

UNIQUE IDENTIFICATION PROJECT IN INDIA: THE PROBLEMATIC OF (IN)VISIBILITY

A Dissertation submitted to the University of Hyderabad in partial fulfillment of the degree of

MASTER OF PHILOSOPHY

In

Political Science

by

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CERTIFICATE

This is to certify that the dissertation entitled "**Unique Identification Project in India: The Problematic of (In)visibility**" submitted by **AJITH K**, bearing **Registration Number, 18SPHL04**, in partial fulfillment of the requirements for the award of Master of Philosophy in Political Science is a bonafide work carried out by him under my supervision and guidance.

The thesis has not been submitted previously in part or in full to this or any other University or Institution for the award of any degree or diploma.

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DECLARATION

I, AJITH K hereby declare that this Dissertation entitled "Unique Identification Project in India: The Problematic of (In)visibility" Submitted by me under the guidance and supervision of Professor. E. VENKATESU is a bonafide research work.

I also declare that it has not been submitted previously in part or in full to this University or any other University or Institution for the award of any degree or diploma.

Date: 27/12/2022

AJITH KUNHUNNI

18SPHL04

To all invisible lives

In memory of Sarah Baartman and Alice Guy-Blaché

To the people who lost their lives during the CAA-NRC protests

Remembering Arun Kumar K. K.

To the people of Edamalakudy

- From Rohit's Campus

And to Barbara Harriss-White with gratitude

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Ajith K

Acronyms

Abbreviation	Definition
ADG	Assistant Director General
AD	Authentication Devices
ASA	Authentication Service Agency
AUA	Authentication User Agency
BPL	Below Poverty Line
CAA	The Citizenship Amendment Act 2019
CAB	The Citizenship Amendment Bill 2019
CCTV	Central Identities Data Repository
CIDR	Closed-circuit television
COVID	Coronavirus disease
DBT	Direct Benefit Transfer
DDG	Deputy Director General
DN	Digital Nations
DG	Director-General
EIC	East India Company
FPIR	False Positive Identification Rate
HoF	Head of the Family
GDPR	General Data Protection Rights
ICT	Information and Communication Technology
ID	Identification Card
IIDA	Indian Institute of Dalit Studies
IISD	International Institute for Sustainable Development
IMDT	Illegal Migrants Determination by Tribunal
INR	Indian Rupees
IoC	Institute of Cybernetics
IT	Information Technology
KRC	Kargil Review Committee
KYC	Know Your Customer
LPG	liquefied petroleum gas
MEA	Ministry of Home Affairs
MHA	Ministry of External Affairs
MNC	Multi-National Corporations
MNIC	Multi-Purpose National Identity Card
MPNIC	Multi-Purpose National Identity Card
NCR	National Capital Region

NDA	National Democratic Alliance
NFSA	National Food Security Act
NPR	National Population Register
NRC	National Register of Citizens
NREGA	National Rural Employment Guarantee Act
NRIC	National Register of Indian Citizens
PAN	Permanent Account Number
PARI	People's Archive of Rural India
PDS	Public Distribution System
PID	Personal Identity Data
PMJDY	Pradhan Mantri Jan Dhan Yojana
PMO	Prime Minister's Office
PMUY	Pradhan Mantri Ujjwala Yojana
PRC	People's Republic of China
PVTG	Particularly Vulnerable Tribal Groups
RGI	Registrar General of India
RTI	Right to Information
UDHR	Universal Declaration of Human Rights
UID	Unique Identification
UIDAI	Unique Identification Authority of India
UPA	United Progressive Alliance
VSNL	Videsh Sanchar Nigam Limited
WW	World War
WWF	World Wild Fund
WWI	World War One
WWII	World War Two

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CHAPTER 1

Introduction

The concept that identifying methods/processes/- means of 'individuals' are *ethopoiein*¹ in nature forms the basis of the digital society. Aside from this claim, the perspective, every once in a while, one may find Foucauldian, but the most difficult element of working on this thesis was coming up with an argument against it or discovering a cause for it. From Aristotelian human [Man] or the Marxian interpretation of *zoon politikon*² and on to the digital society, interactions based on power play a central or preeminent function in every aspect of society. Concerning this notion, the thesis is easily organised in a so-called method, which reveals a historical interpretation of the state interactions with individuals/citizens or different kinds of power-relations in society. The intention of this research is to define and comprehend outliers, by the application of several theoretical assumptions. And the work is primarily influenced by surveillance studies and subaltern studies, or what I like to term a combination of the two. How does this become a blend? Combining visibility with subalternity, the researcher aims to create something termed "(in)visible bodies." Thus, this is essentially

¹ According to Foucault, it means making ethos, producing ethos, changing, transforming ethos, the individual's way of being, his mode of existence (Foucault, 2006).

² While critically referring to Plato, Aristotle established the political determination of human nature in Nicomachean Ethics and, most importantly, in Politics, with the statement that man is by nature (*physei*) a *zoon politikon*. - **"by nature, as political animal."** (Aristotle, 2014)

In *Theses on Feuerbach*, Sixth One, 1845, Karl Marx writes, Feuerbach resolves the essence of religion into the essence of man [menschliche Wesen = 'human nature']. But the essence of man is no abstraction inherent in each single individual. In reality, it **"is the ensemble of the social relations"**. Feuerbach, who does not enter upon a criticism of this real essence is hence obliged:

1. To abstract from the historical process and to define the religious sentiment regarded by itself, and to presuppose an abstract — isolated - human individual.

2. The essence therefore can by him only be regarded as 'species', as an inner 'dumb' generality which unites many individuals only in a natural way. (Engels & Marx, 1970)

the historiography of (in)visible bodies. This thesis will present a workable definition of the theoretical concept of "(in)visibility," which is now in the earliest stages of development.

Why is this a policy problem?

The study often returns to this question: why is a policy important? Due to the fact that, despite the abundance of theoretical disagreements in the topic, a portion of this study analyses policies used by the state to identify persons. In some sense, this is a search for the *raison d'être*³ of different processes or the State's use of them as a tool. The ambivalent character of every policy makes it very challenging to comprehend their justifications.

Specific nature of the problem

One part of my study is personal since it incorporates a prior field note about the Muthuvan community⁴. A section of outliers - marginalised people from the developmental modernization features - what the researcher conceives⁵ here as 'invisible.' These past narrative notes helped formulate an idea about their lives (which exist local).

As of this writing, it is Monday, January 29th⁶, 2019. The author stumbled onto a tiny tea-coffee cart on his way to *Lamakaan*, a café in Hyderabad. What was remarkable about a tea-coffee cart? The researcher noticed four CCTV cameras installed on the cart. While conversing with the *Chai Vala*, he revealed that the Telangana Police Department had installed all of them.

³ French expression for "reason for being"

⁴ Tribal groups in Idukki district Kerala.

⁵ The researcher here tries to introduce the term invisible.

⁶ Four months after the Aadhaar verdict.

The narrative above may seem unusual when writing a thesis, but crucial - since it incorporates the ‘blend’⁷ I described before - in comprehending my study subject. In one word- this is all about ‘invisibility.’

The study is connected to one of the ‘*largest identity documentation*’⁸ on the planet - Aadhaar, or in other words, a classic example of the most effective method of disciplinary authority. Because somehow it stands in between - an identifying mechanism or a tool for visibility and a welfare mechanism for the socially and economically underprivileged people.

This thesis falls into two obvious halves - a theoretical portion and historical/retrospective narratives. The former entails an inquiry into the theoretical concepts surrounding the invisible, while the later focuses on the historical narratives of the Aadhaar project - ten years of Aadhaar (2009-2019)⁹. I have included a pre-Aadhaar phase to the history, beginning in 1999 with the Kargil conflict and ending in 2009. In order to develop the thesis, a broad overview of some of the conflicts and identification across documented history is also provided.

1.1 A glance at the existing literature on Aadhaar

In order to elucidate the literary axis upon which a portion of the thesis- case of Aadhaar- is based, a section on literary works pertaining to Aadhaar has been provided below. The study begins the history of identity documents with the most controversial subject at that time [even now] Aadhaar. Shankar Aiyar (2017) was the first to publish

⁷ Visibility and Subalternity

⁸ Refers to the title of the book, Assisi, C., Ramnath, N. (2018). *The Aadhaar Effect: Why the World's Largest Identity Project Matters*. India: OUP India.

⁹ It also includes a pre-Aadhaar period starting from 1999 up to 2009.

an Aadhaar history. The eminent journalist Aiyar investigated the history of Aadhaar in depth. Instead of a political or sociological topic, the work included recorded narrations about the issue. In the early phases of this study, *Aadhaar: A Biometric History* was the only published book on the subject, hence Aiyar's work was crucial and a beginner's handbook. Aiyar beautifully defined the literary meaning of Aadhaar, "fundamental," by referencing the words of Naiya Ram Rathore. The veteran journalistic facts of Aadhaar's pre-history and the behind-the-scenes tensions/conflicts between the corporate-government partnership helped the researcher create the overarching narratives prior to 2009. In the epilogue, Aiyar discusses the Aadhaar project's privacy implications in depth. Written even before the Puttaswamy decision, Aiyar's worries were quite evident. The journalistic interviews of Nandan Nilekani and his colleagues, in particular, are used as an entry-level reference.

Through the work of Tarangini Sriraman (2018)¹⁰, it is possible to trace the history of identification in India. Understanding the "proof" of an individual takes a turn, and as a result, the colonial past is incorporated to this thesis' scenario. Sriraman's study details the history of identity, including the rationing and passport system throughout the colonial and postcolonial periods. Which incorporates methods such as anthropometry and photography. The events of World War II (WW II) and what follows them bring about a transformation in the defining characteristics of colonial India. The need to feed wartime labourers necessitated the creation of rationing documentation. During this period, several rationing schemes and quotas were implemented, the most of them were in industrial areas. This essentially serves as a support system during wartime. While structuring the requirements that lead to the identification, Sriraman

¹⁰ Sriraman, T. (2018). *In Pursuit of Proof: A History of Identification Documents in India*. India: Oxford University Press.

presupposes those socioeconomic factors such as war and famine¹¹ are of the utmost relevance. She says that the genres/quotas on the ration cards varied according on the needs and identity¹² of the individuals. Sriraman provided information gleaned from oral interviews with slum inhabitants in Delhi. The identifying mechanism she referred to as, 'pieces of documents'¹³ created a 'temporal criterion of citizenship.' In her view, all identification techniques dealing to marginal subjects are required to demonstrate their efficacy by a specified date. Sriraman concludes her work by emphasising that the identification process is developing and that history often repeats itself, which is most troublesome in regards to oppressed groups. Consequently, her work "In pursuit of proof" constitutes a redefinition of the history of identity documentation.

By linking Sriraman's understandings, the study started examining the bureaucratic concerns that Ramnath and Assisi (2018) emphasised most in their writings. The researcher focused at the acts of one person in particular, Nandan Nilekani, in order to analyse the story behind the creation of an institution like Unique Identification Authority of India (UIDAI). The Aadhaar Effect and Nilekani's writings¹⁴ are used to illustrate Nilekani's peculiarities and practises. It demonstrates his interaction with power positions and his road to the centre [Union Ministry], where he

¹¹ Sriraman explores the history of the great Bengal famine, 1943 from the works of Amartya Sen. She also adds the Burma crisis - Japanese attack - that led to the decrease in food production which largely affects colonial India and hence considering all these the colonial administration introduced Ration Cards.

¹² Even the religion matters while distributing food and implementing the quotas.

¹³ Includes a metal token and some other documents like 'Lal Card' or 'VP Singh Card', what the locals used to call. Even though the registration was revolutionary in some aspects - it doesn't need any proof for registration - the slum registration by VP Singh Govt. marks a date '1990' and the settlements after that are not eligible for resettlement. This kind of 'temporal citizenship' can be named as a pre-NRC thing.

¹⁴ Nilekani, N. (2009). *Imagining India: The Idea of a Renewed Nation*. United States: Penguin Publishing Group.

Nilekani, N., Shah, V. (2015). *Rebooting India*. India: Random House Publishers India Pvt. Limited.

had a position equivalent to that of a cabinet minister, so simplifying matters (Nilekani, 2009).

To build anything, you will need a "Lego block" (Ramnath & Assisi, 2018). Nilekani then moved on to create a foundational rather than functional ID. There are numerous functional IDs, but he requires something that evolves in the same way that a biological system does (Nilekani, 2009). The policy adopted by Nandan Nilekani was to prioritise the making and the rest later. Despite the fact that Nilekani gained authority, there was a lot of politics involved, making the process exhausting [at least for him] (Nilekani & Shah, 2015). The role of the state - power and conflict management while coping with the complexity, Ramnath and Assisi (2018) pictured it as, dealing with “three-India” at a time. Also, the "bazaar" [Market] — its exploitation and service, as well as the ecosystem's interaction. As a result of connecting all of these stories, it is evident that binaries do not exist and that the reality lies in the spectrum when delving into the Aadhaar.

Apart from the historical notes, Nayar (2015)¹⁵ takes a deep theoretical tour through surveillance cultures, especially relating the ideas of citizenship and identity with relation to Aadhaar. This researcher is also connected with the starting point related to surveillance mechanisms in India that Pramod Nayar mentions especially about the city, Hyderabad.

After Nayar observed in 2015, from the early point of research to till today, the city of Hyderabad has changed much when it comes to “security”. The “Nenu Saitham” project to “twin-tower” at Banjara hills, Hyderabad is now not only the total surveillance city in India but also one of the most surveilled city in the world (The New

¹⁵ Nayar, P. K. (2015). *Citizenship and Identity in the Age of Surveillance*. India: Cambridge University Press.

Indian Express, 2020; Hyderabad City Police, 2022; Times of India, 2021; Mint, 2020; India Today 2021; The New Indian Express, 2021; Amnesty, 2021; Wire 2021). In a way, Nayar (2015)) attempts to explore the subject positions such as vulnerable data and consumer citizens on a global level. On exploring, he tries to implicate the importance of the space in which the surveillance happens. Apart from the classical panopticon positions, Nayar examined the “surveillant assemblage” and “rhizomatic” concepts while looking at distinct nature of “infrastructures” and “cultural” parameters. Nayar points out, participation in surveillance, in some way considering the ‘subject-object’ dichotomy exists for exchanges like for legitimacy, citizenship, security and so on. And he continues while in a polity the participatory nature can be dissident sometimes. Thus, he concludes the power positions/relations underlying these surveillance practices and the individual engagement as citizens inside the public sphere.

A thread to the absence of inquiry was spotted while going through the piece of article¹⁶ written by Reetika Khera in *Contributions to Indian Sociology*. The title itself - *The Aadhaar debate: Where are the sociologists?* - was a wakeup call for the social scientists. Looking beyond the possibilities of social policy and economics from the argument Khera raised, the researcher found the prospect of political sociology and how it fits into a project like Aadhaar that handles social relations which includes multiple power interactions. The major gaps Reetika points out was the lack of theoretical inquiry and ethnographic analysis or the need for exploratory understanding of the vulnerable groups (Khera, 2018). Even though this thesis lacks the ethnographic understanding, which the researcher adds as one of the limitations, this research will

¹⁶ Khera, R. (2018). The Aadhaar debate: Where are the sociologists? *Contributions to Indian Sociology*, 52(3), 336–342. <https://doi.org/10.1177/0069966718787029>

surely re-register the question and thus affix the question of ‘individual-state’ relationship involving technology in the minds of Indian academia. Reetika Khera (2018) makes a call out to understand the “reshaping of human behaviours” in the age of technology, thus a better interpretation of power with respect to the change in policy. The “elite consensus” is “scarcely studied,” Khera adds. While concluding she again asserts the lack of fundamental fieldwork before implementing something like Aadhaar. Here, the researcher focuses on the need of theoretical inquiry that connects the most oppressed groups and the idea of digital society in India.

Popular Culture Narratives

The idea of surveillance is so much related to cinema that, from its birth itself cinema started to reflect societal surveillance as in the case of *Sortie d'usine (1895)* - “Workers leaving the factory” was an example for workplace surveillance because Lumières’ captured images of their own employees (Zimmer, 2015). While reading “the work of art”¹⁷, especially popular culture was always being critical to the varieties of surveillance regimes, whether it is State sponsored or by any other actor. The reception conceived was fluidic, meaning popular culture acts as a tool for the regimes sometimes or contrariwise it engages to ignore the propaganda which Benjamin calls as “aestheticization of politics” (Benjamin, 2008). But anyway, the mode of reception of popular culture in public creates a normal, ‘normal’ but double-ended. On one hand it creates a fear among the public related to security and on the other cinema creates a new normal which the public internalizes that they are being watched. In contrary, cinematic techniques like facial recognition is much recognised as it involves unavoidable usage when it comes to film restoration and conservation. A perfect

¹⁷ Refers to Benjamin, W. (2008). *The Work of Art in the Age of Mechanical Reproduction*. United Kingdom: Penguin Books Limited.

example was the identification and restoration of Alice Ida Antoinette Guy-Blaché¹⁸, pioneer film maker and one of the legendary figures in the history of cinema. With the help of Steve Wilkins, a facial recognition analyst, a film conservatory team identified Alice Guy-Blaché's face from an old video tape. Which was in Wilkins words, "the oldest images reviewed" by him "out of the millions" (Green, 2018).

Coming back to the screen, surveillance has been a theme to films since the beginning, one of the early Soviet productions *Aelita: Queen of Mars* (1924) from the silent era has a small portion which discusses surveillance that targets workers. On the way to thirties, one of the masters of cinema, Fritz Lang presented the idea of surveillance in his magnum opus *Metropolis* (1927) and *M* (1931), in which the former visualizes a dystopian society while later involves the surveillance technologies in crime. A similar involvement in crime was also shown in *The World Without Mask* (1934). *Modern times* (1936) directed by one of the prominent figures in film history, Charlie Chaplin, discusses the condition of workers under surveillance during the Great Depression. Later in 1954 the master filmmaker Alfred Hitchcock explored the surveillance underlying voyeurism through his work *Rear Window*(1954), which set a benchmark and later many movies like *Peeping Tom*(1960), *Blowup*(1966), *Hi, Mom!*(1970), *Sharky's Machine*(1981), *The Osterman Weekend*(1983), *Body Double*(1984), *Bedroom Eyes*(1984), *Sex, Lies, and Videotape*(1989), *Sliver*(1993), *Lost Highway*(1997), *The Truman Show* (1998), *American Beauty*(1999), *The Life of Others* (2006), *Red Road*(2006), *The Resident*(2011) and *The Woman in the Window*(2021) followed the same. In this genre, films like *Menace II Society* (1993) shows the differences in seeing by portraying two black men under surveillance.

¹⁸ Green B. Pamela. (2018). *Be Natural: The Untold Story of Alice Guy-Blaché*. Be Natural Productions.

As the name denotes, *1984*(1956) and *Nineteen Eighty-Four* (1984) was an adaptation of Orwellian classic novel *1984*, which deals with totalitarian society. The films like *Brazil* (1985), *Minority Report* (2002), *V for Vendetta* (2006) also represent some kind of dystopian societies based on technologies. A similar attempt was seen in *THX 1138*(1971), *Fortress* (1992), *Demolition Man* (1993), *Equilibrium* (2002) and *Eyeborgs* (2009).

Since 1949 “Orwellian” has been used as a synonym to totalitarian/surveillance societies. The idea “Big-brother is watching you” by George Orwell back then was developed in these films and finally achieved its form - ‘surveillance at its peak’. The fictional-reality duo narrowed down all these years and in web series like *Black Mirror* (2011-2019) episodes are exploring the possibilities of fiction with respect to some of the state policies. A perfect example was *Nosedive [Black Mirror]* (2016) which depicts the societal interactions based on technological inventions and how the State is using it as a tool for discipline. The ‘rating App’ used in the film sometimes reflects the idea of ‘social security’ in the U.S. and P.R.C. Apart from these there are biopics like *Citizenfour* (2014) and *Snowden* (2016) - both are movies based on Edward Snowden, a whistle-blower who exposed the mass surveillance programme in the U.S. In some way the popular culture is connecting the public to the realities of the modern State. The fear of the individual being surveilled is beautifully crafted by the master film makers Francis Ford Coppola and Michael Haneke through two brilliant films in the history - *The Conversation* (1974) and *Caché* (2005). Both the film represents the modern society and the societal ripples understanding privacy and surveillance. Catherine Zimmer explores the fading away of these representational practices while coming to surveillance cinema (Zimmer, 2015). “What is there in the silver screen” - is crucial because it influences the masses and contributes to establishing power relations.

Thus, each and every surveillance narrative from art houses to box office hits can influence individual/society. This researcher finds that films like *Irumbu Thirai*(2018) can cause a possibility of trepidation among the public, especially when they realize the potential of the digital tools. Also, on the contrary, they may reject these panic anecdotes. The Tamil movie directly portrays the problem of Aadhaar card. And shows beyond doubt that the idea of identification in India during the digital era was a product of unprepared policy. In contrary, the importance of obtaining an Aadhaar card was shown in propaganda films such as Jio Studios' Aadhaar (2019), which was released on the 10th anniversary of the card's issue.

1.2 Identification Documents Around the World

In contrast to the rest of the world, documentation remains complicated in the Global South, particularly in South Asian and African nations, notwithstanding the end of colonialism. To overcome such complications, as part of the 'development' effort from different consensuses, such as State and non-state actors/organisations, several technologically-assisted choices have been created in these states. In response to the void created by these data crises, multinational firms have begun to assist governmental institutions. Simon Szreter and Keith Breckenridge (Breckenridge & Szreter, 2012)see this as the "registry systems" independence from governmental infrastructure. The dynamics of the State and the development of the register system are crucial to this discussion. "Registering Machines" has become a tool for knowledge control with the advent of quickly growing technological mechanisms that let - "registering" persons. The digitisation of the private sector has a substantial influence on e-governance under New Public Management, according to Bjorklund (2016) As part of the process of democracy and transparency, digitalisation and, by extension, electronic governance,

have been included into the academic discourses of political and social sciences. Governance, especially e-government, is different and unique to each State and is impacted by both external and internal factors. This "nation-specific" illness is understudied (Björklund, 2016).

Identification, or the process/methods associated to it, has been evolving since ancient history, as will be discussed later in this chapter. Political and social knowledge of older systems of identifying and technology usage is more significant than looking at the evolutionary history. Colonial history, for example, is an unavoidable chapter when it comes to the essence of identification with socio-political interactions. The colonial administration's design and organisation, particularly in Africa, has far-reaching repercussions (Kayser-Bril, 2019). Unlike other countries in the Global South Ghana and Nigeria lack the colonial infrastructure backup which makes the up comings due to identification unpredictable in these countries. As a result, a systemic assessment of history is conducted to guarantee that class, caste, ethnic/racial, and gender are all considered while problematising the socio-political understanding of history of identification in different parts of the world.

To start with Africa¹⁹, most countries are now working to create a single database by merging all existing databases for the sole purpose of collecting biometric data. In European countries, such a centralized tendency for national agencies is [except for a few] almost non-existent (Kayser-Bril, 2019). According to Kayser-Bril (2019), technology for database creation is mostly developed and maintained by non-African countries. In countries like Zimbabwe, Rwanda, Tunisia, Ghana, and Uganda, this creates a security dilemma that causes friction.

¹⁹ ID4Africa is constantly working on topics pertaining to identification in African nations; this research examined their published papers as well as conference proceedings from 2015 to 2020.

Further, the inadequacy of data protection regulations is clearly stated in the World Bank study on African countries (The World Bank, 2017). We can see a clear picture by looking at the dates of the formation of national authorities for identification and the enactment of data protection laws. Consider Rwanda and Zimbabwe as examples. Both countries' data protection legislation was very recently issued in 2021 (Miza, 2021; ZimConnect, 2021; Ministry of ICT, 2021; Data Guidance, 2021). In Rwanda's situation, this means that data protection rules were enacted 14 years after the national identity agency was established. Also, it led to the removal of the code "00" from identity cards in Zimbabwe, which differentiated blacks from others (Muchetu, 2021). It is highly unlikely that the study will include all 193²⁰ sovereign states. A random selection of sovereign states has been made possible in this case. Apart from that, the researcher also compares two sovereign nations, Estonia, and the People's Republic of China (P.R.C.), with the purpose of examining how differing state ideologies affect the identification process.

A Brief comparison between People's Republic of China (P.R.C.) and Estonia

"The digital republic" (Heller, 2017) - Is what Nathan Heller from the New Yorker calls Estonia, nothing better explains this Baltic State. The remarkable change after "singing"²¹ to the "most digitally advanced society" as noted by Wired (e-Estonia, 2022). Gary Anthes (2015) explains that, the story of Estonia's population fall during the Soviet Union's demise is now being addressed by opening the borders to e-residents, with an anticipated population rise of approximately 600 percent. Estonia was one of

²⁰ UN member states.

²¹ Refers to the Singing Revolution. It was a term introduced in an article written in June, 1988 by Heinz Valk.

the first countries to implement electronic tax filing in 2000 (Anthes, 2015). In 2002, the country launched e-identification cards, and today, practically all government and private services are available online through Project X-road - a network facility established by technology. About the security risks surrounding the e-Estonia project, Anthes says, everything is based on technology, and one single breakdown will bring the entire government system to a halt. Something similar happened in 2007, and the state has been extremely cautious since then. Estonia is now the world's most advanced digital society (e-Estonia, 2022; Björklund, 2016; Kalvet 2012; Kitsing 2010; Margetts & Naumann, 2017) and a member of Digital Nations (DN), a collaborative network of world's leading countries who use technology to govern.

In the early 1960s, Estonian technological research and development in the field of computer programming began in the Soviet Union, notably at the Institute of Cybernetics [IoC] (Institute of Cybernetics, 2017). Meelis Kitsing (2011) notes that, after the country gained independence in 1991, a strategic community was formed in Estonia to address the problem of integrating technology into governance. As a result, the report was submitted in 1993 (2011). The initial draught of the "Principles of Estonian Information Policy" was written in 1994, and the Parliament ratified it four years later (e-Estonia, 2022). It took four years following ratification to introduce an individual identity paper. The evolution of Estonian digital society was phenomenal²². The emergence of a digital society in Estonia is linked to the Soviet experience. But strangely, the same develops a "citizenry" that Björklund (2016) describes as "moral

²² In 1996, the first cabinet meeting was held online, followed by i-voting in 2005. Following security concerns in 2007 and the introduction of blockchain technology in 2008, the integrated system for health services was implemented over the next two years. The e-residency programme was launched in 2014. Estonia now has its own e-embassy, as well as the Nordic Institute for Interoperability Solutions (NIIS) consortium for strategy management and development, government AI strategy, proactive child care, and remote notary verifications. Estonia also debuted the world's first self-driving hydrogen vehicle last year.

citizenship." As said by Björklund, this "citizenry" depoliticized the historical position while also politicizing it to build an "ethno-national" society. As a result of its colonial background, Estonia has aimed on creating a national cohesion with an ethnic tinge, which has influenced practically every aspect of public policy. Thus, for the considerable Russian-speaking population in Estonia, a type of "formal citizenship" still exists. And, even in the most advanced digital society, the inclusion of the Russian-speaking populace is a problem, resulting in the masses' "invisibility".

After the continuous distress and revolution in the first half of the twentieth century, the P.R.C. announced its intention to sort the urban populace. On reaching 1957, Richard Von Glahn (2012) explains that, the migration influx from the rural literally ceased and by 1958, the *Hukou* registration system (registration system at that time) was introduced in the whole State. Glahn also mentions, apart from surveillance, the system limits the possibilities for rural people and was never gender sensitive, in the sense that the 'male floating population' got certain privileges - privilege inside the excluded! And the system remains a 'tool' for 'social sorting'²³. Started by using against the class enemies during Chairman Mao's time later shifted towards political dissents and criminals during the 1980s. Also, it was a 'tool' against the Muslims and Falun Gong's. From his argument it is clear that due to the paradigm shift in economic policies and technology, P.R.C. reviewed the *Hukou* registration system.

Before going into the new state policies in the P.R.C., a glance at imperial policies and practices is necessary. The early power relations were recorded during 6 B.C.E, its main purpose was 'military conscription'. Thus, the organization was mainly

²³ Referring to the idea by David Lyon

based on taxation and conscription. Under the Qin period²⁴, a system of group²⁵ punishment was developed to create a social control²⁶ over the population²⁷ (Glahn, 2012). In the same way the system of registration²⁸ was continued by the Han dynasty following interests like labor and military force. And the obvious result was disagreement because of the heavy taxation and labor services. The decline and the frequent wars fought after led to an immediate census²⁹ by the western Jin dynasty. Similarly, the Jin dynasty introduced the *Juntian*, equal field system³⁰ during 485 C.E. Even Though the Confucius idea of land distribution is there, the Empire rationale was revenue generation. And later Tang imperial house³¹ followed this system and one step further they created private ownership of land³². All the ideas of land distribution were revised at last by the P.R.C.'s land reform policies during the 1950s (Glahn, 2012).

