriptive identities. This capacity of socially constructed reality to create capacities or perform actions is phenomenal, thereby opening up new vistas for discovery, exploration, intervention and exploitation of the human body through documentary processes. Scott shows how the dilemmas of knowing, sorting, marking, recording, storing and archiving were addressed through the state's massive projects of standardization, record-keeping and database collection. This would go on to create what Matsuda calls the 'collective memory' of the state³⁶⁹ through which governmentality functions. This knowledge production keeps allowing the state to institute various self-disciplinary mechanisms, practices, procedures and checks upon its people by acting directly on their bodies. It makes it possible for the state to see and utilize its populations as resources.³⁷⁰ Hence, it would be reasonable if we were to maintain that bodies played a key role in the making of modern states. This state, which is a documentary state.³⁷¹ would define and classify itself in terms of how it guarantees and secures the freedom and rights of its body politic which comes together to espouse that state. This documentary state was however, dependent to a large extent on regulating its body politic through identities and identification mechanisms

³⁶⁸Searle, John R. "Social ontology: Some basic principles." *Anthropological theory* 6.1 (2006): 12-29.

³⁶⁹Matsuda, Matt K. "Doctor, Judge, Vagabond: Identity, Identification, and Other Memories of the State." *History and Memory* 6.1 (1994): 73-94.

³⁷⁰Foucault, Michel. *The Foucault effect: Studies in governmentality*. University of Chicago Press, 1991.

³⁷¹Breckenridge, Keith. *Biometric state*. Cambridge University Press, 2014.

This can be contextualized well through the works of Torpey³⁷² who writes that as the state gained monopoly over the means of movement of people, it increasingly regulated them through identities. As has been discussed in Chapter 1, at least two major developments bolstered this process in the context of Europe, the Industrial Revolution and the French Revolution.³⁷³ Both required knowing the people³⁷⁴ and viewing them as resources.³⁷⁵ States started getting interested in the bodies of people and different standardization processes took place, such as getting surnames³⁷⁶, conducting census of the population³⁷⁷, issuing charters³⁷⁸, trade passes³⁷⁹ and character certificates.³⁸⁰ A plethora of identity documents were issued.³⁸¹ There were at least two aspects to these developments – the first was collection of standardizable personal information and its storage and maintenance; the second was the constant checking of such identities at borders, trade markets, city gates, etc. Thus, we have the calling into being of particular identities of persons, performing and reiterating them (through ritual checks of identity documents), and governing them, first by regulating their movement and then other aspects of their lives. Identities as such were borne out by bodies as well as marked on them.

Further, as identities were ritually created and invoked, the political, social, cultural and economic aspects of such identities too got ingrained in the personhood (self) of such persons. For example, when people in colonial India got categorized and notified as criminal tribes, the political, social and economic milieu for all these people also

³⁷²Torpey, John. *The invention of the passport: surveillance, citizenship and the state*. Cambridge University Press, 2000.

³⁷³Ibid

³⁷⁴Ibid

³⁷⁵Gane, Mike. "Foucault on Governmentality and Liberalism: The Birth of Biopolitics: Lectures at the Collège de France, 1978—1979 by Michel Foucault, trans. Graham Burchell Basingstoke: Palgrave Macmillan, 2008, pp. 346 Security, Territory, Population: Lectures at the Collège de France, 1977—1978 by Michel Foucault, trans. Graham Burchell Basingstoke: Palgrave Macmillan, 2007, pp. 401." *Theory, Culture & Society* 25.7-8 (2008): 353-363.

³⁷⁶Scott, James C., John Tehranian, and Jeremy Mathias. "The production of legal identities proper to states: the case of the permanent family surname." *Comparative Studies in Society and History* 44.1 (2002): 4-44.

³⁷⁷Rose, Nikolas, Pat O'Malley, and Mariana Valverde. "Governmentality." *Annu. Rev. Law Soc. Sci.* 2 (2006): 83-104. Also see Boyle, Paul, and Danny Dorling. "Guest editorial: the 2001 UK census: remarkable resource or bygone legacy of the 'pencil and paper era'?" *Area* 36.2 (2004): 101-110.

³⁷⁸Matsuda, Matt K. "Doctor, Judge, Vagabond: Identity, Identification, and Other Memories of the State." *History and Memory* 6.1 (1994): 73-94.

³⁷⁹Ibid

³⁸⁰Torpey, John. *The invention of the passport: surveillance, citizenship and the state*. Cambridge University Press, 2000.

³⁸¹Ibid

changed.³⁸² A person born into a scheduled caste or scheduled tribe of India has his/her life more or less earmarked. An individual is then rendered into a number, a list, an annotation, a table, etc.³⁸³ It is this aspect of getting subsumed by identification that Ajana calls “borders getting placed within the bodies.”³⁸⁴

Identity documents allowed or curtailed people’s movements not just in physical space but also in social and political space. Holding a particular kind of identity document allowed or curtailed not only mobility from one place to another, but also societal and political mobility. We have already discussed this in detail in Chapter 3 with the fieldwork showing that possessing or not possessing certain documents lead to changes in the material reality of the concerned person. For example, not having V.P. Singh token, or more importantly Ration Cards in the slums in Delhi created a difficult predicament. This ranged from not getting rations or any other government service to not being able to get other identity documents. The ration card was what defined people as the original settlers or insiders of the slum, vis-à-vis outsiders. Thereby we have also seen how people tried to circumvent these hurdles by either forging such documents, buying such documents, or even making such documents with the help of the local politician.