The social credit system is much debate in contemporary policies of PRC. Personnel archives for officials during imperial times provide the historical underpinnings of the social credit system (Jiang, 2020). Responding to pre-existing socio-economic desires for security, trust, and good governance, and controlling the socio-cultural-political circumstances of privacy and surveillance techniques in modern China, transnational companies such as Alibaba and Ant Financial generate user-

²⁴ The Qin dynasty was the first united Chinese empire.

²⁵ The *Wu* grouping - a group of five families.

²⁶ The fundamental principle behind the population register in imperial China was, *bianhu qimin* - 'register households in order to make the people equal'. Thus the population became subjects of the empire.

²⁷ Apart from these slaves were also there but they were a minimum in number.

²⁸ Most of the details were written on the Rituals of Zhou.

²⁹ Census of 280 C.E

³⁰ Gender equality never existed under this system

³¹ During 618 - 907 C.E

³² Tang Empire introduced *zu-yong-diao* system of taxation and later modified into *liangshuifa* (twice a year tax)

subjects' interests, needs, and dependence. (Chong, 2019; Dobson & Wong, 2019; Zhang, 2020; Liang et al, 2018).

Other examples

Japan adopted the early Chinese model of registration³³ in the seventh century and was not completely implemented (Saito and Sato, 2012). Saito and Sato first looked into land registration in the 1580s. According to them, the land registration was for separation of different classes. It was a means of power exercise by marking exact geographical space. Apart from power relations, Saito and Sato say, the land registration also serves as a register of community³⁴ tax collection from the peasants. Osamu Saito And Masahiro Sato (2012) gives a detailed account of registration history - Household registration system came into existence from 1665 because of the 'religious threat'- in the eyes of the *Tokugawa* regime - and later it became a register of 'households and population'. The Chinese model ceased to exist from the beginning itself. Even Though some models of registration were there in the sixth and the seventh century, a registration in its complete nature was started from the sixteenth century onwards. Among this, the registration process started during Tokugawa rule was connected with internal and external conflicts.

The series of conflicts along with religious threats resulted in the movement restrictions and implementation of the registration system³⁵. The surveillance mechanism was more or less based on the *Tokugawa-Meiji* continuum. Later in 1898,

³³ Especially household registration in ancient China.

³⁴ The territorial boundary was known as '*mura*' - meaning, a cluster of houses. The peculiar system of taxation was *Murauke*.

³⁵ After the decline of the *Tokugawa* regime, *Meiji* started the registration which was more detailed and written to be much 'Confucian' in nature. But whatever the ideology behind, the effect was the same when it comes to marginalized people.

the household registration became under the ‘law and order’ - Implying that, the State was ready to take away the privileges and criminality in a different way³⁶. Alongside, the ‘*Kiryu*’ system enables control of the influx and movement of migrant populations³⁷. In theory, the registration was to incorporate the migrants - or at least to avoid ‘administrative invisibility.’

Andreas Fahrmeir (2012) explored the registration process in Germany. Registration in German States was started in the late nineteenth century due to church-state conflicts. Fahrmeir points out that, then a major paradigm shift occurred during the 1930s, by citing the arguments by Burleigh and Wippermann, he states, the purpose of registration at that time was a literal creation of a ‘racial state’³⁸.

The process of civil registration was a remarkable move earlier which marks the shift - from Churches to Register Offices - means more secular in some ways. Also, unlike other European states, the registration was not a tool for identifying citizens (except some German states, where they use registers to determine ‘legal residence’). Apart from the registers which were always out-of-date, travel papers were widely used in German states to control the migration. In Fahrmeir’s view, those travel documents were used as a ‘complete surveillance’ mechanism by the police forces. Connecting the argument of Küster, he frames the situation as different in different levels of administration, the center administration checks the migration influx while the local one indirectly prevents the poor from all welfare schemes by complicating the ‘legal

³⁶ The parallel system of centralized land registration enables the *Meiji* administration to collect the taxes in a systematic way. The *Meiji* administration also introduced the ‘*Kiryu*’ system - which means staying temporarily. The 19th and 20th century reforms also constituted gender disparity because of the additional importance that was created for the head of the family and the change in private property.

³⁷ The migration current to urban spaces was so high. For example, in Tokyo, the migrant people constitute almost one-third of the population.

³⁸ Refers to the *Personenstandsgesetz* (PSrG - Personal Status Act) of 1937 and the Census of 1939 as a part of Nazi propaganda under Adolf Hitler’s reign.

residence' mechanism. Conditions in Pre- 1914 Germany were different. Most of the technical things were a matter of class difference but later after the first world war it became universal - and the State had obvious reasons for the change.

Paul-André Rosental (2012) gave a detailed account of the identification development in France after the post-revolutionary period, in which the State uses the papers as a tool to identify the individuals. The idea of identification was always backed by 'decent people' what Rosental calls and the affected were usually the marginalized. Rosental objects to the idea of creation of national identity - something backed by the authors like Pierre Piazza. According to him the identification papers were originally for foreigners but later extended to the whole population.

Interestingly Rosental (2012) used the word 'encarding'³⁹ for the collection of data and according to him it is used for policing and other purposes of state interests⁴⁰. Compared to the contemporary European states, France has 'no population books'. Rosental examines that, in 1880⁴¹ and even before the State used techniques to monitor the population movements and also, the Franco-Prussian war constituted a need for registers. Registration system was finally adopted by the French national statistics service during the second world war. Rosental says the French State played a balanced role in spite of civil reactions when it came to identification but of course always maintained the idea of 'control and regulation'.

From whatever little the researcher has gone through; the idea of control and regulation is closely associated to the conflicts the resolutions that happened at that time

³⁹ Means, entering information on cards. He gives the classic example of pension laws of 1910 - for urban and agricultural workers. It was merely for profit making rather than the well-being of the individual.

⁴⁰ The earlier linking - individuals with their property - shows that the interest of the state resides on property, which means collection of taxes.

⁴¹ The *registres matricules* of 1880, The *Casier judiciaire* of 1849

in the history. Similarly, India also follows the same pattern when it comes to colonial history to Aadhaar.

1.3 Structure of Aadhaar

Unique Identification Project in India: The Problematic of (In)Visibility - the subjects partly referred to in this title are the Aadhaar and the Unique Identification Authority of India (UIDAI⁴²). Because the researcher emphasizes the authority and what it provides. Established via The Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, makes the authority a statutory one for issuing unique numbers for people who reside in India (UIDAI, 2019). According to the Oxford and Collins dictionaries, Aadhaar literally translates to "foundation." The title of the Act, which hereinafter 'Aadhaar Act', clearly mentions about the choosy nature while delivering governmental aids⁴³. On March 26, 2016, after being passed by the Indian Parliament, the Aadhaar Act entered into force. And later, July 24 2019, an Amendment⁴⁴ was introduced to the Aadhaar Act. The researcher here tries to explore the structure of 'Aadhaar' in detail. Aadhaar⁴⁵ - the 12-digit number⁴⁶, can be obtained by anyone⁴⁷ in India regardless of age or gender. The authority collects a "minimal data" (demographic and biometric info)⁴⁸ during enrolment and makes sure the

⁴² Hereinafter the authority.

⁴³ Financial and other subsidies, benefits and services

⁴⁴ The Aadhaar and Other Laws (Amendment) Act, 2019

⁴⁵ Most of the details related to structure and functioning of Aadhaar was taken from UIDAI website.

⁴⁶ Random 12-digit number

⁴⁷ Anyone who is a resident in India.

⁴⁸ The data collected includes demographic information - Name, Date of Birth (verified) or Age (declared), Gender, Address, Mobile Number (optional) and Email ID (optional), in case of Introducer-based enrolment- Introducer name and Introducer's Aadhaar number, in case of Head of Family based enrolment- Name of Head of Family, Relationship and Head of Family's Aadhaar number; in case of enrolment of child- Enrolment ID or Aadhaar number of any one parent, Proof of Relationship (PoR) document.

deduplication⁴⁹ process is done to ensure “uniqueness”⁵⁰. Aadhaar, after the technological advancements in the governance, has become one of the most important cornerstones of digital India programme. Today, the country holds a number of enrolment centres for enrolling⁵¹ in Aadhaar. The UIDAI is composed of three members⁵² including a chief executive officer⁵³ (C.E.O) who serves as secretary. UIDAI is centred at New Delhi and has different operating offices across India and in addition the authority has two data centres⁵⁴. Since the beginning (from 2009 onwards) the total expenditure of the authority is ₹ 12,874.54 crores. And UIDAI has distributed about 131.68 crore Aadhaar cards in total⁵⁵.

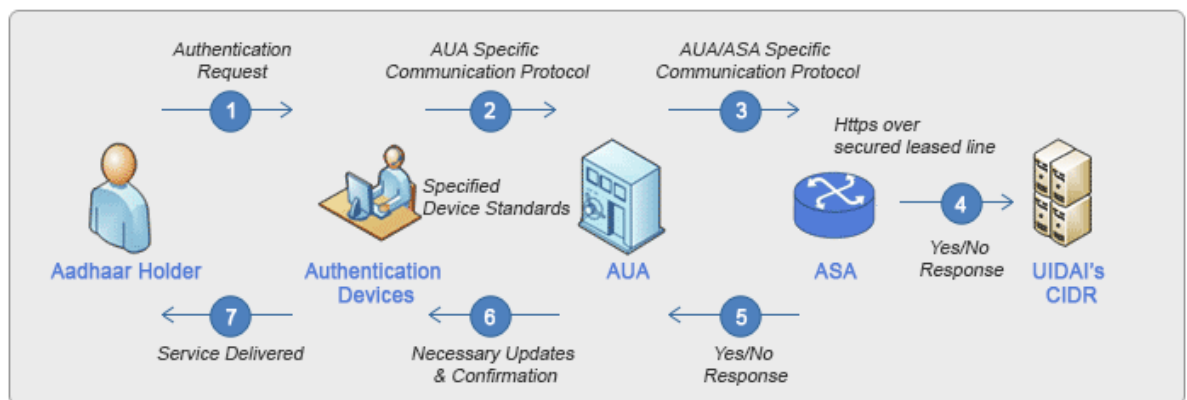


Figure 1.3.1 Aadhaar Ecosystem Operation Model⁵⁶ **Source:** Unique Identification Authority of India <https://uidai.gov.in/ecosystem/authentication-ecosystem/operation-model.html>

And biometric information - Ten Fingerprints, Two Iris Scans, and Facial Photographs. Debates are there regarding the “minimal” nature of the Aadhaar. Because at least some don’t believe the data collected doesn’t fall under the notion of “minimal”.

⁴⁹ Demographic and biometric de-duplication.

⁵⁰ Uniqueness is another continuously debatable claim. And the thesis deals with the details in the upcoming chapters.

⁵¹ There are three ways for enrollment - Document based, Head of the family (HoF) based, Introducer based. The enrollment details like forms and the documents accepted are added in the annexure.

⁵² two part-time members and C.E.O

⁵³ At the HQ, the CEO is assisted by seven Deputy Directors General (DDGs), Joint Secretary level Officers of Government of India, as in-charge of various wings of UIDAI. The DDGs are supported by Assistant Directors General (ADGs), Deputy Directors, Section Officers and Assistant Section Officers. The HQ has a total sanctioned strength of 127 officers and staff members, including the Accounts and IT branches.

⁵⁴ One at Hebbal (Bengaluru), Karnataka and another at Manesar (Gurugram), Haryana.

⁵⁵ Number calculated as on 31st October, 2021.

⁵⁶ "Aadhaar number holder" means an individual who has been issued an Aadhaar number under the Act

1.4 Research Problem

The primary question of this thesis is, *what is the state's idea of Aadhaar?* Apart from this, the thesis explores the idea of invisibility, **invisible to whom?** Furthermore, **who is being in the state of invisible?** Or in advancement, in the social sciences, **does something exist as invisible?**

1.5 Methodological Considerations

The absence of regard for various critical views in what has historically been a Eurocentric approach to historical facts is one of the problems that Dipesh Chakrabarty addresses in *Provincializing Europe: Postcolonial Thought and Historical Difference* (2000). Means, there is a methodological absence to study the invisible subjects. In other words, the tool to study 'invisible dance' is itself invisible in social sciences.

"Authentication" means the process by which the Aadhaar number along with demographic information or biometric information of an individual is submitted to the Central Identities Data Repository for its verification and such Repository verifies the correctness, or the lack thereof, on the basis of information available with it

"Authentication facility" means the facility provided by the Authority for verifying the identity information of an Aadhaar number holder through the process of authentication, by providing a Yes/ No response or e-KYC data, as applicable

"Authentication Service Agency" or "ASA" mean an entity providing necessary infrastructure for ensuring secure network connectivity and related services for enabling a requesting entity to perform authentication using the authentication facility provided by the Authority

"Authentication User Agency" or "AUA" means a requesting entity that uses the Yes/ No authentication facility provided by the Authority

"Central Identities Data Repository" or "CIDR" means a centralised database in one or more locations containing all Aadhaar numbers issued to Aadhaar number holders along with the corresponding demographic information and biometric information of such individuals and other information related thereto

"Authentication Devices": These are the devices that collect PID (Personal Identity Data) from Aadhaar holders, encrypt the PID block, transmit the authentication packets and receive the authentication results. Examples include PCs, kiosks, handheld devices etc. They are deployed, operated and managed by the AUA/Sub AUA."

The thesis belongs to the category of basic, explanatory research. A qualitative inquiry was conducted to gain support for this study. As cited by various authors (Creswell, 2016), qualitative in all aspects, including setting, researcher analysis, multiple data collection, and reflexivity. The descriptive methodologies are used in this research. Descriptive approaches aid in the description of social circumstances, processes, and structures. Mostly closed-ended questions are framed while taking the interviews and moreover it was unstructured. It provides ample scope to explore the research question in detail.

This study relies heavily on archival data and its interpretations. The assessment of ten years of Aadhaar is done through rigorous documentary analysis, which starts from the 1443 pages Aadhaar Judgement. I went through the archival collection of Ram Krishnaswamy, comprising more than 12,000 articles, in which I went through the maximum possible. From 2010 to 2019, the total number of news articles referred to is exactly 12766. Apart from that, People's archive of rural India (PARI), PARI library host almost the end number of circular surveys etc. Including the photo essay by P Sainath, - Invisible Work, Invisible Women, PARI holds a collection of 64 stories from rural India related to Aadhaar.

Most of the colonial history documents have been collected from the British Library Archives, the National Library of India, and the National Archives of India. Most of the judgements and related arguments and case history are collected from the honourable Supreme Court of India archives.

Research Sites

An earlier field investigation was undertaken in Kerala and Telangana based on secondary data analysis. Three subject population were chosen for a pilot study at

random depending on their social status and the researcher's perception of invisibility. This comprises migrant workers in Perumbavoor, Kerala's Ernakulam district; Muthuvan tribal community members in Edamalakudy, Kerala's Idukki district; and Rohingya migrants in Balapur, Hyderabad. A visit was made to these sites, just to get a basic understanding of the difference in identification of invisible bodies. In addition, the researcher worked closely with Alan Turing institute and Global Partnership on AI on the work related to “understanding data” in Delhi and Hyderabad. No data or analysis of these sites are added in this thesis because it was just a pilot study before proposing the research.

Resettlements results in the documentation and hence, identification and surveillance; consequently, tribal people reject (Kunhunni, 2018) resettlement proposals as a form of resistance (Asif, 2000). From the pilot study, researcher got a basic understanding that, based on the variations in invisible subjects and their lives in rural areas from a previous filed study, the up-close knowledge about the social position of invisible subjects differs in many ways. As a result, recording and generalising have many limitations.

Limitations

‘Understanding’ the epoch of the invisible bodies needs a hermeneutic understanding (Mahajan, 1992). Not only generalizing lives but also data gathering from the field - especially in connection with the whole rural India is herculean. Which the author agrees to and finds as a limitation of this study. Apart from the earlier field notes which were used as a preliminary thing, normal site visits and the pilot study conducted in Hyderabad city, the study lacks quantitative references for whatever claim written here.

The theoretical part citing (in)visibility - which the writer already mentioned - is an idea in germane state. So, at least in the understanding of the researcher, the idea should be explored. And the possibilities of the idea are far beyond the framework of public policy. An extension is thus possible in later studies for understanding human sciences.

Coming to the data collection related to Aadhaar, most of the RTIs filed by the researcher got rejected due to the 'sensitive' nature of the data as interpreted by the government. Also, according to the authority, details regarding DBTs and welfare schemes were very difficult to send via RTI due to scattered nature (files related to involve different government offices/departments) of the documents.

CHAPTER 2

Understanding the idea of (in)visibility

The concept of (in)visibility is examined in this chapter. To begin, the research tries to clarify the need to theorise the concept of (in)visibility, which refers to how the two concepts, visibility, and invisibility, are related together. Subject to the absence of theoretical underpinnings and dominant threads, social sciences really have nothing to offer the theory of (in)visibility. In a sense, the researcher only finds some esoteric⁵⁷ literature; there is a gap of works that are directly related with the concept of (in)visibility. However, the vast and comprehensive research⁵⁸ of visibility made the study possible in certain ways. In this chapter, an attempt to theorise the concept of (in)visibility is made using the scope of the Foucauldian⁵⁹ analysis.

To understand what modern⁶⁰ society means by (in)visibility, we should look into what is happening in the sphere of visibility.; i.e., analyse through antagonism of strategies. To put it another way, analysing visibility to explain invisibility The possibility of this will always be supported by a variety of theoretical foundations that in some way or another look at visibility, including governmentality, biopolitics, social sorting, and surveillance. The field of surveillance studies largely facilitates the logical

⁵⁷ *Social Invisibility Is Not a Fiction It Exists* by Michelle Dilhara

⁵⁸ Referring to the historical narratives by the researcher.

⁵⁹ The method described by Michel Foucault in *Michel Foucault: Beyond Structuralism and Hermeneutics* by Hubert L. Dreyfus and Paul Rabinow and reprinted arrangement with the University of Chicago Press. "Why Study Power? The Question the Subject" was written in English by Foucault; "How Is Power Exercised?" was translated from the French by Leslie Sawyer

⁶⁰ Talking about modernism and its components. also, the beginning of the twenty-first century's technical growth. In essence, a time frame is specified here.

understanding of such a study here. Which also leads to a misunderstanding of the concept, i.e., visibility and surveillance.

According to the researcher, the most appropriate solution to this issue is to interpret words in accordance with their dictionary definitions, which is still another challenging solution. The proximal meaning, as far as this study is concerned, of visibility is written in Marriam-Webster's, "the quality or state of being visible".

The next possible problem is, visible to whom? Moreover, who is being in the state of visible? Which may sound synonymous to the watcher and watched. Nonetheless, the solution is a little more nuanced, as it combines social, political, and economic power dynamics. The concept here seeks to discover the other side, invisible to whom? Furthermore, who is being in the state of invisible? Or in advancement, in the social sciences, does something exist as invisible?

2.0 Visible in the modern sense

"The eyes of the Lord are in every place, keeping watch on the evil and the good"

- Proverbs 15:3

It is important to rationalise the power dynamics in the situation before theorising (in)visibility. It must be made clear that the subject matter of the work is only concerned with power dynamics. As a result, research was always the driving force behind efforts to unearth unconscious knowledge, such as Karl Marx's thesis regarding the understanding of labour as a kind of power.

Some English terms that I like to refer to as big words during the process may or may not have distinct meanings. They are a pair that precisely fits inside brackets,

namely visible-invisible and seen-unseen. A sequence of concepts is used here to thematise the entire thesis, considering the political nature of humankind, which hitherto formed by complex relations. Because he traced the emergence of the state as a natural phenomenon, Aristotle, who cited the Homeric denouncement, understood humans as a political animal. The thesis focuses on the endless interactions occurring within the state.

In other words, this may or may not reflect the power relationship between the state and the people. Do not mix the gaze in this instance with arguments like., Seeing like a State⁶¹ or Seeing the State⁶².

The state is not anchored in this situation to explain the viewpoint; rather, a few circumstances are created to comprehend the visibility processes in which the state can be one who sees, typically when the state policy is being explored. The Author follows a third-person narrative to comprehend the gaze, implies that the observer is in a fluid

⁶¹ In elaborate words, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, refers to a book written by James c. Scott. As the name suggests, the book constitutes the acts done by the State, which Scott defined as gaze from the side of the State. Here improvement means making it convenient for the State, say for example tax collection. The one-sided view resulted in blind outlook towards the “innumerable small acts” done in the society. Scott has pictured pure State planning, related to agriculture and town building, as such done in some of the African and Latin American countries. According to James Scott, a “tunnel vision is required to focus some limited aspects of an otherwise far more complex and unwieldy reality”. Further he quotes that, “too unwieldy in its ‘raw’ form for administrative manipulation, so too are the actual social patterns of human interaction. No administrative system is capable of representing any existing social community except through a heroic and greatly schematized process of abstraction and simplification”. Scott calls this knowledge, which is based on ground realities, as “metis”. Lastly, he claims that, the failure to see the multitude of societal interactions and uncertainties will lead to “massive social bulldozing”. The single sided view by Scott failed to see the different power relations like capitalism in a modern society.

⁶² How do the individuals see the state? The major question underlying the book, *Seeing the State: Governance and Governmentality in India* by Stuart Corbridge, Glyn Williams, Manoj Srivastava, and Rene Veron is referred to here. Definitely it's a fine empirical study, conducted in Indian States, Bihar, West Bengal and Jharkhand. A wide opinion is collected from the angle of view from political parties, officials, subject experts and the people about different governance schemes. Along with James Scott, Partha Chatterjee's *Politics of the Governed* also set to be in the background for this study. Basically it's “the myriad ways that the state comes into view”. Foucault's idea of governmentality along with development studies was discussed by the authors from the theoretical side. Here, the seeing, as a process, is in the exact opposite sense done by James Scott.

condition. Furthermore, the technique used, whether Argus⁶³-eyed or not, is also crucial.

The degree of abstraction in contemporary understanding of concepts connected to 'visibility' varies. For example, the statement "you are being watched/ under surveillance" has been rephrased as "you are being safeguarded" nowadays. As a result of the previous sense of being watched, the word "surveilled" has come to be associated with something negative. Today, the state employs the modern concept of surveillance, which is safeguarding and security.

What is the current perception of surveillance? Without a doubt, the leviathanic nature is occupied with something more human today, more like an image of a camera, which appears to be carried in a pocket. It is absurd to think there is a threat out there. The shift occurred because, everyone is now seeing inside, which theoretically sounds like molecular⁶⁴ biopolitics, as opposed to a Panoptes who observes everything from above. There is no such thing as a coherent body. In that instance, a compromise is always possible since "this was brought home to me personally"

Regardless of the security risk, privacy has been compromised, thus there is no use in discussing it. Ironically, the Universal Declaration of Human Rights (UDHR) and the post-war⁶⁵ world make the human body biopolitical⁶⁶. The modern state⁶⁷ began to distinguish itself from the way its forebears viewed the thing over which it exercised jurisdiction as it grew philosophically under the philosophical incubation offered by the enlightenment in general and the English reformation in particular. Despite being

⁶³ Argus Panoptes or Argos, is a many-eyed giant in Greek mythology.

⁶⁴ Concept by Nikolas Rose

⁶⁵ Second World War

⁶⁶ Biopolitics in political philosophy

⁶⁷ Formation of modern state. Concept of the state after 1648

governed by the ideas of the divine rights⁶⁸ theory, authority over subjects⁶⁹ was not clearly defined. The specific issue at hand is the transcendence of governance, not the legitimacy claims of authority.

Let us start with hominisation, from the beginning itself a linguistic problem was always present. Why do people obey? Plato understands the problem from the beginning itself as he elucidates it in the chapter *on language* (Plato & Fowler, 1992). The command always has a linguistic form. Consider law and religion. Nothing will correctly explain this other than the ten commandments (Coogan, 2018). Religion always got the backup of command, which only exists with two alternatives, obey or disobey. Followed by the divine rights, philosophers like Thomas Hobbes, John Locke, and Jean-Jacques Rousseau conceptualise the "power of law" which was a kind of "juridical power", ruling using the law. Like the "threat of violence" controlled by the state during that time.

Apart from these certain things like the famine problem which manages the grain prices emerged (Foucault, 2008). The prevention leads to a position of "govern". This was the transcendence, from "ruling" to "governing" of different subjects. Enlightenment rationality brought forth the concept of each subject, now a body, as a resource that can be adjusted and manipulated to be used to the fullest of its capabilities (2008). This gives rise to what Foucault terms as 'biopower'. Engendered mostly by post-war philosophical necessities, discussions on the state, authority, governmentality, citizenship and surveillance reached astronomical proportions with the onslaught of

⁶⁸ The concept of the divine right of Kings comes from European Christianity and is a metaphysical expression of submission to God.

⁶⁹ Foucault, M. (1982). The Subject and Power. *Critical Inquiry*, 8(4), 777–795.

postmodernism drawn out by its academic foot soldiers of whom none reaches the proportions scaled by Michael Foucault and Giorgio Agamben.

For Agamben, human beings have two life, '*bios*', political life and '*zoe*', bare/animal life. In his work, *Homo Sacer: Sovereign Power and Bare Life*, he argues that, at some instances, the *bios* are removed and what is left will be *zoe* (Agamben, 1998). Which is not equal to animal life, instead it is a forceful reduction of the human being to bare life (1998). Thus, the *sacred* belongs to a class of things outside the society, objectified or included in the form of exclusion. It is a reference to how contemporary nation-states function in practise, seen to be totalitarian and the regulation of their subjects through an expansion in the methodology of exercising its authority. In the name of bringing people to modernity, different and varied strategies for accomplishing the enslavement of bodies, and hence the effective control of whole populations en masse, are used. And the devil's fruit that it has to offer. The modern nation possesses control over its population, the political control of bare life, which works as power over the subjects. The newly acquired power, or biopower in the Foucauldian sense of the term, had biological connotations to relate to practises of public health, regulation of heredity, and risk regulation, like many other regulatory systems that are often tied directly to the actual physical health of bodies.

The politics (biopolitics) of biopower fits more closely with the analysis of the methods and procedures through which human life processes are regulated under regimes of authority over knowledge, power, and the subjectivation processes. Biopower thus acts as a technology over masses. The defining characteristic and core of this political technology is that it enables the control of whole populations without their awareness of state-mandated monitoring or surveillance. Most of these tools, methods, and codes produced by the modern state since the emergence of the mediaeval

political metaphor 'body politic' have been able to conceal their workings in the past by hiding behind arguments of observation and scrutiny.

The contemporary state creates population definition systems that order a reasonable way of living for the body of the species and make them recognised and visible. To identify, categorise, order, and regulate them, they include managerial and administrative systems⁷⁰, as well as ways for classifying⁷¹ individuals or groups. Thus, modern biopower is revealed to be nothing more than a network of webs and networks that encircle society. These circuits of communication, or networks, together form a superpanopticon (Poster, 2007). The surveillance technologies quantitative developments lead to a qualitative shift in the microphysics of power. Poster reimagines Marxism in light of the bourgeoisie's reorganisation of labour, showing how the superpanopticon is crucial to the control of the populace.

Foucault termed it to be governmentality, as an activity/ art which concerns all and touches each (Foucault, 2011). It's unclear exactly what that action entailed or how it was to be carried out. What was intended for the government? "Conduct of conduct", he responds. According to Lemke, the term refers to anything from governing oneself to controlling others (Lemke, 2000). As Foucault says,

The exceedingly wide meaning of "government" that existed in the sixteenth century must be allowed. The word "government" refers not just to political institutions or the administration of governments, but also to the direct governance of individuals⁷² or states. Addition to legally sanctioned forms of political or economic subjection, it also included sanctioned activities designed

⁷⁰ work processes, procedures, rules

⁷¹ by income, race, professional, and personnel categories

⁷² the government of children, souls, communities, families, and the sick

to limit the action potential of others. In this context, to rule implies defining the spectrum of possible acts for others. (Foucault, 2019)

Additionally, according to Foucault, population really plays a role in biopolitics as a kind of power since it creates the contemporary image of population and makes population - appear to be the highest purpose of government beyond all else. He believed that society as a whole always has its own reality, distinct from that of the individual. In addition to discipline, the theory also adheres to the notion of governmentality.

2.0.1 Famine to terrorism, the technique of government

Agamben consistently challenges the notion of command. Why is a command necessary? According to him, knowing command is necessary to comprehend obedience. (Agamben, 1998), i.e., command always comes before obedience. In this way, biological life and consequently politics are connected to linguistic standards.

Foucault technique of government leads to the problem of sovereignty (Foucault, 2019). For Agamben, it was the idea of provisional measure due to temporal emergence. These kinds of measures have become the technical norm of the government (Agamben, 1998). Foucault noted its origins historically from public safety, security into politics as governing technique. As described by him, the famine problems existed between the 16th and 18th century was like setting the sovereign's position. Thus, the prevention will get into a position to "govern" them (Foucault, 2019). Agamben, in a detailed view, understands the problem as "state of exception" (Agamben, 1992). He argued that government will allow disasters and emergencies to happen and even encourage them to do so because it will enable them to respond to these situations and govern appropriately. (1992). The government is thus "manage

disorder". The crisis has become so internalised in the mechanism. In other words, 'emergence, danger' is always there and is part of the machine. They are not exceptional, but they are, in fact, the machines inner core. Law was always there; the measure depends on the situation. We cannot come back to 'state of law' from 'state of exception'. Because the 'state of law' foresaw the exception as the ultimate core. Thus, we cannot go back; it works only in dichotomy. We must deactivate the machine and search for a third one.

2.0.2 Towards a field of study

After 9/11, the field of surveillance studies attracted more scholarly and public attention. (Monaghan 2006). What was formerly present in the laboratory of power was Jeremy Bentham's idea of the central tower. Finding the Bentham's Panopticon structure (a complete description is provided below) as such is it difficult?

The peripheric building is subdivided into cells that span the whole breadth of the structure. All that remains is to station a supervisor in a central tower. Backlighting allows one to see the small imprisoned shadows in the outer cells of the tower, which stand out exactly against the light. They're like so many cages, always visible. The panoptic system organises "spatial unities" that allow for continuous vision and recognition. (Foucault, 1991)

The persistently obvious Bentham mechanism, as described by Foucault, was concealed by a difficult-to-explain phenomenon. There is no longer a central tower. Is this a sign that nobody is trapped by visibility? Whether they are intended to be taken literally or not, Bentham's words serve as the ideal foundation for theorising the concept of visibility even today. Instead, it may be said that the model was modernly replaced.

Bentham's concept of an inspector is changed to fluidic watching in today's sense; the watcher is thought to be more fluid. Whether it is a postscript or not, Deleuze's⁷³ control societies were likewise constructed over the society of the time, where the control differed from the plague control described by Foucault. (1991)

The arguments of Foucault did not cage the directions. Discipline is a form of power, a method for exercising it, and includes a variety of tools, tactics, procedures, levels of application, and goals. It is a physics or an anatomy of power, a technology. Discipline cannot be associated with either an institution or an apparatus.

As per sociologists like David Lyon, this is a conundrum, and as a result, we need a panopticon power spectrum with power varying at both ends when we take into account the construction of docile bodies (Lyon, 2006). By focusing on the panopticon's extreme end, Lorna Rhodes explores the idea of the spectrum in her ethnographic study *Supermax as a Technology of Punishment*. According to Rhodes, the inmates' resistance causes their visibility mechanisms to increase, making them more apparent. (Rhodes, 2007). The seductive soft end on the other end of the spectrum, however, is self-hallucinatory, causing the docile bodies to form as a result of the lack of resistance. Reg Whitaker described it as a participatory panopticon, and Lyon labelled it a Panopticommodity (Lyon, 2006).

Panopticon, in a postmodern meaning, extended much beyond the idea of surveillance; rather, it refers to how the state's use of contemporary technologies for governance results in categorization and even exclusion. The political regimes that are created in this way create invisible bodies based on gender, class, and caste.

⁷³ Deleuze, G. (1992). Postscript on the Societies of Control. October, 59, 3–7.
<http://www.jstor.org/stable/778828>

Didier Bigo renames the panopticon as the ban-opticon by citing Agamben's concept of a permanent condition of exception or what he describes as a post-9/11 global in-security crisis (Bigo, 2006). With the aid of new tool technology, power is exerted and several categories are created.

The populace that is so singled out, which might actually be any person or group within the populace, ends up falling under the category of bare lives. Giorgio Agamben now enters the stage of contemporary governmentality. Modern forms of governmentality adhere to the early modern Hobbesian logic of the sovereign, who created geospatial inequalities with the use of newly acquired technologies. The situation is comparable to how banks and insurance businesses are policed. (Ericson & Haggerty, 1997) (Graham & Marvin, 1996).

Transnational/cross-state perpetual motion necessitates increased surveillance in today's globalised society propelled by digital technology because spaces no longer remain fixed and time is limitless. Modern Hobbesian uncertainty, which Bauman describes as light, liquid, mobile, and slippery, carried out this function. 9/11, for instance, brought about a shift from care to control, and visibility will now be a process of observing, classifying, and studying. (Bauman, 2013). Any hierarchical entity with unlimited data processing capabilities, like data surveillance, is considered a new modality of (bio)power in liquid modern society, in contrast to the state. (Ceyhan, 2013). Further, she expands the notion of security as,

The expansion of security focus points to include novel and unexpected objects including body parts, personal data, biographies, and data. The evolution of violence and the new forms it has taken, as well as advancements in science, technology, and knowledge, such as the discovery of DNA and the development

of cutting-edge security technologies like biometrics, face-recognition technology, intelligent tracking systems, and the entire computerization and digitisation processes, all contribute to this mutation. These technologies stand out for being ubiquitous since they interact with people's daily lives and are not only tools for security agencies. Additionally, some of them, such as biometrics, which are heavily utilised in ophthalmology and endocrinology, contribute to the regulation of people's health. (Ceyhan, 2013)

The problem is that, detailing Bauman's words, inspectors can slip away (Bauman, 2013), and surveillance operates remotely in both place and time, flowing freely alongside but beyond nation-states in a globalised environment. Power now exists in extra-terrestrial and global space, but politics, which once connected private and public interests, is still local and unable to act on a global scale.

2.0.3 Rise of information society

Poster (2007) summarises that history may be periodized by modifications in the structure in this case of symbolic interchange, drawing mostly from Marx's mode of production, but also observing that the current society accords information a specific fetishist value. New forms of power have arisen along with the development of electronically mediated languages; these structures purposefully avoid both the liberal and Marxist concepts of dictatorship and exploitation (Poster, 2007). With the exception of Marxian economics, which views exploitation as an economic act, emerging forms of informational dominance are not acts at all but rather intricate language formations and symbol manipulations. (2007).

One must reject a politicisation that will take on new forms in response to the huge new tactics of power associated with bureaucratic regimes and multi-national

economies, which is strongly tied to Foucault's theory (Foucault, 1977). He further adds,

Our society is one of surveillance rather than spectacle. One invests in the depth of bodies beneath the surface of images. The thorough, practical training of beneficial forces is continued by the enormous abstraction of exchange. The exchange of information is facilitated by the communication networks. The power anchorages are determined by the play of signs. And it is not that our society has amputated, suppressed, or changed the beautiful totality of the individual. (Foucault, 1975)

It's a common misconception that people who have something to hide are the only ones who need to be afraid. Think of surveillance as something more than just the development of technologies or the expansion of power. In accordance with the research of social media, surveillance power inside social networking sites is endemic and substantial (Bauman & Lyon, 2013), for example, the potential of social media behind 'Arab Spring'. No morale works here in social media anymore, Bauman calls this as 'adiaphorization' (2013). Software developers argue that their work is amoral since they are only processing data, and that whatever evaluations or biases they may have been based on purely objective criteria. Rather of using a real person as a test subject, this instance makes use of technology to extract and generate a data double. The image in this process is used to make something visible, and thus a dialogue is not possible here (2013).

2.1 The Idea of Invisibility

The concept of invisibility varies from person to person and will conjure images in various hues. This form, which permeates written history, needs to be heard and thoroughly explained. Nothing is absurd in physics. Humanity is constantly being tested by the paradoxical statement that "nothingness has no place." Any concept of Nothingness or Emptiness that is used here is combined with the concept of invisibility. It is impossible to actually have nothing. Science is literally replete with obscure concepts like X-rays and black holes. Religion, and hence God, is the ideal illustration of the force of Invisible in the social world, as Karl Marx put it: "...the heart of a heartless society, and the soul of soulless conditions..." (Engels & Marx, 2012). Does (in)visibility suggest that the seen is being replaced by the unseen, or is it a combination of both? Terms like "seen" and "unseen" only have significance in the presence or absence of light. Despite the fact that these terms are used in the opposite context, there is a singleness between them that gives the conditions a non-duality characteristic. The words visible and invisible, which are frequently used in optics, are deconstructed here. So, it can be used to explain the *Ars magna lucis et umbrae* by Athanasius Kircher (Rome, 1646) to the Chiaroscuro drawing *La Fornarina* by Raphael. The argument between the visible and invisible, or seen and unseen, has traditionally made sense in opposition to one another. The researcher here engages the concept of visibility and invisibility as one, which is not the sum of the thoughts but rather what creates the singleness inside these as a whole, in spite of all its literal meaning. The study thus makes an effort to theorise the concept of (in)visibility.

In addition to optics, the concept of (in)visibility in social sciences is discussed here. Although the phrase "social invisibility" exists, it is quite ambiguous and can be used interchangeably with the word "marginalisation".

These discourses on exclusion or marginalisation, Axel Honneth's Theory of Recognition, and Emmanuel Renault's Social Suffering⁷⁴ could be viewed as some improbable attempts to theorise social inequalities. The list might be expanded to include academic schools that studies social inclusion and exclusion.

(In)visibility is somewhat closely related to what Ralph Ellison described in his work from 1952 as an outcry. The prologue begins with allusions from Hollywood to *The Haunted Location*⁷⁵, to which Ellison adds that it is neither an epidermal accident nor an epidermal transformation, thereby rejecting the prevalent notion of invisibility. And instead, he asserts that the people's refusal is owing to the fact that they are used to seeing things this way as a result of socio-political and cultural hegemony, as well as the narratives that have been discreetly woven across all areas of society since recorded history began. (Ellison, 1952)

It can be referred to as a self-experience in a phenomenological study. The function of self-consciousness becomes more significant as we get into more detail. It is preferable that it does not have a metaphorical significance based on perception since there, power plays a significant part in creating the feeling of invisibility, as in the scenario of "undressing nobility"⁷⁶ in the presence of a maid. The way each person sees will vary depending on their personal circumstances. Power, according to Ellison, is an invisible tool that is "confident," "self-assuring," "self-starting and self-stopping," "self-warming and self-justifying," and more. In the system, there are several power relations besides the state's authority, as in the case of Ellison. Therefore, a recognition feeling from or related to any actor in the play is insufficient.

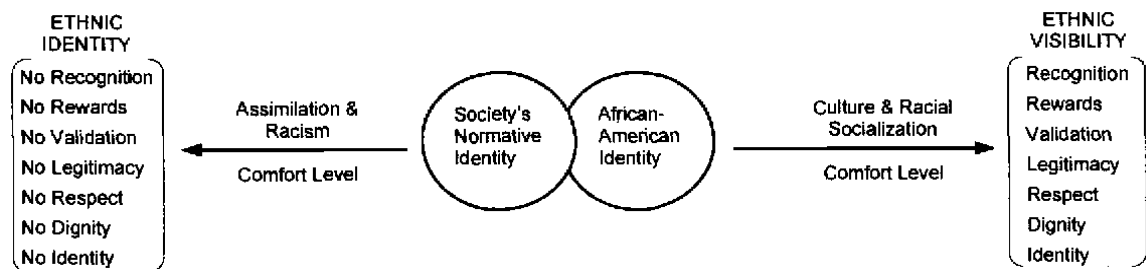
⁷⁴ Socially produced suffering and/or suffering that can be eliminated or alleviated socially.

⁷⁵ A poem by Edgar Allan Poe

⁷⁶

This is mostly due to the fact that there is only one actor involved and that "seeing" is one-sided and unidirectional. What if "seeing" were one-sided but multidirectional, taking into account many actors in regard to power dynamics. The solution is that it just intensifies and leaves issues unresolved, leading to dissonance. This type of self-experience is known as "invisibility syndrome" in psychology. This, according to Anderson and Nancy Franklin's research, is how people process a racist encounter and how they justify their own reactions to such encounters. (Franklin & Franklin, 1999).

Figure 2.1



Source: Franklin, A. J. (1999). *Invisibility Syndrome and Racial Identity Development in Psychotherapy and Counselling African American Men. The Counselling Psychologist, 27(6), 761–793.*

It is better to look at the reign of power and relations they make with the "subjects", following a third person narrative. Considering individuals are turned into subjects from Foucauldian view through various *dispositif*, roughly translated as apparatus. Among them, in particular, the thesis focuses on mechanisms that constitute visibility. In other words, how the subject is made into a state of visible is important—further adding, while doing so, what constitutes the "visible"?

2.1.1 Nature of (in)visibility

Sara (Saartjie) Baartman, "Invisible Venus," as the researcher prefers to refer to, subsequently became known as an iconic figure in the race and gender movements (BBC, 2016). She is of the South African Khoikhoi ethnic group. She was abducted by her employer from domestic slave labour and objectified in the early nineteenth century on the streets of Europe (Crais, 2009). Baartmann's "huge buttocks," which were caused by the medical illness steatopygia, made her "a piece of the display" (2009). Her employer even permits people to touch her genitalia due to how she turned into an exhibit. Later, after being relocated from England to France, she continued to perform in exhibitions for a new employer who was an animal trainer (2009). Baartman was used as research material at the time and was viewed as a form of "scientific racism" (Saartjie Baartman Centre, 2017)

Finally, at the age of 26, she died for unknown reasons (2017). Her dissected body was displayed in the *Musee de l'Homme*, an anthropological museum in Paris, even after she died. After two centuries of injustice, her body was returned in 2002 to South Africa (BBC, 2002; Zilwa, 2002), following repeated conversations and protests.

Making reference to the Sara Baartman narrative, this situation initially appeared to be solely medical. It matters how the hegemonic framework makes her visible after being physically viewed. Power manifests itself in several ways, by means that were colonial, racial, and sexist, Baartman was objectified. Without a shadow of a doubt, her story was completely at odds with natural justice. Here, Baartman's existence itself seems to be (in)visible.

Take the 'lantern laws'(Browne, 2015; Brown & Barganier, 2018; McNeil, 2018) of eighteenth-century New York, which mandated that black people carry

lanterns when walking through the city after sundown. As a result of the power being dispersed, do not be confused by the numerous actors involved. For the sake of convenience, let the state be the key point. Consider the trial that favored Sara Baartman's employer, the laws, and the documented/undocumented population. Similarly, the documentation of the slave trade, wartime passports, and papers of asylum seekers can all be added to the list of ways in which invisibility is exercised through state policies. Is there a shared form of (in)visibility?

This phenomenon prompts us to consider issues that go well beyond economics, politics, sociology, and psychology to consider the effects of lives that are driven into a "shadow existence," as these undocumented and lives without any sort of official status are marked by legal precariousness. Laborers in the informal or traditional sector, such as Dalit workers, farmers, and manual scavengers, as well as Indian women, are performing "invisible work"⁷⁷, "These unseen masses effectively powered the low-cost manufacture of any goods or service under the capitalist system, making it more accessible to others. Others contend that it is a new sort of economic survivalism, while some claim that the informal sector represents a stage of transition flowing into the formal economy (Davis, 2006).

One of the reasons why invisible people are so invisible is not just that they are unable to be recognised and seen by others; there are also several objections to including them in the realm of sight. Political campaigns that focus on asylum seekers are the best example. This behaviour qualifies as political invisibility. Novelist Philip

⁷⁷ The idea of 'invisible work' is redefined to fit into political sociology (many definitions are taken and reinterpreted to form a new definition starting from AK Daniels, 1989). In Daniels' work, invisible work is related to the unwaged work done by women, like in the case of domestic work (1989). And the other understanding is the invisible work done by the workers in the grassroots level while taking the capitalist system, for example the workers in the cotton fields when you take the clothing/fashion industry (Cherry et al., 2016).

Roth characterised this process of integration into the nation's crucible as a centrifugal force of invisibilisation that, as it absorbed new groups, rendered them invisible in the sense that their cultural distinctiveness was no longer obvious. (Milbauer & Watson, 1988). Two dimensions of political invisibility are underestimating the visibility of certain groups in order to further a specific political objective. The paradigmatic case of a subject requiring a multifocal approach, one that acts from outside the confines of specific disciplines, is social invisibility.

Dipesh Chakrabarty analyses what he sees as some of the flaws in Western historiography in *Provincializing Europe: Postcolonial Thought and Historical Difference*, particularly the neglect of alternate critical viewpoints in what has always been a Eurocentric approach to historical facts (Chakrabarty, 2009). As Gayatri Chakravorty Spivak (2015) famously asked in her article, *Can the Subaltern Speak?* To grasp the subaltern context, a deconstruction of the 'tool' used in social sciences is required.

The expressions of the personal and social story are not only disembodied representations of the "actual political life, nor are they plain recordings of past struggles." Life stories, oral histories, and histories of local literature, on the other hand, are essential media that link subjects to social interactions. The significance of considering "testimony and testimonial" as a "genre" of cultural conception, as in the instance of Asian immigrant women, it broadens the definition of acceptable knowledge to encompass forms and behaviours that have historically been excluded from both the aesthetic and scientific modalities of assessment. (Kral, 2014).

2.1.2 *Invisibility as a spectrum*

The concept of invisibility extends beyond Honneth's recognition, in which he characterises invisible as a negative quality, being heard in many ways. He contends that the invisible became apparent and was afterwards "recognised." The politics of invisibility are emphasised in this thesis. It is an idea that underlies the act of being in that condition rather than the study of the (in)visible as a state.

Depending on whether of these actors—state, socio-political organisations, or multinational corporations (MNCs)—is in the position of exercising power, different subjects are visible to different degrees. The act of making a subject visible or invisible is more significant than studying the subject in that condition, to put it another way.

Let's think about those who choose to live a "voluntarily secluded" or "uncontacted" life. For example, people who live in Amazon rain forests. According to reports from World Wild Life, illegal and unsustainable natural resource extraction is taking place there (Pacheco et al., 2021). The "Amazon abuse" turned become a threat to the indigenous peoples and the Earth as a whole. Things are a little different for Sentinelese (Forbes, 2018; Survival International, 2020), in the Indian territory of the Andaman and Nicobar Islands because they face less danger than they would in the Amazon. What about those who are "stateless," such as the Rohingya in South Asia? Surveillance makes it easier to put things and to control the influx of Rohingyas [or any migrant/asylum seeker]. Therefore, border controls might seem impersonal and mechanical even as they turn away an asylum seeker from the "wrong" ethnic origin (Bauman & Lyon, 2013). What level of visibility do these groups aforementioned currently have? Look at the megacities and, obviously, the residents in them to better understand this. No one will deny that they are visible, not even a little. By using several

groups that are in various spaces- social, economic, political, and, geographic, a comparison is made in a loose manner in order to understand the variance. People are "subjected to different sorts of surveillance," says Aihwa Ong, which is why visibility varies among different groups (Ong, 1999). According to surveillance studies, this results in the colonisation of more and more liveable spaces while leaving fewer and fewer 'indigenous' places of 'private' existence unaltered.

2.1.3 *Who is the beneficiary?*

Other than Orwell's "Big Brother," which is the totalitarian state, here, Franz Kafka's concept of "shadowy powers" that know everything about you is more appropriate. This poses a greater threat. The recipient is not revealed here. "National security" and "capitalistic competition" are two things in the limelight. The state also serves as a conduit for power in the contemporary world. Here, either there isn't a genuine beneficiary or the subject, i.e., the people aren't or weren't ever the sole beneficiaries.

The concept of (in)visibility is still in its developing stage. It might be challenging to theorise the concept of (in)visibility due to the diversity of power relations. Think about various instances where a clear "state of exception" occurs. No matter what the situation—be it 9/11, the Parris attack, asylum seekers, or a wartime scenario—the "dataveillance" will function as necessary to make the previously invisible subject instantly visible. After the 9/11 attacks, for instance, one will hear about the number of the Muslim community in the US, or a screening of a particular social group will start. Where do these data come from at that particular time? Is it gathered immediately after "controlling" the situation? According to this study, certain

data are present in the visibility mechanisms and I'd like to call them "dead data." These can be handled by anyone as they see convenient and are typically fluidic.

When does something that is invisible become visible? It is evident from the specific scenarios covered above that the "invisible" is the visible in and of itself. In these situations, "visibility" might be used as a metaphysical operator to find and so traverse the "invisible." Only when the (in)visibility is dichotomous could this be possible. The concept never starts with the presumption that "(in)visibility" is a counterpart of another issue while taking into account the dichotomous character. Instead, it develops an identity and exhibits flexible behaviour. In these circumstances, "visibility" acts on "invisible objects" and serves as an operative that transforms them into visible ones. translates to "total invisibility" without existing. The visibility of the subject is determined by the difference in the conditions. The subject's position on the invisibility spectrum is crucial, as is the actor through which power functions. The issue with the present world is that the "tools" that are frequently used for governing have a different character from the laws that were used to control in earlier periods, like the lantern laws. The former has an assortment of characteristics that prevent it from being categorised as "injustice," but the latter is "unjustifiable" in nature.

Understanding this activity requires an understanding of the implementation of specific policies and its effects. Whether specific policies are "good or bad" is the question at hand. The researcher wants to demonstrate that, to answer this question is not easy. In this thesis that there are some governmental programmes where the issue of invisibility occurs. How do they contribute to the visibility (or lack thereof) of a specific "subject"? The study here focuses on the identification project in India, using Aadhaar as a special case, and [the word usage, describes the character of State and the modern technologies].

CHAPTER 3

Writing the past: Identification in India from colonial to digital

One of the primary subjects of this research was to explore a critique of the Aadhaar verdict (from here on, the term "judgement" is used), which was an onerous lease. The 38 days(the third-longest hearing in the history of Indian judiciary after the Kesavananda Bharati case and Babari verdict) effort by the five-member constitution bench which consists of the then Hon'ble Chief Justice Dipak Misra, Hon'ble Mr Justice A.K. Sikri, Hon'ble Mr Justice A.M. Khanwilkar, Hon'ble Dr Justice D.Y. Chandrachud, Hon'ble Mr Justice Ashok Bhushan resulted in a 1448 pages judgement which includes a partial dissent of 481 pages by Hon'ble Mr Justice Ashok Bhushan, a dissent by Hon'ble Dr Justice D.Y. Chandrachud in 400 pages and the majority judgement which upholds the constitutionality of Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 by the remaining three in 567 pages. The initial inquiry here, does there exist any conflict inside the State institutions? (Here, the researcher finds judiciary as a part of State machinery) If yes/no, Define them. Secondly, what are the factors which lead to the authorisation move of Aadhaar in the Supreme Court? Moreover, to find out, what are the key points which emerged after the verdict? To answer these issues, the researcher examines the entire judgement and divides it into three parts: one with partial dissent, one with dissent, and one with the majority decision that upholds the Aadhaar act.

3.0 Between Individual and State: A Chronicle of Identification in India

The whole idea of identification takes many transformations and is being evolved at times. As a pre-text to the formative years of identity-cards, the identification process is deep-rooted from 'the state formation and empire building'⁷⁸ just after 1857. Due to the questions existing regarding naming the mutiny/chaos in 1857, subsequently, the researcher only uses the year to mark them. Since the idea of this thesis is the identification, a deeper understanding of the period just after 1857, is mainly made possible by going through government documents, especially w.r.t the census report of 1881. On February 17, 1881, W.C. Plowden, the Census Commissioner of India, began collecting data for what would become the first modern synchronous census, and all the previous Census⁷⁹ did not cover the whole territory controlled by the British Empire (Ministry of Home Affairs, Government of India, 2020). The dissolution of East India Company (EIC) was an aftermath of 1857, by the proclamation⁸⁰ of Queen Victoria on November 1 1858 (British Parliament, 1858). Also, the Government of India Act, 1858 came into existence.

The writing of history in this terrain is dealt with severe difficulties because so various interpretations and complexities of events that occurred. As pointed out by the historian C.S. Adcock, the proclamation laid the foundations of the secularism in India, with strong separation from the state institutions.

⁷⁸ A chapter in Michael Mann's book *South Asia's Modern History: Thematic Perspectives*

⁷⁹ 1824 census in Allahabad, 1827-28 Banaras census, 1830 census in Dacca; Census during 1836-37, 1849, 1851-52, 1856-57, 1861-62 and 1866-67 respectively, Census of North-western provinces 1952, General census of 1961(postponed in 1959), Census of 1863-68 (which includes territories of Punjab, Madras, Bombay, Calcutta and Berar , Census of Oudh 1869, Imperial census of 1871 and Census of 1872.

⁸⁰ Proclamation by the Queen in Council to the Princes, Chiefs and people of India (published by the Governor-General at Allahabad, November 1st 1858)

In contrary, it also creates the division among the people of India, i.e. Mahomedans and Hindoos⁸¹ (Adcook, 2014). It was inevitable to calculate the 'people in numbers' after 1857. Even the state holds administrative burden (which was considered to be one of the reasons for the Census), looking at the number of people.

For example, 'the excessive density of the population in the Ganges...that is to say, over a country larger than Spain and little less than France' (Waterfield, 1875). Here, the 'making of Hindu' must be understood as political. The political process thus gerrymanders the enumeration to form 'new politicised' groups in power (Bhagat, 2006). Countries like Great Britain and the United States later used these kinds of data collected by them, for the screening purposes related to immigrants (Massey, 1995). According to the Census, the 'other' group consisting of hillmen, aboriginals and socially out-caste people form a majority of the population, whose religion was difficult to be noted. There was no room for more than one religion among the heathens of India (Dalmia & Stietencron, 2006). In the Census report taken on February 17 1881, the deputy commissioner, Ellichpur interestingly writes this,

When the hill people were pressed for a reply as to what their religion was, sometimes after much parleying, they said either that they were Hindoos, or that they knew nothing about religion; that they were *arani log*, ignorant people. When they gave the second reply, the question was, what was to be entered in the column for religion. If one went merely by the answer, one should have noted 'does not know,' which would have accurately represented the answer.

(Plowden, 1883)

⁸¹ Hastings's *Plan* classified the population of India into two religious' groups, Muslim and "Gentoo," a term soon replaced by "Hindu" ...it also laid the foundation for the binary classification of Indians that would dominate the politics of representation under Crown rule. The term "Gentoo," derived from the Latin "Gentile," was synonymous with "heathen." Or converted innocents. (Adcook, 2014)

Furthermore, it follows to a conclusion that makes the counting of hillmen, aboriginals and socially outcast people in the Census merely 'invisible'. Due to the social complexity, they went 'invisible' which also added to an increase in the number of the Hindoo population, thus making a 'natural' imbalance of numbers.

Mr Bourdillon notices⁸² that the difficulty which Mr Beverley experienced in 1872, in separating Hindoos from others, repeated itself in 1881. In another classification, i.e., Occupation, women were not taken into consideration unless they have 'absent or deceased husbands. They were thus limiting women to fall under this category (Plowden, 1883; Government of India, 2020).

The British administration failed to see the social reality instead go for fulfilling the administrative needs they wanted (Mann, 2015). Scholars like Sudipta Kaviraj and Nicholas Dirks do not limit the formation of identities to the Census, the writer also follows the very same idea, but here in this thesis, the role of different identification means used by the state is the central tenant. To conclude the absolute pressure on the sub-continent from inside the societies after 1857 constituted a massive administrative change. In which, the census/identification techniques lead to formation 'invisible' bodies that later became normal in the eyes of the state. Adding to this, the idea of invisibility has changed over time in India.

⁸² To have allowed any discretion to the compiling clerks engaged in the tabulation of the figures taken out of the Census schedules would have been out of the question, and from the very outset the most stringent orders were issued, and it is believed that they were well carried out, that each person should be shown in the Census tables as of the religion to which he was described as belonging in the enumerators' schedules. The result has, no doubt, been that the number of so-called Hindoos has been somewhat overstated at the expense of persons following aboriginal and non-Hindoo systems of religion. (Plowden, 1883)

3.0.1 *The Indian Telegraph Act, 1885*

The Indian Telegraph Act of 1885 and with its amendments later⁸³ which came during that time became in limelight discussions during the privacy dialogues. There is a provision in the Act which says about the unique power of the state that enables to record/monitor the details of individual under exceptional circumstances, which along with the Information Technology Act, 2000 (IT Act, 2000) was evaluated during the Puttaswamy case and COVID-19 call records debates related to surveillance.

If we take the Indian Telegraph Act, 1885 into consideration, 1885 marks the formation of communication surveillance. Along with the IT Act, 2000, it still stands as one of the primarily used statutes used for the same.

The unique power of the state may be referred as, on account of any public emergency, public safety, to do in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states or public order or or preventing incitement to the commission of an offence includes the message not be transmitted, shall be intercepted, detained, shall be disclosed to the state (Ministry of Communications, Government of India, 1885). The intervention of the Supreme Court of India in the year 1996 results in the introduction of Rule 419A in 2007, which the thesis will discuss later along with the IT Act, 2000.

3.0.2 *Identification of mobile subjects*

In a sense, 'The Black Man's Lament'⁸⁴ shows how deep was the labour abuse over dark skin. Most of the production in Great Britain (also in the rest of the world) relayed on slave labourers, which came to an end officially after passing the *Slavery*

⁸³ 5 October 1993, 12 January 2003, 29 December 2006, 25 August 2015, 10 December 2015

⁸⁴ An 1826 poem written by Amelia Opie.