It is known to the state agencies that people try and circumvent the checks instituted for identity creation, identity documents and maintenance of databases. The systems created for elaborate identification were also at the same time geared to prevent forgery, trickery or other methods to circumvent them. Identification procedures started requiring signatures of officials³⁸⁵; stamps³⁸⁶; watermarked papers³⁸⁷ and specially printed papers³⁸⁸; numbered documents³⁸⁹ that were linked to entries made on records or in databases; documents which would hold fingerprints, facial photographs or noting of body marks or scars, etc. This allowed for keeping surveillance or a check unto such

³⁸²Singha, Radhika. "Settle, mobilize, verify: identification practices in colonial India." *Studies in History* 16.2 (2000): 151-198.

³⁸³Desk, Express Web. "My Birth Is My Fatal Accident: Full Text of Dalit Student Rohith’s Suicide Letter." *The Indian Express*, 19 Jan. 2016, indianexpress.com/article/india/india-news-india/dalit-student-suicide-full-text-of-suicide-letter-hyderabad/. Accessed 20 May 2017.

³⁸⁴Ajana, Btihaj. "Biometric citizenship." *Citizenship Studies* 16.7 (2012): 851-870.

³⁸⁵Ogborn, Miles. *Indian ink: script and print in the making of the English East India Company*. University of Chicago Press, 2008.

³⁸⁶Ibid

³⁸⁷Ibid

³⁸⁸Ibid

³⁸⁹Raman, Bhavani. *Document Raj: Writing and scribes in early colonial South India*. University of Chicago Press, 2012.

identity documents and identification procedures. However, to do this, not just maintenance of personal records (identity documents) or for that matter stringent check were to be carried out but newer methods of collecting personal information was to be conducted as well.

Such new methods of personal information focused more and more on the bodies. Identities and identification were increasingly being tied up with the physical body (brute facts) in terms of how Searle describes things which exist in themselves³⁹⁰. Possibly because the State did not want creation of other such social realities which would be impossible for it to control or manage or such social realities which it would come to despise or even such social realities which it could allow albeit in a limited way. One such example would be Nazi Germany's hatred for Jews, and how the *institutional fact* (emphasis mine) of being a Jew in Germany and occupied territories was a social reality despised by the State. As such all rights and freedoms accorded to the community were slowly but surely retracted. The identities required or protecting the Jews were done away with. The identity of the Jew was embedded and incorporated more and more on the physical body (brute fact). It began with the taking away of the rights and advanced by making all Jews wear the yellow Star of David, then assigning numbers to Jewish people incarcerated in the concentration camps, tattooing or inscribing numbers onto the bodies of the Jews in such camps. The identity of being Jew was slowly but surely brought back to the mere physicality of the body itself. By taking away the *institutional fact* (emphasis mine) these bodies were stripped away of the capacity to create or do political action thereby making such bodies dispensable or 'bare life' as Agamben calls it.

This embedding of identities drawn out from the bodies and inscribed back on the physical bodies by the State through various measures has been witnessed time and again in history. Not only because the State found the creation and maintenance of particular identities problematic, but they were also used in its securitization overdrive. More specifically, this overdrive fully surfaced with the coming of biometrics, digitally enabled biometrics and the post 9/11 climate. Identities were placed not simply on bodies but they were even accorded to different body parts. We can also see similarities how rising Islamophobia and securitization fears is increasingly rendering the community into mere bodies. Camps have come up to house such bodies, the latest of which is the Guantanamo

³⁹⁰Smith, Barry. "John Searle: From speech acts to social reality." *John Searle* 1 (2003): 17-18.

Bay Camp. This then is akin to what Minca holds in one of his essays as to how States are turning into camps themselves.³⁹¹ The implication is that how the utilities, architecture and the requirement of the logic of the camp is also mirrored in the operations of the day to day affairs of the State which actively appropriates, differentiates and prefers certain bodies or a specific socio-political body over the others. This is done for the betterment of the body politic that the State is actively involved in naming, identifying, checking, and securitizing.

These different identities are to be not just manageable but governable and self-disciplined as well. This can be brought about by collecting more and more personal information about the bodies and through them according legibility to such information about the bodies. This in turn can lead to creation of more and more particular information about the body and new forms of identification mechanisms and identities. As a result of which new technologies for collecting personal information are constantly appearing which transcend the mere physical. These technologies probe and collect data much more deeply, widely and softly than traditional methods, transcending natural (distance, darkness, skin, time and microscopic size) and constructed (walls, sealed envelopes) barriers that historically protected personal information (Marx 2002 – give footnote). Not surprisingly, such advancement of biological information has seen a corresponding and almost proportional development in documentation practices.³⁹² Especially in terms of identity documents and their enactment by the State as means of governance strategies. We shall see how Aadhaar is also one such identity scheme which is based on the bodies or the biometrics and has come up widely on the success of measuring our bodies properly and definitely.³⁹³

4.4. Measuring Bodies: Judicial and Juridical Bodies

We see that each documenting procedure or practice is based on either of the two things that are grounded in the body – the individual judicial self, or the juridical self. The individual judicial self is the sum of what the body is or construed to be; the legible and

³⁹¹Minca, Claudio. "Geographies of the camp." *Political Geography* 49 (2015): 74-83.

³⁹² Ref from Smith, Barry. "How to do things with documents." *Rivisti di Estetica* 50 (2012): 179-198.

³⁹³ Ref from <http://www.prindia.org/uploads/media/UID/UIDAI%20STRATEGY%20OVERVIEW.pdf> accessed on 12th April 2016

legally rendered bodies.³⁹⁴ The juridical self refers to different parts of the bodies which stand in an evidentiary relation to the individual self.³⁹⁵

We know from writings on the history of juridical bodies that bodies were inscribed with letters, number or words. Each of these notified the scope, reason, or functionality of whatever was to accrue on the basis of the markings to the person on whom they were made.³⁹⁶ From tattooing the bodies in ancient Egypt³⁹⁷ and Indic civilizations for political and legal reasons, to scaling and grading for commercial and trading purposes in the Roman³⁹⁸ and Persian empires³⁹⁹, to now digitally enabled biometrics and genetic mapping. Marking and making the body and its parts legible and accountable to legal scrutiny has progressed by leaps and bounds.

4.4.1. Biometric and Digital Identification

In contemporary times, biometrics as a way and means to mark, scale and hold people accountable through their body is fast gaining currency. Biometrics, as the word suggests, comes from the amalgamation of body and metrics. Biometrics, which literally means the ‘measurement of life’, refers to the technology of measuring, analyzing and processing the digital representations of unique biological data and behavioural traits such as fingerprints, eye retinas, irises, voice and facial patterns, body odours, hand geometry and so on.⁴⁰⁰ Bithaj Ajana in her book *Governing Through Biometrics* states that biometrics can be used in two ways: identification in order to determine who the person is, through one-to-many comparison, and verification in order to determine whether the person is who he claims to be, through one-to-one comparison According to Ajana,

“the emergence of biometrics for identification and authentication is mainly due to the capability of biometrics to automate the process of linking bodies to identities and databases, and at same time to share different behavioural and biological data across databases through the internet. Biometrics can also be easily adapted for different functions and utilities and in the process generate more reliable, authenticable and hard-

³⁹⁴ Referred from Abraham, Itty. "Body/Law/Technology: The Political Implications of Society as Apparatus." *Policies and Practices* 63rd ser. (2014): n. pag. June 2014. Web. Mar. 2017.

³⁹⁵ Ibid

³⁹⁶

³⁹⁷ Gustafson, W. Mark. "Inscripta in Fronte: Penal Tattooing in Late Antiquity." *Classical Antiquity*, vol. 16, no. 1, 1997, pp. 79–105. *JSTOR*, www.jstor.org/stable/25011055.

³⁹⁸ Ibid

³⁹⁹ Ibid

⁴⁰⁰ Ajana, Bithaj. *Governing through biometrics: The biopolitics of identity*. Springer, 2013.

to-tamper information for verifying and authenticating identity. the procedure of biometric identification can be broken down and and four stages can be listed that are akin to any other (traditional) identification systems. These are: enrolment (digital representations of unique biological features are captured through a sensor device and then processed through an algorithmic operation to produce a 'template'); storage (the produced template is then stored on a database or on a chip or a card); acquisition (as with the enrolment stage, a biometric image is captured and transformed through similar algorithmic procedures into a 'live template'); matching (the live template is compared to the stored template to establish whether the person is known to the system in the case of database, or whether the live biometric capture corresponds to the one on the card, in the case of chip card)⁴⁰¹

Biometrics, in a very plain and simple way, can be described as the identification of people by machines.⁴⁰² Presently, however eight different biometrics are found to be popular and these are face, fingerprint, hand geometry, iris, retinal pattern scans, signature, voice-print, and thermograms (Jain, Bolle, Pankanti et al 2006)⁴⁰³.

In recent times as we see there has been a significant increase in the use of technologies that allow for the discovery of personal information. Examples again would include video and audio surveillance, heat, light, motion, sound and olfactory sensors, night vision goggles, electronic tagging, biometric access devices, drug testing, DNA analysis, computer monitoring including email and web usage, and the use of computer techniques such as expert systems, matching and profiling, data mining, mapping, network analysis and simulation.⁴⁰⁴

The advent of biometrics has made bodies available to be broken into a multitude of juridical parts. Signatures, finger and palm prints, head measurements and facial photographs come to acquire a legal meaning and are construed as representative of bodies. These are then the juridical body parts. However, the extraction of juridical parts from the body has also proved productive in a phenomenal sense. This is so because, the more the body gets documented or textualised, the greater becomes its capacity to act. As discussed earlier through the writings of Butler, such acts of ascription or giving

⁴⁰¹ Ajana, Btihaj. *Governing through biometrics: The biopolitics of identity*. Springer, 2013.

⁴⁰² Breckenridge, Keith. *Biometric state*. Cambridge University Press, 2014.

⁴⁰³ Jain, Anil, Ruud Bolle, and Sharath Pankanti, eds. *Biometrics: personal identification in networked society*. Vol. 479. Springer Science & Business Media, 2006.

⁴⁰⁴ Marx, Gary T. "What's New About the 'New Surveillance'?" *Classifying for Change and Continuity*. " *Surveillance & Society* 1.1 (2002): 9-29.

meanings is nothing but endowing subjectivity to bodies, which in turn makes them available for use in prevalent power relations. Hence, the more there is possibility of naming and documenting bodies and creating juridical parts, the more they are available to be used by the state as well as people.

The question we should pursue now is, under such circumstances what happens to the living, thriving, pulsating, physical and tangible body – documented on paper and now through biometrics – with the opening of the digital realm, digital dossier, digital world or networks?

4.4.2. Digital Bodies: Ghost in a Shell⁴⁰⁵

Digitally enabled biometrics, representative of juridical bodies, has come to assume special meaning for us. The idea of us (individual judicial self) getting divided into smaller and complicated body parts with the help of advanced medical technology is breaking new frontiers of understanding ‘us’ and our bodies. The identities we have are not just something reposed in our physical bodies but also that which we tend to create or have in the digital world. The digital personas⁴⁰⁶, digital identities or digital *avataars* that we have over various networks or the matrix, as Clarke clarifies are gained through two means. First, by approximating the sum total of activities we do while we are online i.e. what we browse, what we download, what we type on the various social media forums, what we share, etc. This kind of approximation is a kind of scaling or measuring up of the physical body in digital terms that is done either by oneself or by others. Notably, advertising firms, browser companies, social media platforms and state intelligence agencies perform such scaling and create digital profiles for such activity which people may undertake on these networks. This, however, creates a problem. For now we know that identities are reposed within the bodies and the bodies that we have are actually hailed into existence. In the digital world, therefore a discrepancy may arise as to how to make identities available and how to anoint them with a capacity to do things or how to control it. For even without the physical body, purely virtual identities are being created