Abolition Act, 1833 and *Indian Slavery Act, 1843* in British India (Government Digital Service, UK) (Major, 2012). Thus, creating a lack of labourers in most of the industries, especially in plantations. Walton Look Lai says, along with Chinese migrant people these lacunae were dealt with the introduction of 'indentured Indian labour' (Lai, 1993). There has been a spate of theories related to the mobile subjects during the period 1880-1922, which focuses on the formation of Passport. The state thus formulated a clear-cut division between its citizen and the foreigner during the late nineteenth century to the WWI. These papers on constrain movement can be seen as a form of surveillance used by modern states (Torpey, 1999). Also, it creates certain conditions of "disciplinary power" induced to the structure of governance among the modern states (Chatterjee, 1993).

From "differential racism" related to the "Canadian correction" all the "free-subject" movements according to Radhika Vivas Mongia was "explicitly raced" and w.r.t British India it was primarily casteists. According to Mongia, colour bar was crucial to the formation of geopolitical space occupied by the nation-state. In addition, papers promote race as a national characteristic. *The Act XXI of 1883* has legislative power until 1915. In *Act XXI of 1883*, "Labour" was understood as "manual labour," exempting wealthy immigrants. (Mongia, 1999).

Radhika Singha argues about the complexity in the formation of Passport during the WWI. During the Great War, it was necessary for colonial Britain to produce travel paper. Thus, a new kind of paper [passport] was unveiled in 1915. There was a pressing need to track out "foreigners" and "political undesirables" once the war broke out. The words of Charles Cleveland, as cited by Singha, clearly states the vision of 'innovation' (Passport) as a means of limited surveillance (with the support of Defence Act). The body under surveillance also includes students. The portrait photograph enables border

surveillance, which creates race, gender, class and religious trouble, including the Purdah problem.

Unlike British Passport (which merely need the bearer's signature) the Indian Passport has several other interests⁸⁵. In December 1915, the Secretary of State for India continued to worry that "persons with seditious intentions" had entered Entente and neutral countries using just this paper. On March 8, 1916, Local Governments were ordered not to issue a certificate of identification to individuals of questionable allegiance, and its holders were cautioned against using it as a passport. (Singha, 2013)

A large flow of 'subjects' happened based on labour to other parts of the world from British India which was mediated by "*Kanganis or Maistris*". On paper it was marked as "voluntary contract", but it can be seen as a new form of slavery. The state categorised it as unrestricted or uncontrolled migration, absolving itself of responsibility for the welfare of the migrants. (Singha, 2013).

The post-war closure took stick rules regarding "undesirable persons" by introducing the Passport Bill on February 25 1920. Regarding "returning Indians" and "domiciliary" right in India. The most threatening were categorised⁸⁶ by the state. Thus, the Passport served as a paper for an extensive screening process.

3.0.3 *The formative years of welfare*

Here, a glance at different identification documents is made starting from the early rationing document used by the British government in India during WWII ⁸⁷.

⁸⁵ They were far more exacting, demanding entries against height, forehead, eyes, nose, mouth, chin, the colour of hair, complexion, face and 'any special peculiarities' (Singha, 2013).

⁸⁶ The people contaminated by seditionist nationalism, pan-Islamic anti-imperialism, or Bolshevism and persons convicted of grave offences, of a nature that would make them undesirable citizens, pimps, prostitutes, etc. (Singha, 2013)

⁸⁷ The wartime rationing during WWII is marked as a beginning because, [it] was the first mass-scale ID introduced during colonial rule (Sriraman, 2018).

Taking the cue of various scholars, Tarangini Sriraman mentions about the emergence of more systematic regimes of proof in the twentieth century, especially during WWII. Welfare and identification were not all plain sailing. The tentative introduction of national registration during WWI was taken beyond the borders by the British government. Thus, during WWII, a perfect registration system was made by linking this to the ration card and which helps the government in the recurring labour force (Higgs, 2004). This infamous move was made by making it a centralised process and tying it to the Food department's ration programme (Thompson, 2008).

With the help of private entities like Price Waterhouse (PW), the government also collects the clothing habits of the people (Amoore, *Governing the Identity*, 2008). Also, a type of economic nationalism was formed by different brands in their advertisement to reduce the usage of various commodities like petrol, thus helping the economical use of rationed items (Sriraman, 2018).

Rural areas were not rightfully rationed, whereas the priority according to the Famine enquiry commission was always given to cities and industrial areas. The shortage was made to address the military, strategic industrial and defence work; thus, the rural destitute, especially in Bengal, lost their lives (Sen, 1981). The ration was always limited to certain classes of subjects. The worst-case can be elaborated here as issuing separate cards for female subjects because they 'did not fit' the description of the manual worker, millhand, a soldier, policeman, or government employee (Sriraman, 2018). This fear of exclusion during the wartime makes the execution of ration cards easier. As Sriraman concluded, the issue of ration cards was an 'intensely disciplinary drive'.

Above all, the legality and normalisation of the use of the ration cards produced invisible subjects. Moreover, more than a card, it creates a conscious of Indian 'middle-class' constituting to the exclusion of a broad category. Thus, using various trickery, [mis]use of card from the beginning itself.

3.0.4 Citizenship and its dissents

The year 1947 witnessed one of the greatest migrations⁸⁸ in written history. The partition of British India created a bedlam so that the whole nine yards related to identification was like drawing in the backdrop of partition. Maybe was the reason behind the 'undefined' word 'citizen' in the Constitution of India⁸⁹. As pointed out by Anupama Roy, even though the Constitution of India lacks the definition, the problem of identifying a citizen was still there which constitutes a "contest" and "anxiety" for determining "national space".

This chaos led to the formation of substantially invisible subjects as "returnee" and "refugee" including abducted women as "misplaced/displaced" subjects. However, the "legal vacuum" existed during that time (roughly in between 1950 and 1955, i.e. Before the Citizenship Act 1955) make the movements along the borders possible (Roy A. , 2010). Apart from detailing, a glimpse is made possible at different Acts/Articles and the constitutional amendments. The thesis instead explores the profound shifts in official discourse on citizenship in India.

⁸⁸ One of the chapters in the book *Freedom at Midnight* written by Dominique Lapierre and Larry Collins.

⁸⁹ Part II (5-11) of the Constitution deals with the Citizenship. Under different titles, i.e. Citizenship at the commencement of the Constitution, Rights of citizenship of certain persons who have migrated to India from Pakistan, Rights of citizenship of certain migrants to Pakistan, Rights of citizenship of certain persons of Indian origin residing outside India, Persons voluntarily acquiring citizenship of a foreign State not to be citizens, Continuance of the rights of citizenship, Parliament to regulate the right of citizenship by law (The constitution of India, 1950)

Reflecting the immediate settings of "partition" in the discussions of the Citizenship, the constitution emphasis more on people's choices, Valerian Rodrigues argues, these "element of choice" became "uncertain" after the introducing Citizenship Act in 1955 (Rodrigues, 2008), which adds religious minorities and women to the invisible subjects and created new categories like "alien women" and "displaced persons". In Roy's words, there was a kind of "liminal Citizenship" from the beginning itself. All these categories reveal the intricate ways in which state actions developed new kinds of governmentality by actively intervening in national citizenship rules. Thus the 'fixing' of identity is political (Roy A. , 2010).

The matter of choice for Citizenship remained in regular conflict, and the term 'migration' was under legal scrutiny several times⁹⁰. Also, the intervention by MHA/MEA in some instances and the orders after that made the permissions little tricky. Comparatively, the influx was high across India and East Pakistan borders, due to lack of resources, the ethnolinguistic similarities of the border-crossers and the volume of migrants (Schendel, 2004). Also, the border has a geographical advantage comparing to India and West Pakistan border, which makes the migration easier. Simultaneously, a kind of nationalism emerged in and around Dhaka, which leads to an increase in tension in East Pakistan (Roy H. , 2016). Subsequently, building on the differences, i.e., cultural, linguist, political, ideological, and economic disadvantage that East Pakistan has led to the liberation war.

The immediate cause of the Bangladesh liberation war was Bhola cyclone⁹¹, which hit the shores of Bengal during November 12 1970, and the way the government

⁹⁰ Some prominent examples are, *Shanno Devi v. Mangal Singh* 1960 (Supreme Court of India), *State of Andhra Pradesh v. Abdul Khader* 1961 (Supreme Court of India), *Kulathil Mammu v. State of Kerala* 1966 (Supreme Court of India)

⁹¹ As per The Bulletin of the American Meteorological Society 52 (6) 1971, It was the deadliest tropical cyclone in the history. People affected was 4.7 million and 300,000 people were died.

deals with it. Along with the partition of the Indian subcontinent, "the formation of Bangladesh"⁹², resulted in the most massive single bilateral flow in South Asia (Raj, 2020).

As per the survey conducted by Indian Institute of Dalit Studies (IIDA)⁹³, the Dalits in Bangladesh whether it is Hindu/Muslim live in deprived conditions, i.e. invisible in "all spheres of life". The liberation war and military coup at a stretch was a perfect storm for them, and they continued to migrate towards India.

Alongside Assam gained much attention, was another Indian state like West Bengal that reached the threshold of the migrant influx. However, the complex treatment of history towards the region makes the position of Assam little problematic, mostly because of the internal tension over sub-nationalism, contested identities and ethnic rifts. After that, in 1979, agitation/movement started against the "illegal"⁹⁴ migrants in Assam, which was interestingly expressed by Sanjib Baruah as "India against itself" (Baruah, 1999). Following the "bloody election"⁹⁵ and coming back in power by the Congress party in the early 1980s, the government passed Illegal Migrants (Determination by Tribunal) (IMDT) Act on 1983. It immediately came to effect in the State of Assam on October 15 1983.

⁹² According to Bangladesh Bureau of Statistics, Bangladesh stands in the 6th place in terms of density. Formation of such a densely populous area makes itself a "demographic bomb". Which was one of the reasons behind the interference of India in the Bangladesh liberation war. A decision, which seems much political, have-control of influx of migration- in mind. Along with that, the population holds a large invisible subject which makes the situation further complicated. Despite different Islamization theories of "Bengal", caste gain much attention. Especially the occupation in which the population involved fits "them" to the lower category of the societal strata. Going through the early censuses reports, i.e. 1872 and 1901, it was clear that the majority of the Muslim/Dalit population was not centred around the old/new capital. Instead the demographic mass was spread around the delta.

⁹³ Iftekhar Uddin Chowdhury conducted the survey as part of the working paper series, *Caste-based Discrimination in South Asia: A Study of Bangladesh* on 7 November 2009

⁹⁴ Term just used to explain as per the view of agitators/State.

⁹⁵ Nellie massacre took place on 18 February 1983 (Guhathakurta & Schendel, 2013)

The IMDT Act of 1983, together with the Foreigners Act of 1946, makes it tough to detect "illegal" migrants. On August 15, 1985, the Assam Accord, Memorandum of Settlement (MoS), was signed in New Delhi between officials of the Government of India and the leaders of the Assam Movement. (Government of Assam, 2019). The Accord makes a "graded/differentiated system", based on the date.

Individuals who arrived "before 1966" will be regularised, while those who arrived "between January 1966 and March 25, 1971" will be legitimised in stages, and those who arrived "after March 1971" would be deemed "illegal" and deported (2019). Afterwards, an amendment was introduced to the Citizenship Act of 1955. An article 6A was added exclusively for Assam, the Citizenship (Amendment) Act 1986, making the problem localised, explicitly referring to "Assamese anxiety" above "national concerns" (Roy A. , 2010).

The Citizenship Act 1955 undergoes various amendments later, in which the thesis will only discuss the landmark amendments as the timescale progresses. In addition, the Supreme Court of India ruled the IMDT Act of 1983 illegal on July 12, 2005, in response to a writ suit brought by Sarbananda Sonowal (The Economic Times, 2005).

3.0.5 Birth of Aadhaar

Recalling the Kargil conflict⁹⁶ was necessary here because a paradigm shift happens w.r.t identification after the conflict. After the conflict, a committee was established to investigate the situation. On February 23, 2000, the committee's report was presented in both chambers of parliament (L K Advani, 2001). Apart from the confidential pages, unfolding the report discovers major reviews over the flaws on

⁹⁶ Kargil Conflict usually refers to be a conflict other than "War" (Nehra, 2018).

existing national security. The Kargil Review Committee (KRC) suggested comprehensive research regarding the security issues and formation of a Group of Ministers (GoM) to look into this matter (Kargil Review Committee, 2000).

As a result, under the chairmanship of L K Advani, then Minister of Home Affairs, GoM was formed on April 17 2000, comprising of George Fernandes, Minister of Defence; Jaswant Singh, Minister of External Affairs and Yashwant Sinha, Minister of Finance. The study conducted by the GoM was the first comprehensive review of its kind after independence and submitted a detailed report of the same on February 19 2001 (L K Advani, 2001). The significant challenges include external tensions; internal security issues in Jammu and Kashmir, North-East and Punjab; Migration and Caste, Communal and Sectarian Violence. Identification of the Citizen was one of the significant issues raised in the report. Thus, the committee suggests, "There should be compulsory registration of citizens and non-citizens living in India. This will facilitate the preparation of a national register of citizens. All citizens should be given a Multi-Purpose National Identity Card (MPNIC)" (L K Advani, 2001). It strongly recommends MPNIC's immediate implementation on border states, especially on the north-eastern region and later into the whole part of the country. Meanwhile, a "Seaman's Cards" was the suggestion towards the protection of maritime borders. Also, proposals came about having private partnerships, mainly in the IT field (L K Advani, 2001).

Taking the submission by GoM, the NDA government began a pilot study. And submitted a project review report of Multi-Purpose National Identity Card (MNICs) on September 7 2003. The MNICs review report suggests the collection of different data, including the "Finger Biometrics" (Registrar General, India, 2003). The review report on MNICs gets legitimacy by amending the Citizenship Act 1955. The amendment moved on December 18 2003, clearly states the Registrar General of India (RGI) "shall

act as the National Registration Authority and he shall function as the Registrar General of Citizen Registration" (Heptulla, 2003). The MNICs review report also recommended the "simultaneous use" of MNICs for "several multifarious socio-economic benefits and transactions" (Registrar General, India, 2003). This can be marked as the "blending" of Citizenship, Identification and Welfare processes in India.

The NDA government announced an early (before the end of its term) general election in 2004 (BBC, 2004). The complex change of identification began with the government change in 2004. In a sense, the primary idea of MNICs (by NDA government), was national security. The UPA government, in its national minimum programme, targeted the individuals. The concept of welfare was thus taking another path by directly targeting the beneficiaries. Thus. As a part of this, an idea of "Unique ID for Below Poverty Line (BPL) families" was introduced. It was followed by serious debates related to the formation of "UID Authority", which was in direct conflict with the earlier MNIC project of RGI. Alongside the coalition government makes the problem even worse. To piece this together, Prime Minister Dr Manmohan Singh, on December 4, 2006, formed an Empowered Group of Minister's⁹⁷ (EGoM).

The EGoM suggested the creation of a database and its maintenance. The idea was to collect data along with National Population Register (NPR). Formation of such a body was strictly opposed by the Home Ministry headed by Shivraj Patil.

Head of the EGoM, Mr Mukherjee deconstructed the worries. He made it clear that "the data collected by the UID Authority have nothing to do with Citizenship".

⁹⁷ Headed By then Minister of External Affairs (Later the hon'ble President of India) Pranab Kumar Mukherjee, The Minister of Communications and Information Technology, Dayanidhi Maran; The Minister of Law and Justice, Hansraj Bhardwaj; The Minister of Panchayati Raj (also, in charge of Minister of Development of North Eastern Region), Mani Shankar Aiyar; The Deputy chairman of the Planning Commission, Montek Singh Ahluwalia.

After the consensus, on January 2009, Unique Identification Authority of India (UIDAI) was notified by the Planning Commission. In Aiyar's words, "a giant superstructure was to be erected in Delhi".

After the *Lok Sabha* election results in 2009, the UPA return to power, this time without the support of the communist parties, which makes the entry of outsiders into the UPA lead government much easier. Considering the expertise and previous collaborations, Nandan Nilekani, co-founder of Infosys, was welcomed to join the government vis-à-vis UID project. On June 25, the Prime Minister of India, Dr Manmohan Singh invited Nilekani as the Chairperson of UIDAI with cabinet rank. Under Nilekani, to follow an autonomous structure, domain experts (After the financial crisis of 2008, many private individuals have the desire to work with the government. Nilekani only found difficult to make space for them.) were induced laterally from various fields. But the induction never works as it was seen in papers because of the conflicts that existed in the bureaucracy. Which intensified in between lead to the formation of a Cabinet Council (which on October 22, 2009, renamed as, Cabinet Committee on UIDAI).

Under the chairmanship of the Prime Minister on August 3 2009. Even after that, the Home Ministry raised its concerns over UIDAI and its data collection. The RGI stuck to its position saying "UIDAI would simply issue unique numbers and maintain the database. The RGI would have complete authority over the process". Mukherjee's budget speeches (Pranab Mukherjee was in charge of the Ministry of Finance that time) during this time (2009-2012) always finds a page for UIDAI. Meanwhile, on the other side, P Chidambaram, the minister of home affairs, moved the idea of security in support of RGI and an amount of Rs. 35.39 billion was allocated for the enrolment under NPR. The NPR database needs to be shared with UIDAI for

biometric de-duplication and for adding the numbers. In order to Thus, somehow, both the projects were in progress simultaneously.

The acronym was formed almost instant, like a blink of an eye. As part of the surveys conducted, Nilekani got a phone call from one of his teammates, Naman Pugalia. He delivered some words to Nilekani, which he got from Naiya Ram Rathore, a member of Mogiya tribe, '*Agar aap isko vaastavikta mein tabdeel kar sakte hain toh bahut acha hoga. Pehchaan hi toh jeevan ka aadhaar hai*' (If this idea can be translated into reality, that would be very good. identity is after all, the foundation of life). After that, by crowdsourcing the UIDAI selected one logo designed by Atul S Pande, featuring "a sun in red and yellow, with a fingerprint". Aadhaar was born.

3.1 Reading the Judgement

By reading, the researcher implies a detailed study of the judgement, especially both the arguments and scanning of the material proofs⁹⁸ used by the court to define them or to get to the holding. Also, the conflict between judgement and reality is picturised with the help of different examples.

Starting from the idea, "uniqueness", the judgement always got a backdrop that Aadhaar is something "foundational", which stands for the common man. The fact-checking also implies this by jumping off the point, "Unique ID for BPL Families", while starting the chronological events.

The whole challenges are divided such that, one challenges the Executive order and the other against the Act itself. First, there was a list of 16 writ petitions filed under Article 32 that challenged the notification⁹⁹ and Act. Second, along with this, seven transfer cases were also listed. Also, there were seven contempt petitions against the violation of interim orders. Moreover, a special leave petition¹⁰⁰ by UIDAI was left alone as another group. Also, as a part of state machinery, the enormous effort/time/money spent on the project may add a hesitancy to quash the entire system. It may sound like a distrust over the judiciary, but it is hard to nullify the effect of ₹11,500.49 crores¹⁰¹ from the scenario.

The four-month argument was mainly in the matter of 'totalitarian state' which Aadhaar makes and the 'constitutional validity' of the Aadhaar Act, which was passed on March 11, 2016, by the Lok Sabha, Parliament of India. The *cause célèbre* regarding

⁹⁸ All are taken purely from the Judgement itself.

⁹⁹ The notification dated 28/01/2009 by Govt. of India which details the structure and functions of UIDAI

¹⁰⁰ Criminal No. 2524 of 2014

¹⁰¹ as per an RTI reply from UIDAI, up to month of October 2019, minus the rest of the amount to calculate the amount during the time of judgement

the same will be discussed later. The government was off the wall about the Aadhaar Act, an act which gave legitimacy to a project which was passed nearly six years ago, i.e., on January 28 2009. Many petitioners came with dissent towards the decision by the Lok Sabha and challenged the *vires* of the Aadhaar Act. Much before that, in 2012, *Writ Petition (Civil) No. 494 of 2012* was filed by Justice K.S. Puttaswamy (Retd.) and Mr Pravesh Khanna, calling into question the Aadhaar Project's very existence on the grounds that it compromises the privacy rights of every Indian person. Which leads to the unanimous judgement on right to privacy on August 24 2017, will discuss this in detail at the appropriate stage. To find out the rationale behind the majority judgement, what is germane to our research is that take right of way through the judgement. Hence, the narrative will follow accordingly but remarkably to identify the juncture in conflict.

Initially, on September 23 2013, a two-judge bench passed an order to prevent the "mandatory" provisions in Aadhaar related matters, not to be made for "illegal immigrants" and passed it to a constitutional bench for final hearing. On August 11 2015, a three-judge bench moved the case into a larger bench and adhered to the earlier passed interim orders which restrict the making of Aadhaar mandatory for any benefits. Also, the bench added "LPG Distribution" with the existing PDS scheme, including the kerosene distribution. Later, October 15 2015, the hon'ble court added additional schemes¹⁰² into the list as mentioned earlier. Meanwhile, the researcher like to add one of the personal experiences that made Aadhaar card mandatory for undergraduate admissions. It was mandatory to provide Aadhaar in National Scholarship Portals for getting the scholarships for Scheduled Caste/Tribe students. In the researcher's experience, the provision was mandatory during the time 2012-2017.

¹⁰² Such as Mahatma Gandhi National Social Assistance Programme (NSAP), Prime Minister's Jan Dhan Yojana (PMJDY) and Employees' Provident Fund Organisation (EPFO).

Interestingly, in an order¹⁰³ dated September 14 2016, the hon'ble court directed the central government "to remove the mandatory conditions to give Aadhaar number in National Scholarship Portal".

Likewise, the hon'ble court extended the last date¹⁰⁴ for linking Aadhaar with bank accounts and, permitted the usage of Aadhaar for School admissions. It is true that by this time, all domains of life of individuals in the country were operating/part of the Aadhaar scheme.

Here the detailing always follows the order as written in the majority judgement. And the dissenting opinions will be discussed in the next chapter. The majority judgement failed to do a reality check; instead, it runs over the details in the papers. The lack of philosophical and political understanding of the oppositional argument never given importance. Both the judgement styles were entirely different.

After referring to the facts, the hon'ble court goes through the structure of Aadhaar. While mentioning the structure, the judgement noted the reason for the implementation of Aadhaar as "inclusion", of different communities. It was also one of the strong arguments, but there was no single evidence to support the "nature of inclusion". The bill itself clearly states that Aadhaar is a "proof of identity" and "could be" used to transfer benefits to individuals. The judgement merely noted the case between 2009 - 2016, i.e., pre-act period. The accuracy of the inclusion/exclusion debate during the hearing of Aadhaar Judgement was a perfect example of how the government itself changed the data given in the court. In the detailed examination, the incorrect percentage details given by the UIDAI in the court is misleading. At the time

¹⁰³ WP (C) No. 686/2016

¹⁰⁴ From 31 December 2017 to 6 February 2018 and the extension continues.

of inclusion debate, the failed percentage claim in the iris and fingerprint scanning was 8.5% and 6% respectively, and later it changed to 99.76% accurate during the exclusion exchanges. According to the data by Rethink Aadhaar, there were around 25 deaths reported related to Aadhaar.

As per the statement by UIDAI in the Honourable Supreme Court, a circular was released by on October 24, 2017, in order to stop the hunger deaths due to Aadhaar and all precautions are taken so that nothing is reported after that, but the interesting fact is that about 20 out of these 25 deaths was reported after this release of circular, which was in direct conflict with the statement. According to an RTI response from UIDAI, most of the people, i.e., 99.97%, have got Aadhaar by showing their existing IDs like voter ID. Claiming Aadhaar as the only solution for welfare is thus not valid.

No government official can describe how Aadhaar aided government social programmes. Every government programme has prerequisites. State-specific inclusion/exclusion rules govern the PDS. You will get a PDS card regardless of your socioeconomic situation. After the adoption of Aadhaar, in addition to the inclusion/exclusion criteria by state, people are compelled to link their PDS with Aadhaar, hence introducing extra inclusion/exclusion filters and making it harder (Khera, 2018). Aadhaar has become obligatory; yet, it is not sufficient to get social benefits. The majority of judges failed to comprehend this idea. Also, the judgement fails to fact check the government's spending on welfare programmes before and after Aadhaar. Like, the total subsidies given through different means and programmes. A cost-benefit analysis may be done later in the thesis in the upcoming chapters.

The majority judgement running about 567 pages merely considers the word "surveillance" and its aspects. It was one of the significant arguments that arose before

the court. Even though surveillance and its impact over individuals are off the map, privacy is dealt with greater importance. Privacy matters about the project and the need for a judicial review regarding the same were highlighted. It was noted that "unreasonableness" itself alone could not be taken to strike down the whole project. The legislative compatibility and where it violates any fundamental rights are the base for judicial review. The fundamental rights-privacy dialogue happened to be in the spotlight after the direct response made by Attorney General, Mukul Rohatgi¹⁰⁵ towards a writ petition, claiming the individuals have no right over their body.

Later, on July 18 2017, a five-judge bench referred the matter, i.e., whether the right to privacy is fundamental or not to a nine-judge bench. On August 24 2017, the larger bench unanimously upheld that right to privacy is a fundamental right under Article 21.

The 547 pages judgement was a landmark in the history of Indian judiciary. Even Though the Puttaswamy is foundational, the enquiry related to Aadhaar, which leads to the judgement was always in the blind spot. The unanimous privacy judgement was made up of six opinions by nine members, thus making the interpretations difficult for future references. The judgement relied upon different opinions out of the six to interpret differences in opinions. The very question of "limit of privacy" remains unaltered. The Hon'ble court always upheld the Puttaswamy and the right to privacy. However, the issue of how far one's right to privacy extends and under what conditions

¹⁰⁵ There is no absolute right over the body. If such a right existed, then committing suicide would have been permitted, and people would have been allowed to do whatever they wanted with their bodies. The right not to have bodily intrusion is not absolute, and the life of a person can also be taken away by following a due procedure of law. People cannot commit suicide and take drugs (Times of India, 2016)

it may be curtailed was addressed. Arguing that the protections afforded by the Constitution are not absolute. Furthermore, the limitations¹⁰⁶ are noted.

Gautam Bhatia refers to the situation as "state preserving itself" like that in the case of freedom of speech and he reminds that, "Puttaswamy, in itself, is not going to change that". The slight majority¹⁰⁷ argument by Justice Dr D. Y Chandrachud acknowledged the existence of human beings in relations. The Puttaswamy understands and gave importance to the collective value by quoting John Donne. Thus, the discourse of privacy was related to human dignity and upheld as such¹⁰⁸ in the judgement.

In the very same logic, surveillance was always beneath "national security", a term never explained in the whole judgement. The Hon'ble court somehow observed the need for surveillance in a "democratic society". The respondents also testified that; the authority is only collecting a bare "minimal information". In the opinion of majority judges, the collected data was limited/frequently used/collected otherwise globally never stands as a threat to the individual.

In addition, those who responded said no personal information was collected about them, including details on their race, ethnicity, religion, caste, tribe, language, benefits received, income, or health records. With this in mind, the court rules that the monitoring allegation was groundless since it was based on "mere probability."

¹⁰⁶ The reasonable restrictions must be in the interests of: (i) the sovereignty and integrity of India, (ii) the security of the state, (iii) friendly relations with foreign States, (iv) public order, (v) decency or morality or (vi) in relation to contempt of court, (vii) defamation or (viii) incitement to an offence.

¹⁰⁷ Penned by Justice Dr. D. Y Chandrachud with the support of four judges.

¹⁰⁸ The Judgement says, In a scenario where the State is coming out with welfare schemes, which strive at giving dignified life in harmony with human dignity and in the process some aspect of autonomy is sacrificed.

Nevertheless, in reality, through linking of multiple systems, the state breaks the rule of minimisation, which we will discuss at an appropriate stage.

Manner of Implementation

The very notion of "importance" of a mammoth project like Aadhaar was discredited by the state through its implementation as an executive order and later bringing a money bill in this regard. In the words of Prasanna, the making of Aadhaar and the related process itself marks as, "unreasonable, unconstitutional and unconscionable bargain". The judgement sticks to *section 7* of the Act, and with a "collective reading" by projecting the goal as "inclusive", the hon'ble court favoured the decision of the speaker to pass the bill as a money bill. The judgement failed to mention the "State- Individual" relation, especially coming to the process of implementation.

The manner of implementation always resulted in direct conflicts, even we look at the "mandatory-voluntary" provision, it keeps on challenging in the court, and the related interim¹⁰⁹ orders make it clear that the provision always remains only in paper. Similarly, the government added Section 139AA by amending the Income Tax Act for Aadhaar-PAN Card linkage. The bench remarks technology as a "vital tool" for modern governance. And borrowed different provisions from the IT Act 2000, to interpret many provisions in the Aadhaar Act.

There was no sensitive data protection act in India, and without such and comprehensive law, the judgement even interpreted whole data protection matters which even contains biometric data. Also, the introduction of technology to governance and the related problems were simply noted by the majority judges as defects which

¹⁰⁹ Interim order about the publicity related to the mandatory thing.

can be overcome by "work in progress"¹¹⁰. But the "work in progress" argument was in direct conflict with the wordings¹¹¹ from the beginning in the judgement while interpreting the constitutionality. Meanwhile, by coming to exclusion, the same argument stands. Moreover, all the aforesaid matters in which direct conflict arouses with the interim order passed was dealt in a very strange manner.

¹¹⁰ We understand and appreciate that execution of the Aadhaar scheme, which has otherwise a laudable objective, is a 'work in progress'. There have been substantial improvements in the system over a while from the date of its launch.

¹¹¹ Aadhaar project is an ongoing project, there may be some glitches in its working and there is a continuous attempt to make improvements in order to ensure that it becomes fool proof over a period. We have eschewed detailed discussion in respect of those arguments, which may not have much relevance when judging the constitutional validity of the Act and the scheme. However, such arguments of exclusion etc. leading to violation of Articles 14 and 21 are dealt with at an appropriate stage.

CHAPTER 4

Into the abyss of Aadhaar: Between citizen and the state

This chapter explores the subtle differences between the state's adoption of Aadhaar as a public policy and various other contributing elements. As a result, it should be mentioned that the State and its citizens have a relationship. By putting these relationships into the context of theories of power and governmentality, and, second, by drawing on the experience of India to emphasise the unique possible consequences of digital governance. The main focus of this chapter will be the current situation with Aadhaar, or how it stands ten years after its adoption and the ongoing social unrest about citizenship in India.

The entire chapter has been divided into three different sections for this reason. One that addresses the topic, did Aadhaar normalise the idea of Identification? and deals with the concept of identification how did the State create the circumstances to justify it? Furthermore, Aadhaar will be explained despite instances after it is implemented and normalised. The inclusion/exclusion discussion will next follow, focusing on whether it is exclusive or inclusive by examining whether Aadhaar was originally an inclusive endeavour (as defined by the State). The Aadhaar priorities and Who is the primary beneficiary? will be derived in addition to these in order to substantiate the statement.

4.0 Identifying the subject [body]

The body, or subject in Foucauldian words, is always identified within a geopolitical space in the process of bodily identification. The physical body is equated with identification in biometrics (Gilbert, 2010). The subjects who have been identified cannot be reduced to the physical body; rather, the identification that takes this route always lacks spatial importance and bodily performances through various means, including class, caste, gender, religion, or related identities that have been shaped by years of oppression. Even if it is focused with the so-called "neutral" technology improvements, such imperative allusions will always fail during identification by the identification of a simple physical body. This makes notice of the neutrality, and occasionally the objectivity, of such a device.

The "South Asian body," is always focused on varied bodily performances. The caste, gender, and class combo understudy in these spaces opens the possibility of generating an expanded number of (in)visible bodies by imposing the "constructed truth filled objectivity" of technology. Any technology that is, at the time of writing, being utilized or has long since perished is shaped in a similar manner to how oppressed identities are formed, i.e., through social construction. Creating anything "new" is completely technical; in this context, the word "new" is used to describe a piece of "new tool" or a new policy. The "newly developed" technology is like a "thin layer" over the layers of realities that already exist, layers that are mostly made up of and operating under various oppressive power relations.

According to Liljefors and Lee-Morrison, manufactured via strict screening regimes in geopolitical settings, the biometric body is intended to become exactly a biophysical source of certainty regarding an individual's identification determining

her/his/hir social position. Modern technology implementation is value-free (Amoore, 2006)) mindset. Here, the notion is explored through various examples.

The US President identified several nations as threats to the US in a presidential proclamation¹¹² dated 6 March 2017. The ineffective handling of these countries' ID systems was the cause of the exception. The requirements stipulate that all citizens must travel with electronic passports that contain data. (National Security and Defence, 2017).

Due to the difficulties of entering the US for individual people, particularly from Muslim countries, the opposition was there even before March; this separation can be traced back to the 9/11 attacks. Due to the ban's existence for some of the main Muslim nations, some refer to it as the "Muslim-ban." (BBC News, 2017) Even if the issue was brought up in front of the honourable supreme court, only a partial lift could be accomplished (2017). Similar to this, studies from the FRA, or European Agency for Fundamental Rights, reveal a noticeable rise in the discrimination against Muslims in Europe, particularly in terms of profiling and limitations based on religion. (European Commission against Racism and Intolerance, 2021). Different techniques are employed in both situations to improve active visibility, but they all lead to marginalisation in terms of governance. Such marginalisation or exclusion produce (in)visible bodies. The issue can also surface if the Identification exhibits what is referred to as objectivity. These bugs, according to the manufacturers, can be fixed in the upcoming level of upgrading.

Lack of knowledge of the actual world, especially in locations like rural India, might result in a major biometric failure. P. Sainath examines the underappreciated

¹¹² Executive Order 13780, "Protecting the Nation from Foreign Terrorist Entry into the United States".

invisible work carried out by women in rural India in a photo essay (Sainath, 2014), that spans around ten years (1993–2002). The work tells the experiences of migrant women, usually from Adivasi groups, who work in a variety of physical labour-intensive jobs, including as paddy fields, home chores, coal mines, quarries, brick factories, and stone quarries. The marginalised populations in rural India may suffer because of the "objective" nature. Similar to this, Shoshana Amielle Magnet contends that the technical readability of the fingerprint might vanish due to old age, physical labour like cleaning or building work, or even the delicate texture of the skin, which is frequently the case for Asian women (Magnet, 2011).

4.1 Deconstructing the concept of Aadhaar

Here we are looking at the previous years of the Aadhaar Card's existence after going through the history and events of the creation of Aadhaar, the Aadhaar Act, and the Aadhaar judgement. There are numerous methods to commemorate the Aadhaar project's ten years of operation. The Citizenship Amendment Act 2019 (CAA), is highlighted here by the researcher. The study will examine the connection between this project and Aadhaar, which may be discovered by looking at them, much as the concept of CAA. Additionally, this section wraps up the discussion we had previously on the Aadhaar Act's provisions for various non-financial topics as they relate to the money bill.

One of the major concerns raised about the Aadhaar project was security (along with privacy). The meaning of privacy varies according to class, caste, gender, and geographic area (privacy must be reinterpreted in the case of rural India); as a result, it is quite individualistic. Similar to this, the issue of security arises from both the state and the person, who each have different perspectives on security. It is difficult to

characterise concepts that operate differently depending on the gaze. The idea of security, or the protection of the State from numerous external dangers, is created by the State. In the case of Aadhaar, the State can identify its own citizens and, consequently, define the dangers or “illegal¹¹³ ones” by utilising Aadhaar as a specific identification tool.

Contrarily, if Aadhaar's "security" is questioned, there will never be a resolution because both sides are disputing the same idea—"security." The research will just briefly touch on the idea of security and will instead attempt to explore whether life has changed in any way since the implementation of Aadhaar.

The thesis consistently aims to describe the potential for (in)visibility. When introducing particular initiatives, like Aadhaar, do an individual or any "body" is rendered invisible. The strange thing about Aadhaar is that it is used to identify something, or to put it into plain sight, unlike previous government schemes. This chapter focuses on the notion of Aadhaar as a connection between identification and welfare. According to the government's claim, marginalisation and exclusion are brought on by a lack of identification. Aadhaar's introduction must thus aid in the correct and effective distribution of welfare programmes.

¹¹³ According to the state's legal standards, “illegal”. This word is used by the researcher in the framework of state

4.1.1 *Formulation of the Aadhaar project*

Security is the biggest concern regarding Aadhaar that is raised by a lot of people, activists, and groups, including political and non-governmental organisations. What, specifically in the domain of governance, has changed in India during the past 20 years? What makes the twenty-two years (1999-2020) so special? Historical patterns, which were skimmed over in the chapter before, show that beginning in the middle of the 1990s, India joined the rest of the world in embracing the internet and technology. On August 16, 1995, Videsh Sanchar Nigam Limited (VSNL¹¹⁴) first made internet services available to the entire population (Syngal & Deb, 2020). At the time, the Google story was just getting underway in a garage at Stanford University. In 1998, Larry Page and Sergey Brin formally founded Google in Silicon Valley (Page, n.d.).

The researcher's point was that when the digital age entered a new phase, new security concepts, such as "informational security" and "cyber/digital security," were also added in addition to the traditional ones. And the fallout from Kargil, coupled with the 9/11 attacks, caused the government to shift its focus toward other security measures. One of them was an ID card. Aadhaar's first priority was security from the moment of birth, so to speak. The 2008 Mumbai attacks raised more security worries for the Indian government. The 26 November 2008 incidents were dubbed "synonymously" (with 26/11) with 9/11. Even the name plays a part in establishing the "normalcy" required for state security.

Thus, the idea of security in India was characterised at the start of the new century. With a few programmes begun by the new UPA 1 administration starting in 2004, a later merging toward the idea of welfare began. The start of "the big recession"

¹¹⁴ Now TATA Communications

(2007–2009) occurred well before the Mumbai attacks. In India, the reaction was somewhat different. The government's many initiatives have increased demand and continued previous upliftment of rural regions (much before the great recession). A new welfare environment with more social expenditure on welfare programmes has been unveiled. The adoption of these¹¹⁵ programmes, which were mostly mediated by technology, gave the populace a sense of well-being.

All these created an environment for a perfect take off for the Aadhaar, on 28 January 2009. A programme which was meant for security reasons earlier launched in the perfect ground of welfare obviously became a welfare programme in the eyes of the commons. The next section of the chapter examines the government's assertions and different facets of the Aadhaar programme.

Uniqueness

In the beginning of the majority judgement¹¹⁶ Justice A.K. Sikri writes an explanation of uniqueness as - It is better to be unique than the best. Because, being the best makes you the number one, but being unique makes you the only one.

The uniqueness was never a subject under question along the whole ten years of process. Hans Varghese Mathews claims that according to study using calculus, "Propositions of duplicands¹¹⁷" is very high (Mathews, 2016), which is dangerously

¹¹⁵ Some of the initiatives included in the public expenditures for growth suggested a significant transfer of buying power to farmers and the rural economy. These included the waiver of farm loans, funding for the National Rural Employment Guarantee Program (NREGP), the Prime Minister's Rural Road Program, Bharat Nirman (aimed at enhancing rural infrastructure), and a significant increase in subsidies for fertilisers and electricity provided to the farmers. All these actions were performed for political reasons rather than in reaction to the current world crisis. Nevertheless, they have supported rural demand for both durable and nondurable consumer goods. In actuality, the budgetary splurge announced in February 2008 might be blamed for the GDP growth rates that were greater than anticipated in both the third and fourth quarters of FY 2008-2009 (Kumar and Vashisht, 2009).

¹¹⁶ Justice K.S. Puttaswamy (Retd.) and another Versus Union of India and others, 2018

¹¹⁷ Full calculation is given in the annexure (taken from paper* published by Hans Varghese Mathews).
*see reference.

forgotten by UIDAI itself during the initial model surveys conducted. The high ratio, 1/121, regardless of any doubts, makes it difficult in Identification- "unique identification". The probability of "false positive" is very high among a mammoth population. Thus, probability study is challenging the very foundational cause of Aadhaar, i.e., "uniqueness".

Similar false-positive calculations are indicated by UIDAI's own assertions, although they have received less attention from the media and the court. The findings came from a sample study with a sample size of only 20,000 that was carried out between March and June of 2010. Considering that there are around 1.3 billion people living in the country, it is obviously a small quantity. However, this figure seemed to satisfy the state and the honourable court.

According to UIDAI the False Positive Identification Rate (FPIR¹¹⁸) is 0.0025%. For the matching analysis, a total of 40,000 biometrics, divided into two groups of 20,000 each, were used (Moneylife Digital Team, 2011). David Moss interestingly calls it as, "sea of false positives"¹¹⁹.

In actual occurrences, the first FIR was filed in 2017 within the Delhi Police's purview. Raj Kishore Roy and Debayan Roy's names were on the initial FIR. Both reportedly had identical biometric data on their Aadhaar cards, according to the UIDAI

¹¹⁸ The probability that a person is mistaken for someone else)

¹¹⁹ How many different biometric pairings out of 40,000 may be selected?

Answer: $40,000 \times 39,999 / 2 = 799,980,000$.

UIDAI is correct. The number of comparisons required to establish uniqueness is of the order of 10^8 , whereas 40,000 is a number of the order of 10^4 . India does not, of course, have 40,000 people. It's more like 1.2×10^9 , or 1.2 billion. In order to demonstrate uniqueness, 7.2×10^{17} comparisons between pairs of biometrics would be required. How many false positives should UIDAI expect given that they have to perform 7.2×10^{17} comparisons?

Answer: $(7.2 \times 10^{17}) \times (2.5 \times 10^{-5}) = 1.8 \times 10^{13}$.

i.e., 18,000,000,000,000 or 18 trillion false positives that need to be looked into and cleared up. That means each and every Indian would need to look into and eliminate 15,000 false positives in order to demonstrate uniqueness. Which is impossible. (Thomas, 2018)

(Mint, 2017). In another case, Savithri, an accused, submitted different Aadhaar cards with similar photos in Bengaluru Police Station (The Hindu, 2018). A man named Bitu Biswas became a curious case of having different Aadhaar cards with two identities in two different states- Odisha and West Bengal. He even got married and bought a vehicle in West Bengal under a different identity, on the other hand, he was married before and also owned a motorcycle in Odisha (The New Indian Express, 2019). Similarly, in a case, a woman had possessed two Aadhaar cards, Hon'ble High court of Gujarat sought a report from UIDAI (Latest Laws, 2020).

There are numerous examples of Aadhaar faking/forging incidents. All these are simple forgery using easy methods. Nevertheless, there are also several cases in which UIDAI itself made 'wrongful' enrolments. As early as in 2014, UIDAI explained the case of 'Hanuman' [Aadhaar card was given in the name of Hanuman, a Hindu god, with a bank account which was at least active for three years (2014-2017) as per the reports] as "an exceptional case" (Dey, 2016).

In a more complicated case, which happened on 27 October 2016 a man named Mehmood Akhtar, a Pakistani spy was caught with Aadhaar card linked with a bank account and having an active LPG connection.

Even after he was deported in 2016, both his Account and Aadhaar number remained active for one year (despite the facts that majority of the newspapers reported the news citing his Aadhaar number) (Venkatanarayanan, 2018). Moreover, UIDAI itself clarify the difficulty of matching the biometric data in one of its interactive session on Aadhaar and DBT, "this method suffers from a high rate of inaccuracy" (Unique Identification Authority of India, 2016). According to the presentation, UIDAI claims,

"it may be easier to match two sets of databases using 'demographic information' electronically in bulk" (Unique Identification Authority of India, 2016).

Rights, Benefits and Inclusion

A small sample survey conducted in New Delhi, by Nandini Nayak and Shikha Nehra reveals that the Public Distribution System (PDS) aches under the Aadhaar linkage. Even the National Capital Region (NCR), faces a significant cut down in the ration distribution due to technical glitches. The introduction of the National Food Security Act (NFSA), 2013, was also a social movement to place elderly females as the head. Intervening in such a "right-based" programme without proper mechanisms-at least a "robust grievance redressal"- is an example for the improper implementation of Aadhaar project. Edward Snowden says, all the denial of rights happened due to the linking of Aadhaar and the existing network of basic governmental programmes constitutes "civil death".

From NCR let the thesis take a turn to Jharkhand, a survey¹²⁰ conducted among Particularly Vulnerable Tribal Groups (PVTGs). Small blocks, Manika and Satbarwa, were enlisted for conducting surveys in November 2018 by (National Rural Employment Guarantee Act) NREGA *Sahayata Kendra*. Even after a decade, the conditions of PVTGs are in a constant dilemma. Glitches still exist in various styles from denying to discontinuation, corruption and frauds to 'failure of *dakiya*'¹²¹ are few among them. Apart from the technical ones, most of the problems arise due to implementation problems or bureaucratic indifference which cannot be solved by the

¹²⁰ The survey interestingly adds the story of Sonu Parhaiya (s/o Maharaj Parhaiya, Rewat Khurd), about ten years old, was in a fix when the school principal told him that Aadhaar is mandatory for school enrolment, because he could not find his Aadhaar card. Interestingly, he found a way out: he re-enrolled and got a new Aadhaar card, with a different number!

¹²¹ home delivery of goods under PDS in order to prevent exploitation

mere implementation of technology. The vulnerable groups are always invisible even though the mechanisms are so powerful. Powerful in a sense, they are 'capable'- as per the claims of the State. That suggests the source of the issue is elsewhere.

Corbridge et al. explain the redesigning of the State's relationship with its people brought forth by digitalization. In the Indian context, Aadhaar has now become the "new norm." The image was designed from the perspective of the individual, or how they 'see' the State. Regarding the relationships, several programmes deliver to the person what comprises the State or the actual presence of the State. In the case of Aadhaar, "physical manifestations" are deconstructed via the use of digital and electronic methods. The technology network combines citizens as a "body" by requiring biometrics such as fingerprints and iris scans. The thesis will not examine what an individual "sees," but rather what occurs when the State tends to "see" an individual/population.

Firstly, by integrating Aadhaar into the Public Distribution System (PDS), Aadhaar has become a 'pro-poor' programme, i.e., by introducing Aadhaar into the country's key social safety systems, the system has become integrally intertwined with the nation's anti-poverty strategy.

Different scholarly works characterise the 'role' of technology in governance in the present day. Silvia Masiero provided an overview of these concepts in the Indian context, including the potential for technology to be used for good despite its misuse, the rebuilding of relationships through technological advancement, the politics of implementing various programmes, the impact on beneficiaries, and legitimacy claims based on the use of technology in policies. What is the issue connected with incorporating technology into government policy? The response is that it is really

troublesome. In the case of Aadhaar, it is not 'misuse' that everyone (at least in academia) fears. However, Aadhaar or something like has become such a "complex curry" in the actual society that even the perception of the issue has become complicated.

In terms of monetary benefits, the total spending of UIDAI "from its start in 2009" in Indian rupees (INR) is 12,386.15 Crores. (Estimated expenditures to October 31, 2020) One of the most commonly circulated assertions about the 'ghost' was that Rs. 15,000 crores were saved during the 2015-16 fiscal year.

The central government has saved Rs 15,000 crore by only using technology and targeted subsidies in the earliest phases. It was Rs 15,000 crores. Four states, Andhra Pradesh, Telangana, Puducherry, and Delhi, have implemented PDS trial programmes. And these four states have saved Rs 2,346 billion (Lok Sabha, 2016). Nandan Nilekani, chairman of the Unique Identification Authority of India, believes that having this unique number has saved the government around \$9 billion in fraud and waste (The Indian Express, 2017). Aid provided by the World Bank "We estimate that this (Aadhaar digital ID) saves the Indian government around \$1 billion each year by decreasing corruption and leakage. It helps in budgetary budgeting. It aids in the provision of other beneficial services" (Business Line, 2016) and contributes to the hype around Aadhaar's efficacy.

The International Institute for Sustainable Development (IISD) found that the maximum gross savings¹²² was less than 0.1% of the government's most recent stated estimate, demonstrating a significant discrepancy between the two. (Clarke, 2016).

¹²² In subsidy expenditure (i.e., before accounting for costs) from Aadhaar-based deduplication in FY 2014/15

Unknown are the entire advantages resulting from the implementation of Aadhaar. The information is unavailable in any public repository (The Hindu, 2018). The UIDAI rejects even a researcher's Right to Information (RTI) request for the total number of beneficiaries of Aadhaar. RTI has several restrictions with respect to the Aadhaar Act, namely: 1) The mode of execution of subsidy programmes, including the amount given and the details and beneficiaries of such programmes; and 2) The particulars of receivers of concessions, permissions, or authorizations issued by it. Under the RTI Act, these two are "Not applicable" (Unique Identification Authority of India, 2016). On the Government of India's Direct Benefit Transfer (DBT) website, "the estimated benefits/gains from DBT and other governmental reforms" is stated. Which displays an amount of 1,78,396.65* crores (cumulative expenditures until December 2019) without any supporting data. According to the website, "ghost beneficiaries" include fake/duplicate, ineligible, and nonexistent beneficiaries. Ineligible beneficiaries also include those who have migrated and those who have been removed due to death. In addition, the gain from LPG includes 1.05 billion "Give It Up" customers. Therefore, the 'estimated benefit' is the total of all of them, which indicates that the "ghosts," in the eyes of the government, are not really "ghosts."

The benefits listed above are not comprehensive, and it is actually economic in nature. It's difficult to do a simple cost-benefit analysis on Aadhaar since it's not a commodity in and of itself. In addition to monetary considerations, there are other non-monetary factors, such as who is or is not part of the project, to consider. The number of fatalities caused by Aadhaar is one of the most significant and has raised ethical issues about the initiative.

Since the death of four-year-old Shiv Kumar Majhi in May 2015, 47 fatalities have been recorded until 2018. The most of 'hunger-related' fatalities were recorded in

Jharkhand and Uttar Pradesh (11 deaths), followed by Odisha (10 deaths). In addition, the majority of those impacted are members of scheduled tribes (ST) (The Wire, 2018). The story of Santoshi Kumari, the 11-year-old Jharkhand girl, sparked widespread opposition to the linkage of Aadhaar; the child died wailing, "bhaat, bhaat" (NDTV, 2017).

How has Aadhaar benefitted the average Indian citizen? UIDAI has the answer. UIDAI claims first that Aadhaar is a "credible identification" or a "widely trusted verified identity." What is it about Aadhaar that lends it such credibility? What about the remaining identification documents? Are they not trustworthy? 99.97% of the Aadhaar numbers issued to date* (28/04/2015) have been issued to those who already possess at least two other identification documents (The Wire, 2015). Therefore, the "introducer system's" impact to enrolment is negligible. If this is the case, Aadhaar's "authenticity" is heavily reliant on the credibility of the document used for enrolment.

UIDAI offers nothing to guarantee its credibility. UIDAI's advertisement titled "Aadhaar — the most trusted ID in India" was deceptive. In the commercial, two ladies of apparent high social status interview a lady who has a very different look than themselves in order to determine her suitability as a maid. According to the advertising, the lady was chosen for the position because she possessed an Aadhaar, a "trusted ID." For the purpose of getting Aadhaar "trusted," the advertising almost renders other IDs, such as voter ID and PAN cards, untrustworthy, which is quite misleading. In addition, the advertisement emphasises the "online verification" of Aadhaar number as a distinctive feature. As stated before, a voter ID is one of the papers required for Aadhaar enrollment. Moreover, not just Aadhaar but also the majority of IDs may now be verified online.

UIDAI further asserts that "acquiring this verified identification has resulted in financial inclusion¹²³." The inclusion is based only on the welfare of the rural population, which is especially vulnerable. Coming to the point, Aadhaar never promises welfare or benefits, and ownership of Aadhaar alone is "not sufficient" to receive government subsidies and benefits. Aadhaar is also merely one of the Know Your Customer (KYC) papers required to create a bank account. As stated on the website scroll.in, "the scheme's objective of 'complete inclusion of India's unbanked population' relies on six pillars¹²⁴. The concept of financial inclusion is distinct from establishing a bank account. It was clear that programmes like as Jan Dhan Yojana helped to improve the proportion, as 66% of the approximately 536 million basic bank accounts were Jan Dhan accounts. Consequently, the proportion of the population with bank accounts doubled between 2011 and 2018.

During the Rajya Sabha Debates dated 8 January and 5 February 2019, Shiv Pratap Shukla¹²⁵ and Piyush Goyal, the finance minister respectively responded that "(as of 23.01.2019) there are a total of 34.03 crore Pradhan Mantri Jan Dhan Yojana (PMJDY) accounts, but only 28.16 crore PMJDY accounts are active. Additionally, the balance in 5,06 crore accounts is zero" (Singh, 2019). The Reserve bank of India's annual report on financial inclusion demonstrates the absence of "banking infrastructure" in rural India. According to the International Monetary Fund, the number of commercial bank branches per 100,000 individuals would grow somewhat from 12.87 in 2014 to 14.4 in 2019.

¹²³ As per Dr. C. Rangarajan committee, financial inclusion is "the process of ensuring vulnerable groups such as the weaker sections and low-income groups have inexpensive access to financial services and timely, enough credit when required.

¹²⁴ Universal access to banking services, an overdraft and RuPay Debit card to all families, financial literacy campaigns, a credit guarantee fund, micro-insurance and pension plans.

¹²⁵ Then- Minister of State in the ministry of finance

In the meanwhile, the number of ATMs per 100,000 individuals has decreased from 22.00 in 2017 to 20.97 in 2019. Shiv Pratap Shukla adds (during Rajya Sabha discussions on 12 February 2019) that "banks have considerable stress in maintaining the number of brick-and-mortar branches, resulting in branch closures" (Singh, 2019). In addition, the Pradhan Mantri Jan Dhan Yojana (PMJDY) data indicates that only 7.5 crore bank accounts out of 32.41 crore received Aadhaar-enabled DBT transfers. In addition to the previously stated reports, technological issues in a remote location further aggravate the situation. Therefore, the "financial inclusion" claim was a naive assertion.

Inclusion refers to the fact that receiving benefits via Aadhaar is not a one-time action, but rather occurs on a consistent, periodic basis. It is not the Aadhaar-enabled infrastructure, contrary to popular belief that obtaining an Aadhaar number entitles one to participation in a range of government programmes. Currently, the boundary between the majority of government agencies and technology infrastructure/tools - Aadhaar - is gradually shrinking. Therefore, it has become a gigantic apparatus in its own right.

Ranjit Singh identifies the intangible bodies as "low-resolution citizens/marginalized data publics." In his ethnographic research, he cites an intriguing comment from a right to food activist: "There are two sides to this dilemma., First, if we modify our stance on the project, the government will not do anything to establish arrangements for those for whom Aadhaar is ineffective. Second, notwithstanding our contradictory experiences, the claims of Aadhaar's utility will be legitimised ". For a third party, it is irrelevant how legitimacy is gained; she/he/she is simply concerned with whether something is legitimate or not. Singh and Steven Jackson expanded the research to investigate the 'inclusive' character of Aadhaar. One of the occurrences in their field note is further described as follows:

As I was leaving the enrolment office, I looked at my receipt and realised that the enrolling agent had entered "Yes" to the voluntary data-sharing question. When I mentioned this to him and he responded, 'That question has to be answered yes. Otherwise, you won't be able to connect Aadhaar with any government service.'

'What does that mean? Why can't we enter No?' I asked.

'The answer to this question is yes... 100% of the time. You cannot say no, otherwise what is the point of having an Aadhaar number?' (Jackson and Singh, 2018)

Jacob Appelbaum explains this reference as constituting a "digital caste system". If you choose not to be a member of the system, you will be the equivalent of an outcast in the twenty-first century. In principle, you are supposed to have the freedom to choose, but in practise, you will only have the option of being excluded and abandoned. (Appelbaum, 2017)

The 'seam' character of Aadhaar by mixing with other departments and the complicated infrastructure makes it impossible to distinguish the 'excluded' and 'included' by examining the margins. The infrastructure is too intricate to circumvent. In addition, since it is impossible to discover a 'generic' solution, the outcome will vary for each person. The 'exception registers' are the sole method, which may be a book or a human depending on the difficulty circumstances. These "human mediators" are required in emerging nations such as India.

Since proprietors of fair pricing shops are expected to provide a manual override method for real beneficiaries, exclusions owing to authentication failures should be technically null. However, our statistics suggest that exclusion occurs when biometric

authentication fails and the manual override is (incorrectly) not being used (IDinsight, 2010). By quoting William Mazzarella, "E-government programmes in India reveal a fundamental paradox by combining the political rhetoric of openness with corporate managerialism. This conflict is exacerbated by the depoliticization of digital infrastructure and the popular hype around digital technology ". This populist hysteria of "corruption-exposing X-ray machines" was also used to support the implementation of Aadhaar. Due to their hesitation, these "human intermediates" contributed to the existing indifferences, or, in other words, formed a substantial barrier to inclusion. Aadhaar limited to "simple presence" may not address the core causes of poverty and vulnerability; it is not an indicator of efficacy in and of itself (Bhatia, 2017).

4.2 Aadhaar and Citizenship

"Yet another" space has opened, where defining Citizenship is necessary. In order to cast doubt on the 'inclusiveness,' one may explain the paradoxical concept of "identifying without identification," given that nothing will ever be an island unto itself throughout the course of history. In technical terms, unlike papers employed during colonial or post-colonial eras, Aadhaar is a tool, or, in Foucauldian words, a *dispositif*. It's no secret that opinions inside the State have shifted with the introduction of advanced 'tools' for Identification. Today, identification is an issue for both the State and the individual. The philosophical issue 'Who am I?' has undergone a paradigm change such that, as Nikolas Rose explains, "the state demands us to demonstrate valid identity in order to enjoy our freedom." "Exercising freedom" is a clever term since Aadhaar enrollment does not guarantee freedom or rights. Instead, it is (technically speaking) an identification strategy that uses "data double." The advent of right-wing populism in India initiated the "politicisation of IDs" (Chatterjee, 2004). Moreover, with a technical background, Aadhaar established its pro-poor image inside an unstable and uneven society - the researcher uses these phrases due to the socio-political and economic situations in India. Justifications enabled "domestically as a welfare issue" and "internationally as a third world crisis" Swagato Sarkar cites Mordini & Massari as saying, "The majority of developing nations have weak and unreliable documentation, and the poorest citizens in these nations lack even these weak and unreliable documents." National and international advocates seek to make the invisible visible, to "give a face to the number of faceless individuals who reside in developing nations, so helping to the transformation of these nameless, scattered, powerless masses into the new global citizens" (Sarkar, 2019)

In addition, such a "politicised ID" cannot be understood in isolation; rather, it must be seen in light of the many programmes/projects linked with it. Beginning with LPG, Aadhaar now supports several Digital India projects, non-governmental services, private payment banks, and even dating sites. In addition to these features, Aadhaar occasionally overlaps with the National Population Register (NPR).