⁴⁰⁵It is the name of a cult classic Japanese anime wherein a possible future, computer technology has advanced to the point that many members of the public possess cyberbrains, technology that allows them to interface their biological brain with various networks. The level of cyberization varies from simple minimal interfaces to almost complete replacement of the brain with cybernetic parts, in cases of severe trauma. The question to be posed here is that are we going in that direction

⁴⁰⁶Clarke, Roger. "The digital persona and its application to data surveillance." *The information society* 10.2 (1994): 77-92.

in the networks. The question arises- who hails them into existence? Who provides subjectivity to such creations? Their subjectivity, if we observe, is produced along the same lines as that of the physical bodies. Identities which are based on the bodies are also found on the identities rendered digitally. Thus, identification practices instituted on the internet are similar or akin to what we would see in the real world. For example, certain websites allowing entries to users of a certain age, websites asking for name and password during logins, creation of self declaratory profiles for such logins, which include among other things our names, date of birth, sex, sometimes even our location, political and religious belief or education and employment status. All of these characteristics in the physical world are markers or identifiers of real identities which are more or less reposed within the bodies. Hence, the practices that are associated with the identities of the body in the real material world without even depending on the material reality of the body to exist, get transferred into the virtual world of the net. It is this transmutation of practices which renders that all attempts of identity creations there (in the digital world) have to originate from the discourse or ideology that has come to exist on the body in the real physical world.

The second method of approximation of identities is adding digitally enabled biometric to the previous method of calling into existence different identities. Therefore, we have identities which we get after we have put our bodies through the different juridical parts that the digitally enabled biometrics enables us to have in our interactions in the digital world. Examples of such digitally enabled biometrics would be digital finger prints, iris and retina scans, finger vein scan, voice recognition, digital x rays, brain scans, etc. The transmutation of bodies into this digital world has become a certainty. The advent of social media such as Facebook, Twitter, Google, Whatsapp, etc has enabled people to have what Clarke terms as digital persona⁴⁰⁷. These identities are then used and enforced by the State, while at the same time we find them useful in many ways. In terms of ease of access, just by a sweep of one's hand over an infrared beam or a scanner one is nowadays able to get access, buy things, get tickets, provide medical history to one's doctor, transfer money, receive money and even vote. Using a hand/fingerprint scanner is just one of the many ways of using digitally enabled biometrics which stand for the individual judicial self in the digital world. Changing medical technology of the bodies

⁴⁰⁷Clarke, Roger. "The digital persona and its application to data surveillance." *The information society* 10.2 (1994): 77-92.

coupled with changing documentary practices of the State, which is moving away from paper and paper based documents, has made this possible. This shift is seen in the process of digitization which is resulting in creation of digital documents and heralding the arrival of digital identities or digital bodies.

These digital juridical parts that we have also correspond to our own digital actions or what Steven Ramban holds as digital footprints.⁴⁰⁸ The more we interact digitally, the more our actions are indexed, listed and stored forever.⁴⁰⁹ Ramban fears this is increasingly true for our digital behavior and anticipated behavior. Technology has progressed so much that things like how we type on keyboards, how we use the mouse, how we use the key pads, the assortment of sites we visit and the time we spent on them can be precisely tracked, stored and indexed. Ramban further says that development in digital forensics and digital coding has made it possible that all digital actions can be fixed to individual digital identities. This fixing makes for the creation of a juridical self of the digital body. The volume of information we can get from digital identity is immense. The electronic juridical data if considered in terms of data related with digital identity, becomes our individual judicial self.

Certain interesting points emerge with regard to discussion on juridical bodies in the digital world. Going by the concept of body integrity and rights over our body parts if we consider our different juridical digital parts to be a part of us and claim ownership over them, then all such claims must face a serious peril. Disparate and discreet information about your digital presence is being created and maintained and stored in humungous databases and repositories all over the world. One is not privy to such information. It seems that we have lost control over our digital identities. In Chapter One we had elucidated how new forms of documentation based on paper resulted in colonization and subjugation of India by the British. Similarly, advancement in technology of knowing the bodies, biometrics and digital identities has led to loosening of one's control over body rights and body integrity.

⁴⁰⁸Rambam, Steven,. "The Next HOPE: Privacy Is Dead - Get Over It (Complete)." *YouTube*. YouTube, 22 July 2012. Web. 03 June 2016.

⁴⁰⁹Rambam, Steven,. "The Next HOPE: Privacy Is Dead - Get Over It (Complete)." *YouTube*. YouTube, 22 July 2012. Web. 03 June 2016.

4.5. Conclusion: Aadhaar and Digitization of the Body

From the above discussion therefore we can say the body is not something that is merely tangible, physical and definite. The body is a phenomenon, a thought, a construct, an apparatus, a machine in motion and may often appear as part of a dream. In its quest of knowing the body technology seems to have become our trusted partner⁴¹⁰. Through the help of technology we have come to classify, sort, sieve and control bodies.⁴¹¹ We classify, mark and measure, sort and differentiate, invest or divest a body with care and nutrition, dispose or exterminate bodies which are considered inimical by those using such technology. Did we always know how to do this? Have we bettered the ways and means to do this over the years? Or is it a new phenomenon? The advent of digitization and what it brings about in transmuting this entire body into the digital world has been a novel phenomenon. Body, in that respect, could be divided and further divided into multitudes and an identity accorded to each of them, but we would be held responsible for each and every one of those identities. More importantly, such identities may not rest at all in the physical body. Such identities come about through and within the material practices based on the identity of the physical body.

It gets further complicated when we separate the body through the idea of 'self' into individual self and juridical self and place it on the hallmark of identity. Identity, as we saw in Chapter 1, increasingly rests on being documented as to what or who we are. Such documentation is, however, based on the materiality of paper. This materiality as we have come to understand is also going through a change with the coming of digitization. Digital identities are now being created which do not rely on the materiality of paper. Digital identities are creating new contours for understanding the juridical self, the judicial self and the self itself. Hence, the body as we have come to know it is undergoing a complete metamorphosis and is now entering the phantasmagoric world of digital reality.