The NPR was established in 2010 by then-Prime Minister Manmohan Singh during the UPA-II administration. When Shivraj Patil (22 May 2004–31 November 2008) and P. Chidambaram (30 November 2008–31 July 2012) were Union home ministers, a pilot project on NPR preceded the formal starting of the procedure. (Mishra, 2020).

On 15 April 2015, during a meeting¹²⁶ led by Nripendra Mishra¹²⁷, the Director-General (DG) of UIDAI reported on the progress of NPR and Aadhaar seeding. Additionally, the following decision was made: "The non-NPR states must begin the seeding of NPR with Aadhaar by July 2015. A proposal may be drafted for this reason by the Mission Director, DBT, RGI, and DG-UIDAI ". The minutes further say that the Registrar General of India (RGI) would provide the NRC road plan for the state of Assam. In addition, it urges "to expedite the whole process of seeding in Bihar and Uttar Pradesh." Apparently, in the Rajya Sabha discussions, two Ministers delivered identical responses to the topic of integrating NPR and Aadhaar three years apart. On 30 July 2015, or roughly three and a half months after the meeting led by the principal secretary to the Prime Minister, Haribhai Parthibhai Chaudhary (The Minister of State in the Ministry of Home Affairs) confirmed in Rajya Sabha that Aadhaar was seeded in the NPR database at "an estimated cost of 951.35 crores" (Kurian, 2015). Also, he

¹²⁶ Details of the minutes of the meeting are given in the annexure.

¹²⁷ Then-Principal secretary to the Prime Minister

put it, "This has to be updated by adding births, removing deaths, and incorporating migration-related changes" (2015).

Similarly, Hansraj Gangaram Ahir¹²⁸ responded on 1 August 2018 to Ramkumar Verma's unstarred question on combining NPR data with Aadhaar by stating,

The National Population Register was compiled in accordance with the Citizenship Act of 1955 and the Citizenship Rules of 2003, coupled with the 2010 House listing and Housing Census. The Population Register data was sent to all State Governments for updating and seeding with Aadhaar numbers during 2015-16. Data from the Population Register seeded with Aadhaar has not been shared with State Governments. (Kurien, 2018)

The concept of a single identification card persists, as seen by the statements of Union Home Minister Amit Shah: Why can't we use a single card for all services, including Aadhaar, bank account, driver's licence, voter card and passport ? There should be a method in which all data is included on a single card. Potential exists here. For that reason, conducting a census in digital form is crucial (PTI, 2019). The RGI indicates in its RTI response (to The Hindu) that the NPR questionnaire has been finished. About twenty-one pieces of information, including the respondents' Aadhaar numbers (which, as in the past, are nominally "optional"), would be requested (The Hindu, 2020) (Scroll.in, 2020).

According to a report by the Wire, the RGI has already begun collecting Aadhaar numbers, and the number of Aadhaar numbers acquired by the RGI is roughly 60 crores (Wire, 2020). The RGI even advocated, if required, a modification to the

¹²⁸ Then-Minister of State in the Ministry of Home Affairs

Aadhaar Act and the Citizenship Act to facilitate the gathering of Aadhaar numbers (Wire, 2019).

The Aadhaar card itself states under the heading "information" that "Aadhaar is proof of identity, not citizenship." As stated before, Aadhaar does not exist in a vacuum. Aadhaar begins to reveal its character in accordance with the nature of the program/policy/department/scheme. Consider the situation of "citizenship" as an illustration.

UIDAI's website gives "three unique verification processes" for Aadhaar. One of them relates to the NPR, "based on the NPR (National Population Register) public scrutiny procedure." UIDAI portrayed it due to the difficulties in recognising biometrics and in such circumstances with the assistance of NPR; identification made simple by using demographic information.

Similarly, the objectives of the Office of the Registrar General and Census Commissioner, India, are articulated in a clear manner, that NPR will compile a thorough database of the identities of all permanent citizens. And adds, the database would include both demographic and biometric information. Exactly where does the RGI get its "biometric particulars" from? There is little question that RGI is referring to and requiring the Aadhaar database for biometric data. The government of India insists that the acquisition of biometric information (Aadhaar number) for NPR would be entirely "voluntary." From the above instances and RGI and UIDAI pronouncements, it is evident that "voluntary" implies "mandatory.". It may be beneficial to recollect earlier amendments, particularly those made after 2000¹²⁹.

¹²⁹ The Citizenship (Amendment) Act, 2003, The Citizenship (Amendment) Act, 2005, The Citizenship (Amendment) Act, 2015 and The Citizenship (Amendment) Act, 2019.

On 18 December 2003, L.K. Advani (the Deputy Prime Minister in charge for the Ministry of Home Affairs and the Ministry of Personnel, Public Grievances, and Pensions) proposed a change to the 1955 Citizenship Act. In the presentation, Advani primarily discusses the "Indian diaspora" and the necessity for foreign citizenship; hence, he believes that an amendment is required to include those who have migrated abroad. Dr. Manmohan Singh (then the leader of the opposition and former prime minister of India) highlighted further issues over the change in his response. He added,

While I am on this subject, Madam, I would like to say something, about the treatment of refugees. After the partition of our country, the minorities in countries like Bangladesh, have faced persecution, and it is our moral obligation that if circumstances force people, these unfortunate people, to seek refuge in our country, our approach to granting Citizenship to these unfortunate persons should be more liberal. (Heptullah, 2003)

Also, the Deputy Chairman says, "the minorities in Pakistan are also suffering. They have to be taken care of too" (2003). Further, hon'ble member of Parliament from West Bengal, Shankar Roy Chowdhury added that "minorities fleeing Bangladesh for fear of persecution should be given citizenship and should be treated in a supportive and kind manner" (2003). The amendment introduced the word "illegal migrant". Also, section 14A is inserted into the amendment, notifying the "compulsory registration of every Indian citizen and issuing of a national identity card". Moreover, the amendment "mandated a register for this and appointed RGI as the authority" for the related matters

Also, along with the Citizenship (Amendment) Act, 2003, The Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 made mandatory provisions in which "the Central Government hereby decides to prepare the Population Register in the country and the field work for data collection relating to all persons who are usually residing within the jurisdiction of their respective Local Registers shall be undertaken between the 1st April, 2010 and 30th September, 2010".

(Government of India, 2003). And thus, on September 7, 2015, the Ministry of Home Affairs issued a notice updating The Passport (Entry into India) Rules, 1950 to include a new clause. The notification exempted members of minority communities from Afghanistan¹³⁰, Bangladesh, and Pakistan, namely Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians, who were forced to seek refuge in India as a result of religious persecution or fear of religious persecution and entered India on or before December 31, 2014 (Government of India, 2015) while entering into India (The notification is still pending in the hon'ble supreme court as reported by The Economic Times on 6 December 2019). The absence of Muslims is highlighted by this change to the Passport (Entry into India) Rules, 2015. On 15 July 2016, The Minister of Home Affairs, Rajnath Singh filed a bill to modify the Citizenship Act, 1955. The bill was introduced to Parliament and submitted to a joint select committee in August 2016. (The Hindu, 2018).

4.3 Finding the rational: Through the final years of the second decade

The committee submitted its report on the Citizenship (Amendment) Bill, 2016 on January 7, 2019, and the Lok Sabha enacted the bill the very following day. However, the Bill expired due to the collapse of the government in preparation for the approaching general elections. (The Indian Express, 2019). With hardly any changes¹³¹, in the same year, on 9 December 2019, the re-elected National Democratic Alliance

¹³⁰ Inserted via a notification dated 15 July 2016. The word “Bangladesh” is changed into “Afghanistan and Bangladesh”.

¹³¹ The Bill reduces “period of naturalisation” into 5 years. Further, it exempted the north-east tribal regions, nothing “shall [be] apply to tribal area of Assam, Meghalaya, Mizoram or Tripura as included in the Sixth Schedule to the Constitution and the area covered under ‘The Inner Line’ notified under the Bengal Eastern Frontier Regulation, 1873”. Also, the Act, gave “powers to the central government to cancel the Overseas Citizens of India (OCI) cardholder’s registration”.

(NDA) government reintroduced the Bill. Submitted by Amit Shah¹³² and within two days, The Citizenship (Amendment) Bill, 2019 was passed by the two houses of the Parliament. The "amendment of section 2, in sub-section (1), in clause (b)" lead to nation-wide protests. According to the amendment, "the following proviso shall be inserted",

Provided that any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan, who entered into India on or before the 31st day of December, 2014 and who has been exempted by the Central Government by or under clause (c) of sub-section (2) of section 3 of the Passport (Entry into India) Act, 1920 or from the application of the provisions of the Foreigners Act, 1946 or any rule or order made thereunder, shall not be treated as illegal migrant for the purposes of this Act.
(Government of India, 2019)

In addition, the researcher wants to address the National Register of Citizens (NRC) implementation¹³³ in Assam¹³⁴.

¹³² Then- Home Minister.

¹³³ As per the directions of the hon'ble supreme court of India, "in the judgement dated 17 December, 2014", the apex court "fixed the timeline" for the completion of the process of NRC in Assam (The Telegraph, 2018).

¹³⁴ Citing the above-mentioned judgement, the Citizenship status was very complicated in the state of Assam, "it all began when the Burmese ceded Assam to the British on 24th February, 1826 as per the treaty of Yandabo, thus bringing to an end Ahom rule in Assam which had begun sometime in the 13th century. The British annexed Assam and placed it as an administrative unit of the Bengal Province. As early as 1931, C.S. Mullan, the Census Superintendent in his census report stated:

"Probably the most important event in the province during the last 25 years- an event, moreover, which seems likely to alter permanently the whole feature of Assam and to destroy the whole structure of Assamese culture and civilization has been the invasion of a vast horde of land-hungry immigrants mostly Muslims, from the districts of East Bengal. ... wheresoever the carcass, there the vultures will gathered together" (Politics of Migration by Dr. Manju Singh, Anita Publications, Jaipur, 1990, Page 59)

Means the demand of State of Assam (or people in Assam/north-east region) is different, the dissent is largely due to the fear in change of demographic composition. Exempting "tribal" areas is not a solution for them.

As many as 40 lakh applicants had their names deleted from the 3.29 crore registered names in the final form, which created "serious panics." A revised final list was submitted on August 31, 2019. Prateek Hajela (NRC State Coordinator) says 3,11,21,004 people are qualified for the final list, leaving 19,06,657 off. (India Today, 2019).

Citizenship in India, particularly in the state of Assam, is very complicated as a result of several causes (covered in the preceding chapter) and "political interests" in the long run. In 2019, Citizenship in India has reached its highest point of unrest. Aside from political unrest, the fundamental focus of the research is the concept of 'documentation,' or the construction of databases. To identify any synergistic relationships, it is vital to interrogate Aadhaar in regard to citizenship.

4.3.1 Aadhaar and Resident of India

The Introduction of the Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016 says that Aadhaar is for "individuals residing in India". By "resident", the Act means, "an individual who has resided in India for a period or periods amounting in all to one hundred and eighty-two days or more in the twelve months immediately preceding the date of application for enrolment" (Government of India, 2016). Since the implementation of the Citizenship Act of 1955, the "legality of citizenship" has been a matter of contention. And subsequent amendments clarified the subject of who constitutes a "illegal citizen"

Complicated acronyms, such as MNIC, NPR, NRIC/NRC, and CAA, make the matter more difficult to comprehend. What is the connection between these four and the Unique Identification Project? The solution was provided by a rational comprehension of the history of each will. Earlier in this thesis, the Multi-purpose

Identity Card (MNIC) and National Population Register (NPR) cases are also briefly described.

Aadhaar numbers are acquired from people throughout the process of updating the NRC in Assam. The State froze the gathered Aadhaar numbers, and individuals who made the list were eventually issued Aadhaar numbers. Aadhaar numbers are "flagged"¹³⁵ (DNA India, 2019) and refused to persons deemed "illegal". In the absence of Aadhaar, the exclusion rate for social welfare programmes would be very high due to the "practical manifestations" of several fundamental programmes such as ration distribution (Poddar, 2019). Home Ministry expressly says, "those who are not included in the NRC, and are even pending adjudicating of their citizenship status, will not be issued an Aadhaar". The vast majority of people who have been in India for at least 182 days, which is a far longer period of time than the minimum required under the Aadhaar Act (182 days). This requirement was implemented in 2015, when the NRC project first got underway. Person whose Aadhaar number has been "flagged" because an adjudication is still pending. In a letter to the Assam government dated November 2020, "NRC State Coordinator, Assam, Hitesh Dev Sarma requested the biometric information of the 3.8 million NRC applicants should be unlocked to allow them to receive Aadhaar numbers" (The Hindu, 2020). In Assam, the Aadhaar enrollment rate is low as a result of the current NRC procedure (Economic Times, 2020).

¹³⁵ Means, the particular Aadhaar number will be marked as "illegal". And the holder of such cards cannot avail any benefits from the state.

As published by The Wire on April 21, 2015, The Minister of State for Home Affairs Haribhai Parathibhai Chaudhary, responded that, The NPR is a usual register including citizens and noncitizens. And he adds, NPR will be a mother database for creating National Register of Indian Citizens (NRIC) (Kodali, 2019).

Recently, on 3 February 2020, the UIDAI requested evidence of citizenship from some Muslim residents of Hyderabad, alleging that their Aadhaar enrollment was obtained under "false pretences." According to rule 30 of the 2016 "Aadhaar (Enrollment and Update) Regulations," the notice was issued. The notification states that the holder of an Aadhaar number must present "all authentic documents essential to substantiate your citizenship claims." As previously said, UIDAI is not a Citizenship authority, and Aadhaar cards are not issued on the basis of citizenship. Nevertheless, in light of the ground reality, the issue might be raised: Does Aadhaar function differently when it comes to citizenship?

As senior NRC personnel, we use online "public communication tools like Google Drive and Gmail" to update the NRC website. UIDAI is requesting "technological help" from NRC in order to secure the acquired data (Economic Times, 2020). In addition, UIDAI is assisting the Assam state government in "building a biometric registration of non-NRC inhabitants" (Masiero, 2019). But what about the other 19,06,657 people who weren't included? What kind of measures would the state take to ensure the safety of such a large population? There has not yet been a decision made on these questions.

4.3.2 Information security in India

The plenitude of operating a whopping amount of data, on the whole, 'sensitive data' is challenging for any authority. India, unlike any other country in the world, has created a large database on its population over the previous two centuries. In contrast to General Data Protection Rights (GDPR) and Data Protection Directive, "India has not yet passed particular data protection laws." The privacy is only protected using "indirect safeguards", related to Puttaswamy Judgement. The sole fallback protection for Aadhaar was the 2000 Information Technology Act amends¹³⁶. The government has introduced the Personal Data Protection Bill in response to the present circumstances. According to the final version of the bill, the Centre may exclude any government agency from the privacy regulations for a variety of reasons, including anything that is in the best interest of India's sovereignty and integrity (The Wire, 2019). The clause, as said by Justice (retired) B.N. Srikrishna¹³⁷, is "dangerous" and might transform the nation into a "Orwellian state" (The Wire, 2019). In addition to Aadhaar, all options now contribute to the establishment of an "Orwellian state."

¹³⁶ include Section 43A and Section 72A, which give a right to compensation for improper disclosure of personal information. The Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011, under Section 43A of the IT Act.

¹³⁷ Led the panel that formulated the first draft of India's Personal Data Protection Bill (PDP)

CHAPTER 5

Conclusion

Starting from the title, firstly, invisibility, however it is defined so far, needs a reinterpretation. And secondly, introduce (in)visibility into public policy. These two characteristics have to be there in the title. The thesis's title is split into two sections in this instance: Unique Identification Project in India and The Problematic of (in)visibility. The second component obviously has to do with theorizing the invisible. However, the first portion can occasionally be mistaken. In particular, “unique identification” – “in India”, this may sound like the UIDAI project, i.e., the Aadhaar project. Despite the fact that the thesis includes an Aadhaar case study, the researcher intends to keep the title in a broader sense, which means identification project. "Unique" here refers to the tools/methods used by the state to create uniqueness via technology. Obviously, Aadhaar is one such example, but it is not limited to that, and it is not the end.

Based on the historical narratives of Aadhaar, there are four key observations in this thesis. Here, the decade taken for study begins with the creation of the Aadhaar card in 2009 and ends with the introduction of a bill in parliament: the Citizenship Amendment Bill (CAB). A detailed summary of the key points is given below.

A cost-benefit analysis

Firstly, according to the cost-benefit analysis completed in Chapter Four, there are no serious claims that clearly state the government's position. The Aadhaar project has a total cost of Rs 12,386 crores (up to 2019). In addition, the glitches claimed the lives of 47 people (reported until 2018). The majority of the reported deaths occurred

in rural areas of Jharkhand, UP (11) and Odisha (10). The DBT (Direct Benefit Transfer) website shows a total of Rs. 1,78,396 crores (up to December 2019). The supporting data for this claim is not provided there. As previously stated, even RTI has some limitations in relation to Aadhaar. The benefits claimed by the government and the supporting accounts from various sources, such as the World Bank, are misleading.

That is, the estimate provided by the union minister in Parliament, the claims made by the chairman, Nandan Nilekani, and the World Bank reports are all far off the mark, which can be verified against other studies, like the one carried out by IISD (details in the fourth chapter). The data associated with PDS is extremely complex. A field study (largely focused on rural areas) is required. There were many technical glitches in the beginning, but today, at least in urban areas, there is an ease of access due to the introduction of Aadhaar.

Because the data includes fake, ineligible (migrated people and removal due to death), and non-existent beneficiaries, the government's claim about identifying ghosts and thus saving a large amount of money is misleading. The data also includes 1.05 "give it up consumers." So the estimated gain is the result of all of these factors, not just the removal of fake/duplicate beneficiaries via Aadhar. The use of Aadhaar for proper delivery of LPG subsidies was one of the state's major claims at the outset, but after ten years of implementation, ironically, the subsidies for LPG are no longer available. It was first reduced by forming a group within a group, such as Pradhan Mantri Ujjwala Yojana (PMUY), and then the union government discontinued the subsidies.

The study also discovered that the UIDAI's claims of uniqueness and credibility are completely unfounded. The judgement starts with notion of uniqueness. The idea of

uniqueness is misleading because biometrics is not unique (it is just mathematics). The ratio of "the proposition of duplicands" was very high when using calculus, and the idea of uniqueness was thus challenged. Furthermore, the credibility of Aadhar is heavily reliant on the credibility of existing documents. Aadhar is a system that converts all physical documents into numbers. This simplifies computation and reduces the existence of nearly everything to numbers, including individuals.

About the Judgment

In addition to the factors mentioned above, other factors that influence judgement were noted in this thesis. The majority of the judgement focused on the pre-act period, or incidents that occurred between 2009 and 2016. The court failed to investigate the pre-Aadhaar period and state implementation flaws, such as the implementation of interim court orders. The court issued an order against making Aadhaar mandatory as early as 2013, and continued to issue such an order as late as 2016 - related to the linking of bank accounts. However, UIDAI forces individuals to do so. As a result, mandatory provisions always result in bureaucratic indifference.

The time spent by the judiciary on Aadhaar-related hearings was more than enough for the state to put its policies into action. As a direct consequence, the state forcefully constructs a massive infrastructure throughout the country. As an outcome, the decision is always made against the backdrop of a massive amount of money and infrastructure built by the state. Justice K S Puttaswamy filed writ petition (*civil*) no. 494 of 2012, which was the initial case to challenge Aadhaar. The final verdict took nearly 6 years, from 2012 to 2018. By that time, every person in the country was a part of the Aadhaar domain.

Furthermore, the government consistently provides misleading information to the Supreme Court. Examples include fingerprint analysis during the inclusion-exclusion debate and a report on hunger deaths. Furthermore, the Court fails to examine the government's spending on welfare programmes prior to and after Aadhar. The decision on privacy was much more difficult. The majority, six out of nine, were interpreted differently. As a result, the judgement lacked a single concept of privacy. Besides that, privacy was always prioritized over national security. Furthermore, the decision did not provide a clear definition of the term "national security."

UIDAI contradicts the minimization rule. That is, "the authority" claim to collect only the most basic information. True, UIDAI is collecting minimal data. I mean literally gathering minimal information. However, by connecting with various databases such as medical insurance, PAN cards, bank accounts, and so on, the information gathered was not minimal. Finally, the majority judgement, which is 567 pages long, focuses barely on the term "surveillance" and its various aspects. The details of the surveillance were revealed in Justice D Y Chandrachud's dissenting opinion.

Comparing the two governments

The main timeline of the Aadhaar case study spans the years 1999 to 2019. The National Democratic Alliance (NDA) and the United Progressive Alliance (UPA) were in power during this time period. And both held the seats for ten years each.

At the time of NDA-I, the project for identification was primarily motivated by national security concerns. And they prioritized a multi-purpose identification card, which the NDA-II comes closest to. From the historical accounts, it is clear that the NDA moved quickly. This means that the NDA government took up the challenge to

introduce and pass a related Act in parliament. Additionally, we can observe a decrease in subsidies during the NDA period.

Surprisingly, the UPA government may turn out to be the polar opposite of what was previously stated. The UPA portrayed the programme as a welfare-based national minimum programme. The first card was given to a tribal member at the introduction/inaugural function in a tribal village. As a result, the impression was created that the Aadhaar programme was intended for the poor. Also, the way the UPA reacted was very tactical, such as the right introduction of private parties after the left parties withdrew their support from the UPA government in 2009. In comparison to the NDA, the implementation rate was extremely slow. And there was always a hesitancy to introduce the Act, or the UPA failed to establish a legal framework. Subsidies are significantly higher than under the NDA government. However, the researcher believes that both the decrease and the increase in subsidies are part of a larger national programme. As a result, neither government can be held responsible for these.

When it came to establishing a project like Aadhaar, neither the government considered privacy nor data protection. Countries such as Estonia provide a legitimate model for incorporating techniques into public policy. The Estonian parliament gives importance to the law behind the policy, and only after the proper introduction of laws and regulations, the country moves towards the idea of a digital ID. Whereas in the Aadhaar scenario, each government reluctantly ignored the possibilities of legitimacy at the beginning of this project, which, in this writer's opinion, is a clear indication of the government's intention behind Aadhaar.

Historical narratives of the state's response to conflicts

As seen by chapter four details, the major conflict the Indian state faced after the implementation of Aadhaar was the concept of citizenship. Aside from a number of programmes, Aadhaar runs concurrently or occasionally overlaps with the national population register (NPR). There were a number of exchanges between the RGI and UIDAI regarding the usage of both the databases. It creates a mother database that serves as a massive surveillance apparatus. In this case, technology mediates the state's response to a conflict—i.e., citizenship. But the researcher was curious about the state's reaction to the same before technology.

Thus, the study traced the history of citizenship conflicts back to 1947, when the Indian subcontinent was partitioned. There was a legal vacuum from 1947 to 1955, and the Citizenship Act was enacted in 1955. Following this, the element of "choice" becomes "uncertain". The process of "fixing" identity, as Anupama Roy pointed out (a detailed description is given in chapter four), involves a politics of identification. The citizens have been in constant conflict, particularly during the 1970s and 1980s, with the Bangladesh liberation war and the Assam agitation/movement. In 1983, the response was the Illegal Migrants (Determination by Tribunal) Act. In addition, the Assam Accord of 1985.

The state's response to conflict in 2019 was mediated by technology, specifically Aadhar. Ironically, Aadhar is a response to a conflict that occurred between 1999 and 2009. The Kargil War in 1999, as well as the dynamics in the international scenario after 9/11, influenced the development of the Aadhar prototype, i.e., the concept of multiple identity cards. In addition, the concept of security grew as an immediate result of the 2008 Mumbai attacks. As a result, the state's response to a

conflict was clear in this case. But the study began to delve into the history of deep roots of identification in India, i.e., the pre-Independence era.

Despite World War II and the 1943 Bengal famine, India implemented a rationing system. According to Amartya Sen (2006), the ration was always limited to specific classes of subjects. During World War I, there was a tentative introduction of national registration. During WWII, a perfect registration system was created by connecting it to the ration card. The state also received assistance from private entities such as PriceWaterhouseCoopers, which can be seen as an earlier example of the introduction of private parties into the welfare mechanism, as in the case of Aadhaar.

Even before that, notably between 1880 and 1922, there was a significant labor movement, and it was made clear that the papers published were predominantly casteists and color-bar papers (Mongia, 1965). During World War 1, a new travel document called a passport was introduced to limit movement. During this time, the Telegraph Act was also passed into law. This had a direct bearing on the chaos and confusion of 1857. Following the chaos of 1857, it became necessary to count the "people in number," leading to a stronger and wider-reaching census in India. Additionally, after the Indigo uprising in 1859, fingerprinting became used publicly.

What is the state's idea of Aadhaar? was the key issue this thesis set out to answer. In addition to historical accounts of the identification process in India, the study also looked at a comparative viewpoint by drawing parallel patterns from many regions of the world in order to build a strong and convincing argument which is given in the introduction chapter itself.

Comparative examination made it abundantly evident that the emergence of French identification began after the post-revolutionary era. The identification cards

were initially just for foreigners, but they were later made available to everyone. Due to tensions between the church and the state, registration also began in German states in the late 19th century. A "race state" was actually established in the 1930s, which marked a significant paradigm change. Similar to this, internal and foreign disputes were linked to Japan's registration process, which was initiated during the Tokugawa era. The tensions and religious threats led to the implementation of the registration system and limits on movement. Controlling the influx and movement of migrant populations is made possible by the "Kiyru" system. The early Chinese registration scheme served as the foundation for the Japanese system. The western Jin Dynasty in China conducted a census right away as a result of the Qin dynasty's fall and the subsequent numerous conflicts. The study reveals that the majority of imperial China's policies, particularly those concerning land, were intended to increase the state's revenue.

Two instances from the present, PRC and Estonia, were chosen from the examples utilized for the comparative analysis. In the case of contemporary China, efforts were made to sort the urban population as a result of the country's ongoing upheaval and revolution in the first part of the 20th century. The Hukou registration system was then implemented throughout the state. Initially used against the enemies of the class under Chairman Mao, it was later directed at political dissidents and criminals in the 1980s. It served as a tool against Falun Gong practitioners and Muslims. Similar to this, PRC today uses the social credit system and is widely discussed in modern policies. The situation in Estonia, which is currently the most technologically advanced society, is similar. The nation started to use technologies in governance to address the issues that arose after the collapse of the Soviet Union. In the early 1960s, technology research was conducted in Estonia, particularly at the Institute of

Cybernetics, in the Soviet Union. Ironically, following Independence, the same technology is being utilized to exacerbate inclusion issues among the Russian-speaking community. As a result, an “Other” is created. Also, by examining the history of identification process it is clear that, identification is always in relation to a conflict.

The thesis goes back to its first section, the theoretical section, to signify the "othering". The word "invisibility" is used in this context to describe the "othering" brought on by visibility mechanisms. Therefore, the thesis includes a step toward theorizing the concept of (in)visibility. Taking into account Michel Foucault's method from *The Subject and Power*, which calls for examining power dynamics "through the antagonism of methods". For instance, we might look into what is going on in the area of visibility to learn more about what our society means by (in)visibility. The purpose of this research is to establish a history of the many ways in which human beings are rendered invisible in contemporary society. The theoretical notion of ‘(In)visibility’ is in the germination stage, and this thesis will provide a working explanation of the term. The thesis explores the idea of invisibility. So, a secondary question is added to the research problem- invisible to whom? Furthermore, who is in the state of invisible? Or in advancement, in the social sciences, does something exist as invisible? The idea of invisibility is developed initially by taking the case of Sara Baatman. Later, different actions throughout history are added and analyzed. The writing style “(in)-visible” is adopted here to mark the fluidic nature of the term. Thus, the term (in)visible includes both visibility and invisibility. The term "invisible" is taken from the 1952 Ralph Ellison novel. A detailed description of the etymology of the term is given in the second chapter.

Different types of surveillance mechanisms are documented from histories and pilot studies carried out previously at the study's initial stage. Therefore, "how the

subject is made into a state of visibility?”, is addressed in-depth historical accounts that provide the answers. In some cases, the state acts as the primary observer. Here, just the state is taken into consideration or is the spectator while drawing a conclusion on the idea with regard to Aadhaar. Thus, it provides an answer to the query that was concealed from the state. Additionally, different types of surveillance are used on different people, which is why visibility varies. Deconstruction is required in the social sciences to examine the 'tool' for comprehending the subaltern setting. So, there is a space for invisibility studies in social sciences.

Once again, Aadhaar is a temporary facet; what will endure is the concept behind Aadhaar. Additionally, by reducing everything to numbers, the bureaucratic level's simplicity may be a path to centralization, which would weaken federalism. There is a good chance that institutions at the regional level will establish themselves in order to improve the identification procedure for the Nation Register for Indian Citizens. The Aadhaar project is an expansion of Melvin Kranzberg's technological laws. Therefore, it is impossible to respond categorically to the question, "Is it good or bad?" It was previously permissible, as in the case of the lantern laws, where there is a clear injustice. However, in policies mediated by technologies, such an injustice may not exist or may be rendered invisible by some benefits of the technologies. Thus, the thesis concludes by saying that - Aadhaar is neither good nor bad; nor impartial.

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ANNEXURE



भारतीय विशिष्ट ओळख प्राधिकरण

भारत सरकार

Unique Identification Authority of India
Government of India

नोंदणी क्रमांक:/ Enrolment No.: 00000000000000000000

Download Date: 28/07/2018

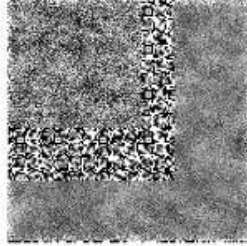
Generation Date: 07/04/14/18

To



Signature valid

D:\Data\signed\...
L:\Data\signed\...
AUL\TTP\...
Private\...
IF



QR Code with Photograph

आपला आधार क्रमांक / Your Aadhaar No. :



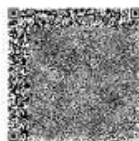
माझे आधार, माझी ओळख



भारत सरकार
Government of India



जन्म तारीख/DOB: 12/12/2000
पुरुष/ MALE



माझे आधार, माझी ओळख



Government of India



सूचना

- आधार ओळखीचे प्रमाण आहे, नागरीकत्वेचे नाही.
- ओळखीचे प्रमाण ऑनलाइन ऑथेन्टिकेशन द्वारा प्राप्त करा.
- हे इलेक्ट्रॉनिक प्रक्रिये द्वारा तयार झालेले एक पत्र आहे.

INFORMATION

- Aadhaar is a proof of identity, not of citizenship.
- To establish identity, authenticate online.
- This is electronically generated letter.

- आधारला देशभरात मान्यता आहे.
- आधार भविष्यात सरकारी व खाजगी सेवांचे फायदे मिळविण्यास उपयुक्त आहे.
- Aadhaar is valid throughout the country.
- Aadhaar will be helpful in availing Government and Non-Government services in future.

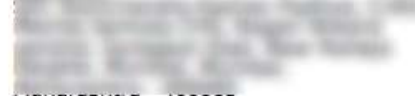


भारतीय विशिष्ट ओळख प्राधिकरण
Unique Identification Authority of India

पत्ता:



Address:



QR Code with Photograph

20563543563543

VID: 09130014 3017 1030



1047



help@uidai.gov.in

www.uidai.gov.in

THE AADHAAR (TARGETED DELIVERY OF FINANCIAL AND OTHER SUBSIDIES,
BENEFITS AND SERVICES) ACT, 2016

ARRANGEMENT OF SECTIONS

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2. Definitions.

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THE AADHAAR (TARGETED DELIVERY OF FINANCIAL AND OTHER SUBSIDIES,
BENEFITS AND SERVICES) ACT, 2016

ACT No. 18 OF 2016

[25th March, 2016.]

An Act to provide for, as a good governance, efficient, transparent, and targeted delivery of subsidies, benefits and services, the expenditure for which is incurred from the Consolidated Fund of India, ¹[or the Consolidated Fund of the State] to individuals residing in India through assigning of unique identity numbers to such individuals and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.

(2) It shall extend to the whole of India ^{2****} and save as otherwise provided in this Act, it shall also apply to any offence or contravention thereunder committed outside India by any person.

(3) It shall come into force on such date³ as the Central Government may, by notification in the Official Gazette, appoint; and different dates may, be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.

2. Definitions.—In this Act, unless the context otherwise requires,—

⁴[(a) “Aadhaar number” means an identification number issued to an individual under sub-section (3) of section 3, and includes any alternative virtual identity generated under sub-section (4) of that section;]

⁵[(aa) “Aadhaar ecosystem” includes enrolling agencies, Registrars, requesting entities, offline verification-seeking entities and any other entity or group of entities as may be specified by regulations;]

(b) “Aadhaar number holder” means an individual who has been issued an Aadhaar number under this Act;

⁴[(ba) “Adjudicating Officer” means an Adjudicating Officer appointed under sub-section (1) of section 33B;

(bb) “Appellate Tribunal” means the Appellate Tribunal referred to in sub-section (1) of section 33C;]

(c) “authentication” means the process by which the Aadhaar number alongwith demographic information or biometric information of an individual is submitted to the Central Identities Data Repository for its verification and such Repository verifies the correctness, or the lack thereof, on the basis of information available with it;

1. Ins. by Act 14 of 2019, s. 2 (w.e.f. 25-7-2019).

2. The words “except the State of Jammu and Kashmir” omitted by Act 34 of 2019, s. 95 and the Fifth Schedule (w.e.f. 31-10-2019).

3. 12th September, 2016 — Sections 1 to 10, 24 to 47, *vide* notification No. S.O. 2927 (E), dated 12th September, 2016 *see* Gazette of India Extraordinary, Part II, s. 3 (ii).

12th July, 2016 — Sections 11 to 20, 22 and 23, 48 to 59, *vide* notification No. S.O. 2357 (E), dated 12th July 2016, *see* Gazette of India, Extraordinary, Part II, s. 3 (ii).

25th July, 2019 — Sections 1 to 30, *vide* notification No. S.O. 2649 (E), dated 25th July, 2019 *see* Gazette of India, Extraordinary, Part II, s. 3 (ii).

4. Subs. by Act 14 of 2019, s. 3, for clause (a) (w.e.f. 25-7-2019).

5. Ins. by s. 3, *ibid*, (w.e.f. 25-7-2019).

(d) “authentication record” means the record of the time of authentication and identity of the requesting entity and the response provided by the Authority thereto;

(e) “Authority” means the Unique Identification Authority of India established under sub-section (1) of section 11;

(f) “benefit” means any advantage, gift, reward, relief, or payment, in cash or kind, provided to an individual or a group of individuals and includes such other benefits as may be notified by the Central Government;

(g) “biometric information” means photograph, finger print, Iris scan, or such other biological attributes of an individual as may be specified by regulations;

(h) “Central Identities Data Repository” means a centralised database in one or more locations containing all Aadhaar numbers issued to Aadhaar number holders along with the corresponding demographic information and biometric information of such individuals and other information related thereto;

(i) “Chairperson” means the Chairperson of the Authority appointed under section 12;

¹[(ia) “child” means a person who has not completed eighteen years of age;]

(j) “core biometric information” means finger print, Iris scan, or such other biological attribute of an individual as may be specified by regulations;

(k) “demographic information” includes information relating to the name, date of birth, address and other relevant information of an individual, as may be specified by regulations for the purpose of issuing an Aadhaar number, but shall not include race, religion, caste, tribe, ethnicity, language, records of entitlement, income or medical history;

(l) “enrolling agency” means an agency appointed by the Authority or a Registrar, as the case may be, for collecting demographic and biometric information of individuals under this Act;

(m) “enrolment” means the process, as may be specified by regulations, to collect demographic and biometric information from individuals by the enrolling agencies for the purpose of issuing Aadhaar numbers to such individuals under this Act;

(n) “identity information” in respect of an individual, includes his Aadhaar number, his biometric information and his demographic information;

(o) “Member” includes the Chairperson and Member of the Authority appointed under section 12;

(p) “notification” means a notification published in the Official Gazette and the expression “notified” with its cognate meanings and grammatical variations shall be construed accordingly;

¹ [(pa) “offline verification” means the process of verifying the identity of the Aadhaar number holder without authentication, through such offline modes as may be specified by regulations;

(pb) “offline verification-seeking entity” means any entity desirous of undertaking offline verification of an Aadhaar number holder;]

(q) “prescribed” means prescribed by rules made by the Central Government under this Act;

(r) “records of entitlement” means records of benefits, subsidies or services provided to, or availed by, any individual under any programme;

(s) “Registrar” means any entity authorised or recognised by the Authority for the purpose of enrolling individuals under this Act;

(t) “regulations” means the regulations made by the Authority under this Act;

1. Ins. by Act 14 of 2019, s. 3 (w.e.f. 25-7-2019).

(u) “requesting entity” means an agency or person that submits the Aadhaar number, and demographic information or biometric information, of an individual to the Central Identities Data Repository for authentication;

(v) “resident” means an individual who has resided in India for a period or periods amounting in all to one hundred and eighty-two days or more in the twelve months immediately preceding the date of application for enrolment;

(w) “service” means any provision, facility, utility or any other assistance provided in any form to an individual or a group of individuals and includes such other services as may be notified by the Central Government;

(x) “subsidy” means any form of aid, support, grant, subvention, or appropriation, in cash or kind, to an individual or a group of individuals and includes such other subsidies as may be notified by the Central Government.

CHAPTER II

ENROLMENT

3. Aadhaar number.—(1) Every resident shall be entitled to obtain an Aadhaar number by submitting his demographic information and biometric information by undergoing the process of enrolment:

Provided that the Central Government may, from time to time, notify such other category of individuals who may be entitled to obtain an Aadhaar number.

(2) The enrolling agency shall, at the time of enrolment, inform the individual undergoing enrolment of the following details in such manner as may be specified by regulations, namely:—

(a) the manner in which the information shall be used;

(b) the nature of recipients with whom the information is intended to be shared during authentication; and

(c) the existence of a right to access information, the procedure for making requests for such access, and details of the person or department in-charge to whom such requests can be made.

(3) On receipt of the demographic information and biometric information under sub-section (1), the Authority shall, after verifying the information, in such manner as may be specified by regulations, issue an Aadhaar number to such individual.

¹[(4) The Aadhaar number issued to an individual under sub-section (3) shall be a twelve-digit identification number and any alternative virtual identity as an alternative to the actual Aadhaar number of an individual that shall be generated by the Authority in such manner as may be specified by regulations.]

²[**3A. Aadhaar number of children.**—(1) The enrolling agency shall, at the time of enrolment of a child, seek the consent of the parent or guardian of the child, and inform the parent or guardian, the details specified under sub-section (2) of section 3.

(2) A child who is an Aadhaar number holder may, within a period of six months of attaining the eighteen years of age, make an application to the Authority for cancellation of his Aadhaar number, in such manner as may be specified by regulations and the Authority shall cancel his Aadhaar number.

(3) Notwithstanding anything in section 7, a child shall not be denied any subsidy, benefit or service under that section in case of failure to establish his identity by undergoing authentication, or furnishing

1. Ins. by Act 14 of 2019, s. 4 (w.e.f. 25-7-2019).

2. Ins. by s. 5, *ibid*, (w.e.f. 25-7-2019).

proof of possession of Aadhaar number, or in the case of a child to whom no Aadhaar number has been assigned, producing an application for enrolment.]

4. Properties of Aadhaar number.—(1) An Aadhaar number, issued to an individual shall not be re-assigned to any other individual.

(2) An Aadhaar number shall be a random number and bear no relation to the attributes or identity of the Aadhaar number holder.

¹[(3) Every Aadhaar number holder to establish his identity, may voluntarily use his Aadhaar number in physical or electronic form by way of authentication or offline verification, or in such other form as may be notified, in such manner as may be specified by regulations.

Explanation.— For the purposes of this section, voluntary use of the Aadhaar number by way of authentication means the use of such Aadhaar number only with the informed consent of the Aadhaar number holder.

(4) An entity may be allowed to perform authentication, if the Authority is satisfied that the requesting entity is—

(a) compliant with such standards of privacy and security as may be specified by regulations; and

(b) (i) permitted to offer authentication services under the provisions of any other law made by Parliament; or

(ii) seeking authentication for such purpose, as the Central Government in consultation with the Authority, and in the interest of State, may prescribe.

(5) The Authority may, by regulations, decide whether a requesting entity shall be permitted the use of the actual Aadhaar number during authentication or only an alternative virtual identity.

(6) Every requesting entity to whom an authentication request is made by an Aadhaar number holder under sub-section (3) shall inform to the Aadhaar number holder of alternate and viable means of identification and shall not deny any service to him for refusing to, or being unable to, undergo authentication.

(7) Notwithstanding anything contained in the foregoing provisions, mandatory authentication of an Aadhaar number holder for the provision of any service shall take place if such authentication is required by a law made by Parliament.]

5. Special measures for issuance of Aadhaar number to certain category of persons.—The Authority shall take special measures to issue Aadhaar number to women, children, senior citizens, persons with disability, unskilled and unorganised workers, nomadic tribes or to such other persons who do not have any permanent dwelling house and such other categories of individuals as may be specified by regulations.

6. Update of certain information.—The Authority may require Aadhaar number holders to update their demographic information and biometric information, from time to time, in such manner as may be specified by regulations, so as to ensure continued accuracy of their information in the Central Identities Data Repository.

1. Subs. by Act 14 of 2019, s. 6, for Sub-section (3) (w.e.f. 25-7-2019).

CHAPTER III

AUTHENTICATION

7. Proof of Aadhaar number necessary for receipt of certain subsidies, benefits and services, etc.—The Central Government or, as the case may be, the State Government may, for the purpose of establishing identity of an individual as a condition for receipt of a subsidy, benefit or service for which the expenditure is incurred from, or the receipt therefrom forms part of, the Consolidated Fund of India,¹[or the Consolidated Fund of State] require that such individual undergo authentication, or furnish proof of possession of Aadhaar number or in the case of an individual to whom no Aadhaar number has been assigned, such individual makes an application for enrolment:

Provided that if an Aadhaar number is not assigned to an individual, the individual shall be offered alternate and viable means of identification for delivery of the subsidy, benefit or service.

8. Authentication of Aadhaar number.—(1) The Authority shall perform authentication of the Aadhaar number of an Aadhaar number holder submitted by any requesting entity, in relation to his biometric information or demographic information, subject to such conditions and on payment of such fees and in such manner as may be specified by regulations.

(2) A requesting entity shall—

(a) unless otherwise provided in this Act, obtain the consent of an individual²[or in the case of a child obtain the consent of his parent or guardian] before collecting his identity information for the purposes of authentication in such manner as may be specified by regulations; and

(b) ensure that the identity information of an individual is only used for submission to the Central Identities Data Repository for authentication.

²[Provided that the requesting entity shall, in case of failure to authenticate due to illness, injury or infirmity owing to old age or otherwise or any technical or other reasons, provide such alternate and viable means of identification of the individual, as may be specified by regulations.]

(3) A requesting entity shall inform, in such manner as may be specified by regulations, the individual submitting his identity information for authentication²[or in the case of a child, his parent or guardian], the following details with respect to authentication, namely:—

(a) the nature of information that may be shared upon authentication;

(b) the uses to which the information received during authentication may be put by the requesting entity; and

(c) alternatives to submission of identity information to the requesting entity.

(4) The Authority shall respond to an authentication query with a positive, negative or any other appropriate response sharing such identity information excluding any core biometric information.

³[**8A. Offline verification of Aadhaar number.**—(1) Every offline verification of an Aadhaar number holder shall be performed in accordance with the provisions of this section.

(2) Every offline verification-seeking entity shall, —

(a) before performing offline verification, obtain the consent of an individual, or in the case of a child, his parent or guardian, in such manner as may be specified by regulations; and

1. Ins. by Act 14 of 2019, s. 7 (w.e.f. 25-7-2019).

2. Ins. by s. 8, *ibid*, (w.e.f. 25-7-2019).

3. Ins. by s. 9, *ibid*, (w.e.f. 25-7-2019).

(b) ensure that the demographic information or any other information collected from the individual for offline verification is only used for the purpose of such verification.

(3) An offline verification-seeking entity shall inform the individual undergoing offline verification, or in the case of a child, his parent or guardian, the following details with respect to offline verification, in such manner as may be specified by regulations, namely:—

(a) the nature of information that may be shared upon offline verification;

(b) the uses to which the information received during offline verification may be put by the offline verification-seeking entity; and

(c) alternatives to submission of information requested for, if any.

(4) No offline verification-seeking entity shall—

(a) subject an Aadhaar number holder to authentication;

(b) collect, use, or store an Aadhaar number or biometric information of any individual for any purpose;

(c) take any action contrary to any obligation on it as may be specified by regulations.]

9. Aadhaar number not evidence of citizenship or domicile, etc.—The Aadhaar number or the authentication thereof shall not, by itself, confer any right of, or be proof of, citizenship or domicile in respect of an Aadhaar number holder.

10. Central Identities Data Repository.—The Authority may engage one or more entities to establish and maintain the Central Identities Data Repository and to perform any other functions as may be specified by regulations.

CHAPTER IV

UNIQUE IDENTIFICATION AUTHORITY OF INDIA

11. Establishment of Authority.—(1) The Central Government shall, by notification, establish an Authority to be known as the Unique Identification Authority of India to be responsible for the processes of enrolment and authentication and perform such other functions assigned to it under this Act.

(2) The Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

(3) The head office of the Authority shall be in New Delhi.

(4) The Authority may, with the prior approval of the Central Government, establish its offices at other places in India.

12. Composition of Authority.—The Authority shall consist of a Chairperson, appointed on part-time or full-time basis, two part-time Members, and the chief executive officer who shall be Member-Secretary of the Authority, to be appointed by the Central Government.

13. Qualifications for appointment of Chairperson and Members of Authority.—The Chairperson and Members of the Authority shall be persons of ability and integrity having experience and knowledge of at least ten years in matters relating to technology, governance, law, development, economics, finance, management, public affairs or administration.

14. Term of office and other conditions of service of Chairperson and Members.—(1) The Chairperson and the Members appointed under this Act shall hold office for a term of three years from the date on which they assume office and shall be eligible for re-appointment:

Provided that no person shall hold office as the Chairperson or Member after he has attained the age of sixty-five years.

(2) The Chairperson and every Member shall, before entering office, make and subscribe to, an oath of office and of secrecy, in such form and in such manner and before such Authority as may be prescribed.

(3) Notwithstanding anything contained in sub-section (1), the Chairperson or Member may—

(a) relinquish his office, by giving in writing to the Central Government, a notice of not less than thirty days; or

(b) be removed from his office in accordance with the provisions of section 15.

(4) The salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson and allowances or remuneration payable to part-time Members shall be such as may be prescribed.

15. Removal of Chairperson and Members.—(1) The Central Government may remove from office, the Chairperson, or a Member, who—

(a) is, or at any time has been adjudged as insolvent;

(b) has become physically or mentally incapable of acting as the Chairperson or, as the case may be, a Member;

(c) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude;

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chairperson or, as the case may be, a Member; or

(e) has, in the opinion of the Central Government, so abused his position as to render his continuance in office detrimental to the public interest.

(2) The Chairperson or a Member shall not be removed under clause (b), clause (d) or clause (e) of sub-section (1) unless he has been given a reasonable opportunity of being heard.

16. Restrictions on Chairperson or Members on employment after cessation of office.—The Chairperson or a Member on ceasing to hold office for any reason, shall not, without previous approval of the Central Government,—

(a) accept any employment in, or be connected with the management of any organisation, company or any other entity which has been associated with any work done or contracted out by the Authority, whether directly or indirectly, during his tenure as Chairperson or Member, as the case may be, for a period of three years from the date on which he ceases to hold office:

Provided that nothing contained in this clause shall apply to any employment under the Central Government or a State Government or local authority or in any statutory authority or any corporation established by or under any Central, State or provincial Act or a Government Company, as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013);

(b) act, for or on behalf of any person or organisation in connection with any specific proceeding or transaction or negotiation or a case to which the Authority is a party and with respect to which the Chairperson or such Member had, before cessation of office, acted for or provided advice to, the Authority;

(c) give advice to any person using information which was obtained in his capacity as the Chairperson or a Member and being unavailable to or not being able to be made available to the public; or

(d) enter, for a period of three years from his last day in office, into a contract of service with, accept an appointment to a board of directors of, or accept an offer of employment with, an entity with which he had direct and significant official dealings during his term of office.

17. Functions of Chairperson.—The Chairperson shall preside over the meetings of the Authority, and without prejudice to any provision of this Act, exercise and discharge such other powers and functions of the Authority as may be prescribed.

18. Chief executive officer.—(1) There shall be a chief executive officer of the Authority, not below the rank of Additional Secretary to the Government of India, to be appointed by the Central Government.

(2) The chief executive officer shall be the legal representative of the Authority and shall be responsible for—

- (a) the day-to-day administration of the Authority;
- (b) implementing the work programmes and decisions adopted by the Authority;
- (c) drawing up of proposal for the Authority's decisions and work programmes;
- (d) the preparation of the statement of revenue and expenditure and the execution of the budget of the Authority; and
- (e) performing such other functions, or exercising such other powers, as may be specified by regulations.

(3) Every year, the chief executive officer shall submit to the Authority for approval—

- (a) a general report covering all the activities of the Authority in the previous year;
- (b) programmes of work;
- (c) the annual accounts for the previous year; and
- (d) the budget for the coming year.

(4) The chief executive officer shall have administrative control over the officers and other employees of the Authority.

19. Meetings of Authority.—(1) The Authority shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at its meetings, including quorum at such meetings, as may be specified by regulations.

(2) The Chairperson, or, if for any reason, he is unable to attend a meeting of the Authority, the senior most Member shall preside over the meetings of the Authority.

(3) All questions which come up before any meeting of the Authority shall be decided by a majority of votes by the Members present and voting and in the event of an equality of votes, the Chairperson or in his absence the presiding Member shall have a casting vote.

(4) All decisions of the Authority shall be signed by the Chairperson or any other Member or the Member-Secretary authorised by the Authority in this behalf.

(5) If any Member, who is a director of a company and who as such director, has any direct or indirect pecuniary interest in any manner coming up for consideration at a meeting of the Authority, he shall, as soon as possible after relevant circumstances have come to his knowledge, disclose the nature of his interest at such meeting and such disclosure shall be recorded in the proceedings of the Authority, and the Member shall not take part in any deliberation or decision of the Authority with respect to that matter.

20. Vacancies, etc., not to invalidate proceedings of Authority.—No act or proceeding of the Authority shall be invalid merely by reason of—

- (a) any vacancy in, or any defect in the constitution of, the Authority;
- (b) any defect in the appointment of a person as Chairperson or Member of the Authority; or
- (c) any irregularity in the procedure of the Authority not affecting the merits of the case.

¹[**21. Officers and other employees of Authority.**—(1) The Authority shall appoint such officers and employees as may be required for the discharge of its functions under this Act.

(2) The salaries and allowances payable to, and the other terms and conditions of service of, the officers and employees of the Authority shall be such as may be specified by regulations.]

22. Transfer of assets, liabilities of Authority.—On and from the establishment of the Authority—

(a) all the assets and liabilities of the Unique Identification Authority of India, established *vide* notification of the Government of India in the Planning Commission number A-43011/02/2009-Admin. I, dated the 28th January, 2009, shall stand transferred to, and vested in, the Authority.

Explanation.—The assets of such Unique Identification Authority of India shall be deemed to include all rights and powers, and all properties, whether movable or immovable, including, in particular, cash balances, deposits and all other interests and rights in, or arising out of, such properties as may be in the possession of such Unique Identification Authority of India and all books of account and other documents relating to the same; and liabilities shall be deemed to include all debts, liabilities and obligations of whatever kind;

(b) without prejudice to the provisions of clause (a), all data and information collected during enrolment, all details of authentication performed, debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for such Unique Identification Authority of India immediately before that day, for or in connection with the purpose of the said Unique Identification Authority of India, shall be deemed to have been incurred, entered into or engaged to be done by, with or for, the Authority;

(c) all sums of money due to the said Unique Identification Authority of India immediately before that day shall be deemed to be due to the Authority; and

(d) all suits and other legal proceedings instituted or which could have been instituted by or against such Unique Identification Authority of India immediately before that day may be continued or may be instituted by or against the Authority.

23. Powers and functions of Authority.—(1) The Authority shall develop the policy, procedure and systems for issuing Aadhaar numbers to individuals and perform authentication thereof under this Act.

(2) Without prejudice to sub-section (1), the powers and functions of the Authority, *inter alia*, include—

(a) specifying, by regulations, demographic information and biometric information required for enrolment and the processes for collection and verification thereof;

(b) collecting demographic information and biometric information from any individual seeking an Aadhaar number in such manner as may be specified by regulations;

(c) appointing of one or more entities to operate the Central Identities Data Repository;

(d) generating and assigning Aadhaar numbers to individuals;

(e) performing authentication of Aadhaar numbers;

(f) maintaining and updating the information of individuals in the Central Identities Data Repository in such manner as may be specified by regulations;

(g) omitting and deactivating of an Aadhaar number and information relating thereto in such manner as may be specified by regulations;

(h) specifying the manner of use of Aadhaar numbers for the purposes of providing or availing of various subsidies, benefits, services and other purposes for which Aadhaar numbers may be used;

1. Subs. by Act 14 of 2019, s. 10, for section 21 (w.e.f. 25-7-2019).

(i) specifying, by regulations, the terms and conditions for appointment of Registrars, enrolling agencies and service providers and revocation of appointments thereof;

(j) establishing, operating and maintaining of the Central Identities Data Repository;

(k) sharing, in such manner as may be specified by regulations, the information of Aadhaar number holders, subject to the provisions of this Act;

(l) calling for information and records, conducting inspections, inquiries and audit of the operations for the purposes of this Act of the Central Identities Data Repository, Registrars, enrolling agencies and other agencies appointed under this Act;

(m) specifying, by regulations, various processes relating to data management, security protocols and other technology safeguards under this Act;

(n) specifying, by regulations, the conditions and procedures for issuance of new Aadhaar number to existing Aadhaar number holder;

(o) levying and collecting the fees or authorising the Registrars, enrolling agencies or other service providers to collect such fees for the services provided by them under this Act in such manner as may be specified by regulations;

(p) appointing such committees as may be necessary to assist the Authority in discharge of its functions for the purposes of this Act;

(q) promoting research and development for advancement in biometrics and related areas, including usage of Aadhaar numbers through appropriate mechanisms;

(r) evolving of, and specifying, by regulations, policies and practices for Registrars, enrolling agencies and other service providers;

(s) setting up facilitation centres and grievance redressal mechanism for redressal of grievances of individuals, Registrars, enrolling agencies and other service providers;

(t) such other powers and functions as may be prescribed.

(3) The Authority may,—

(a) enter into Memorandum of Understanding or agreement, as the case may be, with the Central Government or State Governments or Union territories or other agencies for the purpose of performing any of the functions in relation to collecting, storing, securing or processing of information or delivery of Aadhaar numbers to individuals or performing authentication;

(b) by notification, appoint such number of Registrars, engage and authorise such agencies to collect, store, secure, process information or do authentication or perform such other functions in relation thereto,

as may be necessary for the purposes of this Act.

(4) The Authority may engage such consultants, advisors and other persons as may be required for efficient discharge of its functions under this Act on such allowances or remuneration and terms and conditions as may be specified by contract.

¹[**23A. Power of Authority to issue directions.**—(1) The Authority may for the discharge of its functions under this Act, or any rules or regulations made there under, by order, issue such directions from time to time to any entity in the Aadhaar ecosystem, as it may consider necessary.

(2) Every direction issued under sub-section (1) shall be complied with by the entity in the Aadhaar ecosystem to whom such direction is issued.]

1. Ins. by Act 14 of 2019, s. 11 (w.e.f. 25-7-2019).

CHAPTER V
GRANTS, ACCOUNTS AND AUDIT AND ANNUAL REPORT

24. Grants by Central Government.—The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Authority, grants of such sums of money as the Central Government may think fit for being utilised for the purposes of this Act.

¹**[25. Fund.]**—(1) There shall be constituted a Fund to be called the Unique Identification Authority of India Fund and there shall be credited thereto—

- (a) all grants, fees and charges received by the Authority under this Act; and
- (b) all sums received by the Authority from such other sources as may be decided upon by the Central Government.

(2) The Fund shall be applied for meeting—

- (a) the salaries and allowances payable to the Chairperson and members and administrative expenses including the salaries, allowances and pension payable to or in respect of officers and other employees of the Authority; and
- (b) the expenses on objects and for purposes authorised by this Act.]

26. Accounts and audit.—(1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Authority shall be audited annually by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Authority to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit the accounts of the Authority under this Act shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts, and in particular, shall have the right to demand production of books, accounts, connected vouchers and other documents and papers, and to inspect any of the offices of the Authority.

(4) The accounts of the Authority, as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government by the Authority and the Central Government shall cause the audit report to be laid, as soon as may be after it is received, before each House of Parliament.

27. Returns and annual report, etc.—(1) The Authority shall furnish to the Central Government at such time and in such form and manner as may be prescribed or as the Central Government may direct, such returns and statements and particulars in regard to any matter under the jurisdiction of the Authority, as the Central Government may from time to time require.