Aadhaar as an identity platform, as we have come to understand it through Chapter Three, has been instituted to act as the base for a whole gamut of government schemes

⁴¹⁰ Whitley, Edgar A., and Gus Hosein. *Global challenges for identity policies*. Vol. 25. Basingstoke: Palgrave Macmillan, 2010.

⁴¹¹ Sriraman, Tarangini. "Assault and Assuage: Identification Documents, Colonial Rationalities and Epidemic Control in British India", in *Critical Studies in Politics: Exploring Sites, Selves, Power*, edited by Nivedita Menon, Aditya Nigam and Sanjay Palshikar, New Delhi: Orient Blackswan, 2013

and services involving not only its citizenry but all the residents of India- citizens and aliens alike. From being used for vaccinations to mid day meals, for school stipends to linking them up to get LPGs, ration cards, driver license, passports and now even Pan cards and bank accounts and even phone and internet connections. An interesting phenomenon appears underway when we see Aadhaar as an identity platform being directly used for various government schemes. This identity platform has been able to transmute our physical bodies into networks of the digital world. We see how the body was and is to be the centre of the identities that we come to possess. Yet, digital identities and the likes of Aadhaar are increasingly reifying the body and changing the discourse of identities and identity formation. Whitley and Hosein (2010) argue that identity documents, their policies and various identity mechanisms that come to be instituted are dependent on and rely upon the social and political milieu on which the identity rests. Therefore, a change in the identification procedures and identity policy of the State including its documentary practices (which to a great extent is the process through which identification mechanisms are instituted) reflects the changes in our social and political milieu. As such this whole inversion where the body, rather than getting represented by the document, is back in the age of classical antiquity where the body is itself served as a document, is something that has become a new normal in our times. It is ironic that the digital age of computers and internet has actually caused the burden of identification to be rendered back unto the body. However, this has made the physical body disappear as well. This is akin to what Baudrillard talks about as the loss of real and the coming of the hyper-real i.e. a situation where all and any referential edifice is lost.⁴¹² (Give footnote for Baudrillard)

Let us understand this in terms of the body- the body as it is being broken up in multitudes of bodies. In order to represent the body in terms of documentation we find that the real physical body is more and more displaced. In the digital world, a body of sorts is appended to us in terms of identity, culpability and agency and the requirement of the actual body is done away with altogether. In its place, a crippled body, which is a mere representation, a dissected body is given to us, bereft of any agency but symbolic. This kind of body (documentary juridical part of the body) then stands in our place. It is overtly sanitized or neutral and even mute in terms of not being able to speak. It seems to

⁴¹²Baudrillard, Jean. *Symbolic exchange and death*. Sage, 2016.. Also see Baudrillard, Jean, and Mark Poster. *The mirror of production*. Vol. 17. St. Louis: Telos Press, 1975.

simply stand there. It has no volition, no fear and no speech, just a mute spectator participating in the happenings around it. Are we then to conclude that the prevalent documentary practices, with Aadhaar at the centre stage, are intended by the Indian state to create automated citizens, to do its bidding? Such a citizenry would be dispensable, and will be used by the State when, how and where it chooses. Would this mean that the Leviathan has been able to exercise a complete control over the body politic? Would this then suggest that Pritchett's observation about India being a flailing state, where the mind has lost control over its bodies, stands refuted? Will this be rectified with the arrival of Aadhaar and new documentary practices? The answers to these questions might be yes. But it does not simply indicate a fall in standards of the citizenry alone (where their political volition or voice has been taken away). What we also notice is that people can only be known through their bodies. These bodies come into existence for us only after subjectification and an agency accorded to us. As long as we are to have bodies, such an agency is to be accorded to us. So how is it then we are anticipating the arrival of automotive citizenry?

This can be understood, however, if we consider how the prevalent social relations contribute towards subjectification of the bodies. Such subjectification takes place even with Aadhaar. But what is probably going to happen with the subjecthood that is being instituted within the bodies would be new. It is this new form of subjectification that Aadhaar brings about. It heralds new reformulations that are going to take place vis-a-vis the bodies in terms of rights, freedoms, agency, etc. Sure, we are to continue to live like humans with our bodies but what we could do and could not do is going to undergo a massive transformation. Notions of rights and freedom are being reconstituted and even resisted in universities, court rooms, legislative assemblies, on the streets, even on social media and most certainly at the level of our bodies itself. Whatever maybe the outcome of all this reconstitution and resistance what is certain is that bodies will remain but the 'what' and 'how' of the body would be changed forever and Aadhaar may well turn out to be the prime mover in this direction.

Conclusion

The eyes of the modern state are never closed since their hunger for information is insatiable. This hunger has no perceived boundaries/limits, it simply goes on gathering information, and producing knowledge that helps to govern. Such information might be about its territories, its people, wildlife, fauna and so much more. The information is stored in the various governmental institutions which are specifically meant to gather information. The information gathering is done through means like a decadal census, sample surveys and surveys undertaken by varying governmental agency, etc. Much of this information also gets collected through the issuance of various identity documents and identity cards which results in the creation of humongous databases on which such identity documents and cards ultimately rest. The creation of such database or data repository are now expected to grow exponentially with the coming of biometric identities characterised by the introduction of Aadhaar. The information seeking as such then will not only become more thorough and incisive but also increasingly intrusive, having affect and effect on not just the person whose information is sought but also the one who seeks and how it is used.

The attempts of creating databases about its people and things on which identities and identification are categorized are however queered by the fact that the categories used by the state to enumerate its citizens or residents are always reflective of the state of political discourse in the country. States may create new categories, delete or alter others which do not fit in the current political discourse. Thus, identity categories that organize the information about a country's population and its resources are never neutral but always carry serious political implications. This can be fruitfully explored following the insights of Michel Foucault about the interconnections of power and knowledge (power/knowledge) in modern statecraft. Keeping in mind the differences between the contexts, one could still borrow insights from Foucault to investigate how the categorization of people and information generated around such categories create strategic linkages between power and knowledge. We are already aware how such categories provide a characteristic legibility to a society by strongly determining perceptions of us and them. The development of modern welfare state in the 20th century as such has seen a parallel development in the structures of identification and identity based management which is not just reflective of the State's need to monopolize the 'means of movement' as enunciated by John C. Torpey so as to make its people more *legible*, but importantly, because governments all over have realized that populations can be scope of intervention providing for a better economic management of things (resources).

This need to feed on information, requisitioning it, gathering it, sorting it and storing it however requires a medium to be carried out. Such a medium as we have come to understand in the discussion held in these chapters have come to be provided through documentation and documentary practice which have for long been based on paper. Paper documents, especially bureaucratic documents, as we have come to know through the writings of Hull have truly become a tool of governance and control⁴¹³. It is through paper documents and ensuing documentary practices that the state governance strategies are enacted and implemented on the people and its territories. With its lists, tables, indices, bullet points, abbreviations, headings, etc., things are made known, discovered, categorized, listed, named, documented and lastly stored. Ubiquitous paper documents are able to provide us with documentation, proof, give evidence and access to actions, deemed or happened through what is written or inscribed on it. But such documentation also has an effect and affect on us through how it is created and how it appears in terms of its physicality. It's aesthetic, its way of handling, the management of such documents, how it gets to be stored or archived or how it is accessed and lastly how it comes of utility in its daily use. The affect produced on humans may involve being in possession, absence, proximity, distance, handling, restoring, maintaining and lastly managing it.

All of this creates distinct documentary practices ensconced in the materiality of paper documents. These documentary practices through which governance strategies flow depend a lot on paper to be realized and affected. However, the advent of Information and Communications Technology (ICT) has convinced us that paper too has limitations. The transparency, efficiency and speed that ICT has supposedly come to provide was seen in contrast to the inefficient, slow and dragging kind of governance epitomized by the pen wielding *babu* sitting on a desk surrounded by wall of files. It was coupled with the notion that this was because of the ownership or the arbitrary role of these *babus* who handled and managed these bureaucratic documents. Human interventions and interactions as such increasingly came to be looked with skepticism in the process. The bureaucratic function that provided for the prevalent documentary regime was felt to have slowly but steadily losing its grip over the handling, managing and governing of the documents. Rather than enforcing the particular rule intended, it was aiding exception to the rule and that was increasingly becoming the norm. So much so that new norms had started taking the place, breaking the rules, a simple example of which would be how one needs to pay bribes to get the simplest of governmental work done.

What was seen as necessary to alleviate this problem was to lessen the human interventions in administrative bureaucracy. This could be however only done if there were changes in documentary

⁴¹³Hull, Matthew S. "Documents and bureaucracy." *Annual Review of Anthropology* 41 (2012): 251-267.

practices. It is in such a scenario that since 2003 the Government of India has attempted to bring in a new system of governance that not only does away with the arbitrary role of human intervention but also tries to do away with paper documents through a new system called e-governance. E-governance or electronic governance are meant to replace paper documents with files and folders in computers and servers of governmental departments. Hence, Information and Communication Technology (ICT) in particular becomes the avowed form of technology that the state seeks to develop and use in their daily interactions with the citizenry. The government therefore has been very systematically moving to create those databases in the informational infrastructure (digital) where it is able to not just segregate data for quick analysis but also use it immediately to perform governance functions and ameliorate what it considers as bottlenecks in its implementation.

Thus, governance as an activity is increasingly witnessing new forms of continuous interventions where the technologies of yesteryears are quickly forgotten while newer technologies are seen more and more as the panacea for all problems. It must however be emphasized here that all such intervention requires two most important things: one is an identity based management mechanism and second is the creation and maintenance of such database that furthers and aids the identification mechanisms. Interestingly, the novelty that is required for both these requirements is that both do away with paper or paper based documents. They must be digital not just in its form but also the way it is stored and the way it is accessed.

However, the problem that soon crops up with this way of functioning is the absence of standardization that is the key to any e-based platforms, government or private. Such standardization entails that everything be newly mapped, surveyed, identified, marked, situated, categorized and collated into databases and importantly digitized. Thereby, making it not just easy and accessible but also allowing seamless flow of such information which becomes a prerequisite for e-governance which the prevalent mode of documentation does not seem to freely allow but hamper instead. Through its various schemes, the government is carrying forward this new standardization process enabling digitization. As we know, the introduction of the Unique Identification Authority of India (UIDAI) is one such program of the government whereby the entire population, including non-citizens, is being provided identity by a singular identity management system and at the same time such identification is to be solely based on the biometrics of the people. This link up with people's biometrics and the overlaying information platform is then to be used to mediate people's access to any or all government services.

It is these aspects of the changing nature of documentary practices brought about by the gradual moving away from paper based documents towards digital identities and digital documents that the fieldwork in this thesis has attempted to look at. As we have discussed, it was attempted by taking up two specific slum areas where it was known that documents and documentary practices are expected to have a maximum impact in terms of the lives of the people. The study of the field sought to view how people come to see, perceive and understand document and how do they correspond to the prevalent documentary practices and seek to interact with it. It is with these concerns that the introduction of new ration cards that were linked with Aadhaar was taken up as a concern for study. It was found that people largely understood the documents through a pedagogy that was largely inculcated and taught to them by the local pradhan-politician nexus. This nexus made the people aware of their documents, their importance, and ways and means in the process of negotiating these documents and the various offices through which they were to be accessed. The nexus therefore played a great role in how people in these areas perceived the documents. However, it was also observed that this nexus sought to make itself indispensable and central to this entire process of documentations and documentary practices.

As we have seen with the readings on the materiality of the documents, it is the people located on the margins of state, to which these slums belong, that are precisely the ones who greatly depend on the materiality of these documents for their benefits their attempts to live and gain a decent livelihood in areas that are largely illegal spaces of settlement. There is a creeping fear among them that the politics that paper documents allowed for was firmly based on its materiality both in terms of affect and effect of them. The basis of such politics would entirely change if such materiality were to dissolve away with the coming of Aadhaar and other such biometric digitally enabled identities. Interestingly, however, we were to find that even if these documents, like the Aadhaar enabled ration card and Aadhaar itself were supposed to be non-material yet they were to have some form of materiality. As we found out in the field that the government itself sees these documents and uses it and provides these documents with a materiality similar and akin to what these documents would or were to have if they were based on paper. The coming of the e-governance and digitisation therefore that actually heralds the end for paper based documents and ensconcing documentary practices is however paradoxically observed to thrive by acquiring newer forms of materiality. One also came across newer understanding of such materiality that could be found in the practices and habits of the people and how they viewed or perceived any documents. It was found that this was so because of three distinct reasons. First, it is so because the government has not made a clean and proper shift to digital identities and identification. The government still calls Aadhaar as Aadhaar card which is actually a

unique number and not a card. Even while getting people enrolled in this scheme the government has actively advertised it as an Aadhaar card which is to be used similarly as any other paper identity card. Even the unique number that they sent after a successful de-duplication is being sent and reproduced in a typical identity card format with even directions to tear away and use it as an identity card. But of course the digital smart ration cards may not have that allure as the older cardboard on which evidences of taking rations were inscribed through signatures. Yet the half way implementation of the digital smart ration cards has ensured that a paper slip is attached or pasted to the card and every issuance of rations is dutifully signed on that slip of paper.

Secondly, even though these digital identities and digital documents have come to lose their materiality sans paper but the practices that were prevalent during the time of paper documents have continued. It is through these or similar practices that both the people and even the government is viewing the new documentary regimes and advocating it. This becomes extremely significant as the local dominant power relations manifested through the local pradhan-politician nexus is heavily invested in the circulation, creation and control of documents - formerly through the materiality of paper is yet to find it difficult to operate and keeps flourishing. The human interventions and arbitrations that called for a relook at the materiality of the paper are still found to be persistent. This materiality is however unique for it is based on the habits of handling the documents, how the people perceive them and how local power cliques practice older forms of documentation based on paper. For instance, a number is assigned to the people who come to meet the local politician seeking help especially with regard to documents or even digital documents. Their names, addresses and problems or concerns are duly written down on a register. After hearing them out acknowledgment slips are awarded to those who have successfully been able to register their complaints and concerns. They also conduct regular surveys whereby each and everyone living in the slums is sought to be enumerated and the information about them is stored in the process of paper documentation. Everything pertaining to documents even if it is digital documents is then done through paper. It is here then that digital documents come to have their materiality rematerialized in terms of the means and ways of the practices that paper documents encumber or allow for.

The thesis tries to address these questions of materiality created by paper documents for certain kind of documentary practices tied up to the prevalent politics and how changes and new questions arise in this regard in the ensuing shift towards digital documents.

The first chapter traced how paper has evolved from its humble origins in China to paper documents holding sway over our lives. This chapter enquires into the what, why and how of the process and reveals how paper as a medium to record or document something was found to be most convenient compared to other means of documenting existing prior to it. Thereby providing for the ubiquity of the paper documents which is felt by way of documentation, which provides proof, evidence and access to actions, deemed or happened through what is written or inscribed on it. The other important aspect of paper taken up for discussion was the way we handle the paper documents, manage them or even store or archive them and how they come to have an affect on us. Such an affect is produced in terms of possession, absence, proximity, distance, handling, restoring, maintaining and lastly managing paper documents.

This chapter also reveals how this affect that accrues out of the materiality of the document and has the propensity to change the material reality and existence of people. As we saw, the British rule in India imposed such documentary practices to make things, people and effects legible for them. Document and documentary regime played a huge role in not only establishing the British Empire in India. It continues to play a very important role in the present in the day-to-day affairs and governance of the country. The most important thing we see with the introduction of paper documentation by the British was to bind people for the first time through the medium of these documents. It was to have a lasting influence which continues thereon even after Independence. The new documentary regime based on paper affected a new terrain of socio-political categories altogether, which continues to define us, our identities, our society, our communities and our politics flowing from it. We have become what our paper based identity documents have come to define for us. As we were to see, independent India more or less carried forward the paper legacies of the British. But with changing times however, India would increasingly come to fend itself from the 'demon of Paperwork'; it would be clogged by what was to be vernacularly called as 'lal fitashahi' or red tape in English and the unseen corruption that it could engender. Successive governments were to publicly berate this, underlined by the late Rajiv Gandhi's famous quip about how for every one rupee spent on the poor only 15 paise actually reaches the desired person. This was a malaise that successive governments struggled with.

It is in keeping with these concerns that the second chapter has dwelt on the origins of digital identities and documentations which has ostensibly been introduced in India so as to make the documentary process easier, effective, faster and corruption free, i.e. free from arbitrary human interventions. The malaise affecting the documentary practices was to be purged and recalibrated. In order to address the situation, the Rajiv Gandhi led Congress government initiated reforms and sought

to revolutionize the Indian Information and Communications Technology (ICT) sector. These reforms were to have cascading effects on not just the governments but on the people as well, ushering telephony, internet and computers in India. Out of which the most important impact was to be faced by the prevalent documentary practices. ICT allowed for digitization of documents and records and the way it was created or even maintained. This came about through very incremental changes at first with the coming of the computers and then the internet, and finally it has gained pace with the coming of Aadhaar and a digitally enabled biometric identification platform. This identity platform is to act as a base for a multitude of governmental services, which means that people could now access such governmental services only through the use of Aadhaar. Following this the second section of the chapter deals with the policy discourse that has made possible such an introduction of digital documents and database possible in terms of documentary practices in India. However, the implementation of Aadhaar has seen a lot of problems and criticisms. People pertaining to civil societies, social and political activists and even some from the field of academics and legal fraternity have raised serious questions about Aadhaar. Such questions and concerns were primarily focused on four prime aspects that Aadhaar could supposedly bring about. First was the threat to privacy. Privacy was and is considered sacrosanct for the proper development of a human being. Privacy entailed that the government must not interfere in the private affairs of its citizens. However, the opposition against Aadhaar alleged that the supposed seamless flow of information from the different silos of information that the government keeps in different databases would allow for constant surveillance. These allegations actually fear the coming of an Orwellian state, even more so today as data surveillance that is tracking of data through databases is much more effective and easy way to do it. Data protection and identity theft is another of such concern. Given the fact that Aadhaar as a platform allows for private entities to be involved in its process of creation, to the utilities that is to be shared, given or bought, to allowing for creation of other such identity platforms which could use information sourced from the UIDAI. Third is the specter of fear of function creep, as to how Aadhaar being meant for particular functions during its time of inception is slowly being used for a whole gamut of services. From being primarily meant to be used for disbursing social benefits, to now being linked mandatorily with bank accounts by way of linking it with our Pan Cards to wanting Aadhaar while getting new internet and phone connections or how even private companies while employing people seek Aadhaar details of the people concerned. Last but not the least of apprehension is in terms of technological capabilities in a country where the majority of people are employed in the farm sector involving hard physical labour. Not only does it make 100% biometric match for fingerprints very difficult to capture but digital literacy is also found to be very wanting. But the biggest concern has been how Aadhaar was sought to be introduced in India through doubtful legislative means, when the

Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Service) Bill, 2016 was passed as a money bill in the Lok Sabha without much discussion about whether it actually qualifies as money bill or not. This is the bill which has constituted the UIDAI into a statutory authority. We are still witnessing the opposition to the manner in which this bill was passed in the Parliament, to how introduction of Aadhaar contravenes the right to privacy of Indian citizens, to how it is being made mandatory to have Aadhaar numbers by forcefully linking it with Pan Cards even when the Supreme Court had on twice occasion ruled that Aadhaar could not be made mandatory. The debate surrounding the linking up of Aadhaar to Pan Card as such and the arguments that it occasioned in the Courts is indeed instructive. For it provides a peek into what or how the State imagines the Aadhaar and similarly why those who have concerns about Aadhaar are opposing it.

The third chapter takes up the fieldwork, which investigates what impact these digital identities such as Aadhaar and the digital ration card are supposed to have created in terms of documentary practices and how it effects us. This chapter therefore deals with the empirical part of our research that has been provided by our case studies on the PDS. This empirical research looks at how the questions of materiality, affect and politics are being experienced by the people and the officials traversing this change especially at the proverbial margins of the State where the effect of documentation and corresponding documenting procedure were considered to have the largest impact. Such an impact we are to find in the research is not just unique but also complex, in that it is both interesting and disturbing at the same time. We encounter how digital identities and such documentary process dovetail and how they often remain under the grip of social hierarchies in terms of caste and majority and minority religions. Active support for such novel introduction of digitally enabled biometric identities was found to be very much there, more so among the young demography. The chapter narrates how the new experience of digital documentary practices brought on through Aadhaar and Aadhaar linked smart ration cards under which PDS is supposed to be distributed is giving rise to diverse material practices in these areas. The chapter explores how the material realities, practices and experiences indicate the shaping of new forms of materiality coming to be accorded to digital documents and documentary procedures in India

Finally, the fourth chapter deals with questions of self, the individual judicial self, the juridical self and markers of identity. We discuss here how they are undergoing changes with the advancement in new technologies of knowing the body. We also explore the theoretical implications of what it means to have one's physical body to be broken up into different juridical parts and be transposed into the digital realm or the world of internet. What does it mean, in other words, to have a digital body? The last chapter has dealt with these questions at some length and attempted to answer them drawing upon

philosophical and theoretical writings as well as certain observations made on the basis of the fieldwork discussed in the preceding chapter. Here we find how the body is the key not just as a medium for governance strategies but also as the medium through which it is affected. Because it is a biometric enabled identification Aadhaar can be easily accessed digitally or through the internet. The physical body as such then gets transposed to the digital world. This transposition of the physical world in the world of internet has however created the possibility of an 'electronic leash' which then gets attached to physical self of the body. Actually that is what the critics opposing the introduction of Aadhaar were alleging. This they believe goes against the fundamental norm of existing as a healthy human being. Concerns about body integrity and how it is paramount to the cause of privacy thus came to be raised. The government countered by saying the rights of their bodies of the people is not unfettered but is limited with and by law. The state has the rights over the bodies over the people even to the extent of claiming the principle of eminent domain over it. This debate still goes on but what it has been able to unravel in terms of identification and documentation with respect to our bodies is that it identification which was to be reposed within the contours and confines of the physical body has been able to cross the proverbial bridge of digital divide that somehow seemed to block the entry of the physical body. We have seen how the development in the knowledge and understanding of the bodies has also helped in corresponding development in the techniques of identification and documentation most of which are based on bodies themselves. However, even this loss of the physical bodies into these newer identification techniques has not led to the loss of materiality of these bodies but has created rather newer understanding of materiality of the bodies. This is similar to how even documents which have been digitized is undergoing the same phenomenon of gaining new conditions of materiality that is normally not available to either digital identities or for that matter digital bodies.

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