(2) The Authority shall prepare, once in every year, and in such form and manner and at such time as may be prescribed, an annual report giving—

- (a) a description of all the activities of the Authority for the previous years;
- (b) the annual accounts for the previous year; and
- (c) the programmes of work for coming year.

(3) A copy of the report received under sub-section (2) shall be laid by the Central Government, as soon as may be after it is received, before each House of Parliament.

1. Subs. by Act 14 of 2019, s. 12, for section 25 (w.e.f. 25-7-2019).

CHAPTER VI

PROTECTION OF INFORMATION

28. Security and confidentiality of information.—(1) The Authority shall ensure the security of identity information and authentication records of individuals.

(2) Subject to the provisions of this Act, the Authority shall ensure confidentiality of identity information and authentication records of individuals.

(3) The Authority shall take all necessary measures to ensure that the information in the possession or control of the Authority, including information stored in the Central Identities Data Repository, is secured and protected against access, use or disclosure not permitted under this Act or regulations made thereunder, and against accidental or intentional destruction, loss or damage.

(4) Without prejudice to sub-sections (1) and (2), the Authority shall—

(a) adopt and implement appropriate technical and organisational security measures;

(b) ensure that the agencies, consultants, advisors or other persons appointed or engaged for performing any function of the Authority under this Act, have in place appropriate technical and organisational security measures for the information; and

(c) ensure that the agreements or arrangements entered into with such agencies, consultants, advisors or other persons, impose obligations equivalent to those imposed on the Authority under this Act, and require such agencies, consultants, advisors and other persons to act only on instructions from the Authority.

(5) Notwithstanding anything contained in any other law for the time being in force, and save as otherwise provided in this Act, the Authority or any of its officers or other employees or any agency that maintains the Central Identities Data Repository shall not, whether during his service or thereafter, reveal any information stored in the Central Identities Data Repository or authentication record to anyone:

Provided that an Aadhaar number holder may request the Authority to provide access to his identity information excluding his core biometric information in such manner as may be specified by regulations.

29. Restriction on sharing information.—(1) No core biometric information, collected or created under this Act, shall be—

(a) shared with anyone for any reason whatsoever; or

(b) used for any purpose other than generation of Aadhaar numbers and authentication under this Act.

(2) The identity information, other than core biometric information, collected or created under this Act may be shared only in accordance with the provisions of this Act and in such manner as may be specified by regulations.

¹[(3) No identity information available with a requesting entity or offline verification-seeking entity shall be—

(a) used for any purpose, other than the purposes informed in writing to the individual at the time of submitting any information for authentication or offline verification; or

(b) disclosed for any purpose, other than purposes informed in writing to the individual at the time of submitting any information for authentication or offline verification:

Provided that the purposes under clauses (a) and (b) shall be in clear and precise language understandable to the individual.]

1. Subs. by Act 14 of 2019, s. 13, for sub-section (3) (w.e.f. 25-7-2019).

(4) No Aadhaar number ¹[, demographic information or photograph] collected or created under this Act in respect of an Aadhaar number holder shall be published, displayed or posted publicly, except for the purposes as may be specified by regulations.

30. Biometric information deemed to be sensitive personal information.—The biometric information collected and stored in electronic form, in accordance with this Act and regulations made thereunder, shall be deemed to be “electronic record” and “sensitive personal data or information”, and the provisions contained in the Information Technology Act, 2000 (21 of 2000) and the rules made thereunder shall apply to such information, in addition to, and to the extent not in derogation of the provisions of this Act.

Explanation.— For the purposes of this section, the expressions—

(a) “electronic form” shall have the same meaning as assigned to it in clause (r) of sub-section (1) of section 2 of the Information Technology Act, 2000 (21 of 2000);

(b) “electronic record” shall have the same meaning as assigned to it in clause (t) of sub-section (1) of section 2 of the Information Technology Act, 2000 (21 of 2000);

(c) “sensitive personal data or information” shall have the same meaning as assigned to it in clause (iii) of the *Explanation* to section 43A of the Information Technology Act, 2000 (21 of 2000).

31. Alteration of demographic information or biometric information.—(1) In case any demographic information of an Aadhaar number holder is found incorrect or changes subsequently, the Aadhaar number holder shall request the Authority to alter such demographic information in his record in the Central Identities Data Repository in such manner as may be specified by regulations.

(2) In case any biometric information of Aadhaar number holder is lost or changes subsequently for any reason, the Aadhaar number holder shall request the Authority to make necessary alteration in his record in the Central Identities Data Repository in such manner as may be specified by regulations.

(3) On receipt of any request under sub-section (1) or sub-section (2), the Authority may, if it is satisfied, make such alteration as may be required in the record relating to such Aadhaar number holder and intimate such alteration to the concerned Aadhaar number holder.

(4) No identity information in the Central Identities Data Repository shall be altered except in the manner provided in this Act or regulations made in this behalf.

32. Access to own information and records of requests for authentication.—(1) The Authority shall maintain authentication records in such manner and for such period as may be specified by regulations.

(2) Every Aadhaar number holder shall be entitled to obtain his authentication record in such manner as may be specified by regulations.

(3) The Authority shall not, either by itself or through any entity under its control, collect, keep or maintain any information about the purpose of authentication.

33. Disclosure of information in certain cases.—(1) Nothing contained in sub-section (2) or sub-section (5) of section 28 or sub-section (2) of section 29 shall apply in respect of any disclosure of information, including identity information or authentication records, made pursuant to an order of a court not inferior to that of a ²[Judge of a High Court]:

Provided that no order by the court under this sub-section shall be made without giving an opportunity of hearing to the Authority ³[and the concerned Aadhaar number holder].

³[Provided further that the core biometric information shall not be disclosed under this sub-section.]

(2) Nothing contained in sub-section (2) or sub-section (5) of section 28 and clause (b) of sub-section (1), sub-section (2) or sub-section (3) of section 29 shall apply in respect of any disclosure of information, including identity information or authentication records, made in the interest of national security in

1. Subs. by Act 14 of 2019, s. 13, for “core biometric information” (w.e.f. 25-7-2019).

2. Subs. by s. 14, *ibid.*, for “District Judge” (w.e.f. 25-7-2019).

3. Ins. by s. 14, *ibid.*, (w.e.f. 25-7-2019).

pursuance of a direction of an officer not below the rank of ¹[Secretary] to the Government of India specially authorised in this behalf by an order of the Central Government:

Provided that every direction issued under this sub-section, shall be reviewed by an Oversight Committee consisting of the Cabinet Secretary and the Secretaries to the Government of India in the Department of Legal Affairs and the Department of Electronics and Information Technology, before it takes effect:

Provided further that any direction issued under this sub-section shall be valid for a period of three months from the date of its issue, which may be extended for a further period of three months after the review by the Oversight Committee.

²[CHAPTER VIA

CIVIL PENALTIES

33A. Penalty for failure to comply with provisions of this Act, rules, regulations and directions.—(1) Where an entity in the Aadhaar ecosystem fails to comply with the provision of this Act, the rules or regulations made there under or directions issued by the Authority under section 23A, or fails to furnish any information, document, or return of report required by the Authority, such entity shall be liable to a civil penalty which may extend to one crore rupees for each contravention and in case of a continuing failure, with additional penalty which may extend to ten lakh rupees for every day during which the failure continues after the first contravention.

(2) The amount of any penalty imposed under this section, if not paid, may be recovered as if it were an arrear of land revenue.

33B. Power to adjudicate.—(1) For the purposes of adjudication under section 33A and imposing a penalty there under, the Authority shall appoint an officer of the Authority, who is not below the rank of a Joint Secretary to the Government of India and possessing such qualification and experience as may be prescribed, to be an Adjudicating Officer for holding an inquiry in such manner as may be prescribed.

(2) No inquiry under sub-section (1) shall be initiated except by a complaint made by the Authority.

(3) While holding an inquiry, the Adjudicating Officer shall—

(a) provide the entity in the Aadhaar ecosystem against whom complaint is made, an opportunity of being heard;

(b) have the power to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which, in the opinion of the Adjudicating Officer, may be useful for or relevant to the subject matter of the inquiry.

(4) If the Adjudicating Officer, on such inquiry, is satisfied that the entity in the Aadhaar ecosystem has failed to comply with any provision of this Act or the rules or regulations made there under or directions issued by the Authority under section 23A, or has failed to furnish any information, document, or return of report required by the Authority, the Adjudicating Officer may, by order, impose such penalty under section 33A as he thinks fit.

1. Subs. by Act 14 of 2019, s. 14, for “Joint Secretary” (w.e.f. 25-7-2019).

2. Ins. by s. 15, *ibid*, (w.e.f. 25-7-2019).

33C. Appeals to Appellate Tribunal.—(1) The Telecom Disputes Settlement and Appellate Tribunal established under section 14 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), shall be Appellate Tribunal for the purposes of hearing appeals against the decision of the Adjudicating Officer under this Act.

(2) A person or entity in the Aadhaar ecosystem aggrieved by an order of the Adjudicating Officer under section 33B, may prefer an appeal to the Appellate Tribunal within a period of forty-five days from the date of receipt of the order appealed against, in such form and manner and accompanied with such fee as may be prescribed:

Provided that the Appellate Tribunal may entertain an appeal after the expiry of the said period of forty-five days if it is satisfied that there was sufficient cause for not filing it within that period.

(3) On receipt of an appeal under sub-section (2), the Appellate Tribunal may, after giving the parties to the appeal an opportunity of being heard, pass such orders thereon as it thinks fit, confirming, modifying or setting aside the order appealed against.

(4) The Appellate Tribunal shall send a copy of every order made by it to the parties to the appeal and to the Adjudicating Officer.

(5) Any appeal filed under sub-section (2) shall be dealt with by the Appellate Tribunal as expeditiously as possible and every endeavour shall be made by it to dispose of the appeal within six months from the date on which it is presented to it.

(6) The Appellate Tribunal may, for the purpose of deciding an appeal before it, call for the records relevant to disposing of such appeal and make such orders as it thinks fit.

33D. Procedure and powers of the Appellate Tribunal.—The provisions of sections 14-I to 14K (both inclusive), 16 and 17 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) shall, mutatis mutandis, apply to the Appellate Tribunal in the discharge of its functions under this Act, as they apply to it in the discharge of its functions under that Act.

33E. Appeal to Supreme Court of India.—(1) Notwithstanding anything contained in the Code of Civil Procedure, 1908 (5 of 1908) or in any other law for the time being in force, an appeal shall lie against any order, not being an interlocutory order, of the Appellate Tribunal to the Supreme Court on any substantial question of law arising out of such order.

(2) No appeal shall lie against any decision or order made by the Appellate Tribunal which the parties have consented to.

(3) Every appeal under this section shall be preferred within a period of forty-five days from the date of the decision or order appealed against:

Provided that the Supreme Court may entertain an appeal after the expiry of the said period of forty-five days if it is satisfied that there was sufficient cause for not filing it within that period.

33F. Civil court not to have jurisdiction.—No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which an Adjudicating Officer appointed under this Act or the Appellate Tribunal is empowered, by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.]

CHAPTER VII

OFFENCES AND PENALTIES

34. Penalty for impersonation at time of enrolment.—Whoever impersonates or attempts to impersonate another person, whether dead or alive, real or imaginary, by providing any false demographic information or biometric information, shall be punishable with imprisonment for a term which may extend to three years or with a fine which may extend to ten thousand rupees or with both.

35. Penalty for impersonation of Aadhaar number holder by changing demographic information or biometric information.—Whoever, with the intention of causing harm or mischief to an Aadhaar number holder, or with the intention of appropriating the identity of an Aadhaar number holder changes or attempts to change any demographic information or biometric information of an Aadhaar number holder by impersonating or attempting to impersonate another person, dead or alive, real or imaginary, shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to a fine which may extend to ten thousand rupees.

36. Penalty for impersonation.—Whoever, not being authorised to collect identity information under the provisions of this Act, by words, conduct or demeanour pretends that he is authorised to do so, shall be punishable with imprisonment for a term which may extend to three years or with a fine which may extend to ten thousand rupees or, in the case of a company, with a fine which may extend to one lakh rupees or with both.

37. Penalty for disclosing identity information.—Whoever, intentionally discloses, transmits, copies or otherwise disseminates any identity information collected in the course of enrolment or authentication to any person not authorised under this Act or regulations made thereunder or in contravention of any agreement or arrangement entered into pursuant to the provisions of this Act, shall be punishable with imprisonment for a term which may extend to three years or with a fine which may extend to ten thousand rupees or, in the case of a company, with a fine which may extend to one lakh rupees or with both.

38. Penalty for unauthorised access to the Central Identities Data Repository.—Whoever, not being authorised by the Authority, intentionally,—

- (a) accesses or secures access to the Central Identities Data Repository;
- (b) downloads, copies or extracts any data from the Central Identities Data Repository or stored in any removable storage medium;
- (c) introduces or causes to be introduced any virus or other computer contaminant in the Central Identities Data Repository;
- (d) damages or causes to be damaged the data in the Central Identities Data Repository;
- (e) disrupts or causes disruption of the access to the Central Identities Data Repository;
- (f) denies or causes a denial of access to any person who is authorised to access the Central Identities Data Repository;
- (g) reveals any information in contravention of sub-section (5) of section 28, or shares, uses or displays information in contravention of section 29 or assists any person in any of the aforementioned acts;
- (h) destroys, deletes or alters any information stored in any removable storage media or in the Central Identities Data Repository or diminishes its value or utility or affects it injuriously by any means; or
- (i) steals, conceals, destroys or alters or causes any person to steal, conceal, destroy or alter any computer source code used by the Authority with an intention to cause damage,

shall be punishable with imprisonment for a term which may extend to three years ¹[ten years] and shall also be liable to a fine which shall not be less than ten lakh rupees.

Explanation.— For the purposes of this section, the expressions “computer contaminant”, “computer virus” and “damage” shall have the meanings respectively assigned to them in the *Explanation* to section 43 of the Information Technology Act, 2000 (21 of 2000), and the expression “computer source code” shall have the meaning assigned to it in the *Explanation* to section 65 of the said Act.

39. Penalty for tampering with data in Central Identities Data Repository.—Whoever, not being authorised by the Authority, uses or tampers with the data in the Central Identities Data Repository or in any removable storage medium with the intent of modifying information relating to Aadhaar number holder or discovering any information thereof, shall be punishable with imprisonment for a term which may extend to ²[ten years] and shall also be liable to a fine which may extend to ten thousand rupees.

³**40. Penalty for unauthorised use by requesting entity or offline verification-seeking entity.**—

Whoever,—(a) being a requesting entity, uses the identity information of an individual in contravention of sub-section (2) of section 8; or

(b) being an offline verification-seeking entity, uses the identity information of an individual in contravention of sub-section (2) of section 8A, shall be punishable with imprisonment which may extend to three years or with a fine which may extend to ten thousand rupees or, in the case of a company, with a fine which may extend to one lakh rupees or with both.]

41. Penalty for non-compliance with intimation requirements.—Whoever, being an enrolling agency or a requesting entity, fails to comply with the requirements of sub-section (2) of section 3 or sub-section (3) of section 8, shall be punishable with imprisonment which may extend to one year or with a fine which may extend to ten thousand rupees or, in the case of a company, with a fine which may extend to one lakh rupees or with both.

42. General penalty.—Whoever commits an offence under this Act or any rules or regulations made thereunder for which no specific penalty is provided elsewhere than this section, shall be punishable with imprisonment for a term which may extend to ⁴[three year] or with a fine which may extend to twenty-five thousand rupees or, in the case of a company, with a fine which may extend to one lakh rupees, or with both.

43. Offences by companies.—(1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

1. Subs. by Act 14 of 2019, s. 16 for “three years” (w.e.f. 25-7-2019).

2. Subs. by s. 17, *ibid.*, (w.e.f. 25-7-2019).

3. Subs. by s. 18, for section 40 (w.e.f. 25-7-2019).

4. Subs. by s. 19, for “One year” (w.e.f. 25-7-2019).

44. Act to apply for offence or contravention committed outside India.—(1) Subject to the provisions of sub-section (2), the provisions of this Act shall apply also to any offence or contravention committed outside India by any person, irrespective of his nationality.

(2) For the purposes of sub-section (1), the provisions of this Act shall apply to any offence or contravention committed outside India by any person, if the act or conduct constituting the offence or contravention involves any data in the Central Identities Data Repository.

45. Power to investigate offences.—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), a police officer not below the rank of Inspector of Police shall investigate any offence under this Act.

46. Penalties not to interfere with other punishments.—No penalty imposed under this Act shall prevent the imposition of any other penalty or punishment under any other law for the time being in force.

47. Cognizance of offences.—(1) No court shall take cognizance of any offence punishable under this Act, save on a complaint made by the Authority or any officer or person authorised by it.

¹[Provided that the court may, on a complaint made by an Aadhaar number holder or individual take cognizance of any offence punishable under section 34 or 35 or 36 or 37 or 40 or section 41.]

(2) No court inferior to that of a Chief Metropolitan Magistrate or a Chief Judicial Magistrate shall try any offence punishable under this Act.

CHAPTER VIII

MISCELLANEOUS

48. Power of Central Government to supersede Authority.—(1) If, at any time, the Central Government is of the opinion,—

(a) that, on account of circumstances beyond the control of the Authority, it is unable to discharge the functions or perform the duties imposed on it by or under the provisions of this Act; or

(b) that the Authority has persistently defaulted in complying with any direction given by the Central Government under this Act or in the discharge of the functions or performance of the duties imposed on it by or under the provisions of this Act and as a result of such default the financial position of the Authority or the administration of the Authority has suffered; or

(c) that a public emergency exists,

the Central Government may, by notification, supersede the Authority for such period, not exceeding six months, as may be specified in the notification and appoint a person or persons as the President may direct to exercise powers and discharge functions under this Act:

Provided that before issuing any such notification, the Central Government shall give a reasonable opportunity to the Authority to make representations against the proposed supersession and shall consider the representations, if any, of the Authority.

(2) Upon the publication of a notification under sub-section (1), superseding the Authority,—

(a) the Chairperson and other Members shall, as from the date of supersession, vacate their offices as such;

(b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Authority shall, until the Authority is reconstituted under sub-section (3), be exercised and discharged by the person or persons referred to in sub-section (1); and

(c) all properties owned or controlled by the Authority shall, until the Authority is reconstituted under sub-section (3), vest in the Central Government.

1. Ins. by Act 14 of 2019, s. 20 (w.e.f. 25-7-2019).

(3) On or before the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government shall reconstitute the Authority by a fresh appointment of its Chairperson and other Members and in such case any person who had vacated his office under clause (a) of sub-section (2) shall not be deemed to be disqualified for reappointment.

(4) The Central Government shall cause a copy of the notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before each House of Parliament at the earliest.

49. Members, officers, etc., to be public servants.—The Chairperson, Members, officers and other employees of the Authority shall be deemed, while acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

50. Power of Central Government to issue directions.—(1) Without prejudice to the foregoing provisions of this Act, the Authority shall, in exercise of its powers or the performance of its functions under this Act be bound by such directions on questions of policy, as the Central Government may give, in writing to it, from time to time:

Provided that the Authority shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section:

Provided further that nothing in this section shall empower the Central Government to issue directions pertaining to technical or administrative matters undertaken by the Authority.

(2) The decision of the Central Government, whether a question is one of policy or not, shall be final.

¹**[50A. Exemption from tax on income.**—Notwithstanding anything contained in the Income-tax Act, 1961 (43 of 1961) or any other enactment for the time being in force relating to tax on income, profits or gains, the Authority shall not be liable to pay income-tax or any other tax in respect of its income, profits or gains.]

51. Delegation.—The Authority may, by general or special order in writing, delegate to any ²[Member or officer] of the Authority or any other person, subject to such conditions, if any, as may be specified in the order, such of its powers and functions under this Act (except the power under section 54) as it may deem necessary.

52. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Central Government or the Authority or the Chairperson or any Member or any officer, or other employees of the Authority for anything which is in good faith done or intended to be done under this Act or the rule or regulation made thereunder.

53. Power of Central Government to make rules.—(1) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the form and manner in which and the authority before whom the oath of office and of secrecy is to be subscribed by the Chairperson and Members under sub-section (2) of section 14;

³[(aa) the purpose for which the requesting entity may be allowed by the Authority to perform authentication under sub-clause (ii) of clause (b) of sub-section (4) of section 4;]

1. Ins. by Act 14 of 2019, s. 21 (w.e.f. 25-7-2019).

2. Subs. by s. 22, *ibid.*, for “Member, officer” (w.e.f. 25-7-2019)

3. Ins. by s. 23, *ibid.*, (w.e.f. 25-7-2019).

(b) the salary and allowances payable to, and other terms and conditions of service of, the Chairperson and the allowances or remuneration payable to Members of the Authority under sub-section (4) of section 14;

(c) the other powers and functions of the Chairperson of the Authority under section 17;

(d) the other powers and functions of the Authority under clause (t) of sub-section (2) of section 23;

(e) the form of annual statement of accounts to be prepared by Authority under sub-section (1) of section 26;

(f) the form and the manner in which and the time within which returns and statements and particulars are to be furnished under sub-section (1) of section 27;

(g) the form and the manner and the time at which the Authority shall furnish annual report under sub-section (2) of section 27;

¹[(ga) the qualification and experience of, and the manner of appointment of, the Adjudicating Officer under sub-section (1) of section 33B;

(gb) the form, manner, and fee for an appeal to be filed under sub-section (2) of section 33C;]

(h) any other matter which is required to be, or may be, prescribed, or in respect of which provision is to be or may be made by rules.

54. Power of Authority to make regulations.—(1) The Authority may, by notification, make regulations consistent with this Act and the rules made thereunder, for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

²[(a) the entities or group of entities in the Aadhaar ecosystem under clause (aa), the biometric information under clause (g) and the demographic information under clause (k), the process of collecting demographic information and biometric information from the individuals by enrolling agencies under clause (m), and the modes of offline verification of Aadhaar number holder under clause (pa) of section 2;]

(b) the manner of verifying the demographic information and biometric information for issue of Aadhaar number under sub-section (3) of section 3;

³[(ba) the manner of generating an alternative virtual identity under sub-section (4) of section 3;

(bb) the manner in which cancellation of an Aadhaar number may be carried out under sub-section (2) of section 3A;]

(c) the conditions for accepting an Aadhaar number as proof of identity of the Aadhaar number holder under sub-section (3) of section 4;

³[(ca) standards of privacy and security to be complied with by the requesting entities under sub-section (4) of section 4;

(cb) the classification of requesting entities under sub-section (5) of section 4;]

(d) the other categories of individuals under section 5 for whom the Authority shall take special measures for allotment of Aadhaar number;

(e) the manner of updating biometric information and demographic information under section 6;

1. Ins. by Act 14 of 2019, s. 23 (w.e.f. 25-7-2019).

2. Subs. by s. 24, *ibid.*, for clause (a) (w.e.f. 25-7-2019).

3. Ins. by s. 24, *ibid.*, (w.e.f. 25-7-2019).

(f) the procedure for authentication of the Aadhaar number under section 8;

¹[(fa) the alternate and viable means of identification of individual under the proviso to clause (b) of sub-section (2) of section 8;

(fb) the manner of obtaining consent under clause (a) of sub-section (2), the manner of providing information to the individual undergoing offline verification under sub-section (3), and the obligations of offline verification-seeking entities under clause (c) of sub-section (4) of section 8A;]

(g) the other functions to be performed by the Central Identities Data Repository under section 10;

(h) the time and places of meetings of the Authority and the procedure for transaction of business to be followed by it, including the quorum, under sub-section (1) of section 19;

(i) the salary and allowances payable to, and other terms and conditions of service of, the chief executive officer, officers and other employees of the Authority under sub-section (2) of section 21;

(j) the demographic information and biometric information under clause (a) and the manner of their collection under clause (b) of sub-section (2) of section 23;

(k) the manner of maintaining and updating the information of individuals in the Central Identities Data Repository under clause (f) of sub-section (2) of section 23;

(l) the manner of omitting and deactivating an Aadhaar number and information relating thereto under clause (g) of sub-section (2) of section 23;

(m) the manner of use of Aadhaar numbers for the purposes of providing or availing of various subsidies, benefits, services and other purposes for which Aadhaar numbers may be used under clause (h) of sub-section (2) of section 23;

(n) the terms and conditions for appointment of Registrars, enrolling agencies and other service providers and the revocation of appointments thereof under clause (i) of sub-section (2) of section 23;

(o) the manner of sharing information of Aadhaar number holder under clause (k) of sub-section (2) of section 23;

(p) various processes relating to data management, security protocol and other technology safeguards under clause (m) of sub-section (2) of section 23;

(q) the procedure for issuance of new Aadhaar number to existing Aadhaar number holder under clause (n) of sub-section (2) of section 23;

(r) manner of authorising Registrars, enrolling agencies or other service providers to collect such fees for services provided by them under clause (o) of sub-section (2) of section 23;

(s) policies and practices to be followed by the Registrar, enrolling agencies and other service providers under clause (r) of sub-section (2) of section 23;

(t) the manner of accessing the identity information by the Aadhaar number holder under the proviso to sub-section (5) of section 28;

(u) the manner of sharing the identity information, other than core biometric information, collected or created under this Act under sub-section (2) of section 29;

(v) the manner of alteration of demographic information under sub-section (1) and biometric information under sub-section (2) of section 31;

(w) the manner of and the time for maintaining the request for authentication and the response thereon under sub-section (1), and the manner of obtaining, by the Aadhaar number holder, the authentication records under sub-section (2) of section 32;

1. Ins. by Act 14 of 2019 (w.e.f. 25-7-2019).

(x) any other matter which is required to be, or may be, specified, or in respect of which provision is to be or may be made by regulations.

55. Laying of rules and regulations before Parliament.—Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation, or both the Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

56. Application of other laws not barred.—The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.

57. Act not to prevent use of Aadhaar number for other purposes under law.—*Omitted by the Aadhaar and Other Laws (Amendment) Act 2019 (Act 14 of 2019), s. 25 (w.e.f. 25-07-2019)*

58. Power to remove difficulties.— (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

59. Savings.—Anything done or any action taken by the Central Government under the Resolution of the Government of India, Planning Commission bearing notification number A-43011/02/2009-Admin. I, dated the 28th January, 2009, or by the Department of Electronics and Information Technology under the Cabinet Secretariat Notification bearing notification number S.O.2492 (E), dated the 12th September, 2015, as the case may be, shall be deemed to have been validly done or taken under this Act.



Aadhaar Enrolment and Mandatory Biometric Update is free. No charges are applicable for Form. In case of Correction/ Update, provide your Aadhaar Number (UID), Full Name and only that field which needs Correction/ Update.

☐ Resident ☐ Non-Resident Indian (NRI*) *Please follow the instructions overleaf while filling up the form. Use capital letters only.*

Disclosure under section 3(2) of THE AADHAAR (TARGETED DELIVERY OF FINANCIAL AND OTHER SUBSIDIES, BENEFITS AND SERVICES) ACT, 2016
I confirm that I have been residing in India for at least 182 days in the preceding 12 months / I am Non Resident Indian (NRI) & information (including biometrics) provided by me to the UIDAI is my own and is true, correct and accurate. I am aware that my information including biometrics will be used for generation of Aadhaar and authentication. I understand that my identity information (except core biometric) may be provided to an agency only with my consent during authentication or as per the provisions of the Aadhaar Act. I have a right to access my identity information (except core biometrics) following the procedure laid down by UIDAI.

Applicant's signature/ Thumbprint

Date & time of Enrolment:

*** In case of NRI, only Indian Passport will be valid as POI.**

INSTRUCTIONS TO FOLLOW WHILE FILLING UP THE ENROLMENT FORM

Field 3: NAME	Write full name without salutations/titles. Please bring the original* Proof of Identity (POI) document. (See list A below). Variation in Resident's Name in contrast to POI is permissible as long as the change is minor spelling only, without altering the Name in POI document. For Example: If Resident's POI reads "Preeti", then "Priti" can be recorded if Resident wants so.
Field 5: DOB / AGE	Fill in Date of Birth in DDMMYYYY format. If exact Date of Birth is not known, approximate age in Years may be filled in the space provided. Please bring the original Proof of Date of Birth (DOB), if available. (See list D below). Declared checkbox may be selected if Resident does not have a valid proof of Date of Birth document. Verified checkbox is selected where Resident has provided documents as proof of Date of birth.
Field 6: ADDRESS	Write complete address. Please bring the original Proof of Address (POA) document. (See list B below). Please note that the Aadhaar letter will be delivered at the given address only. - To include name of Parent / Guardian / Spouse as part of the address, enter the name of person in the c/o field. - Minor Corrections / Enhancements are permissible to make the address complete without altering the base address as mentioned in POA document.
Field 7: RELATIONSHIP	In case of children below 5 years, it is mandatory to provide father/mother/guardian details with their Aadhaar or EID number. If the resident is not holding a Proof of Identity & using the Head of the Family identity for enrolment, it is mandatory to provide Head of the family's details with his/her Aadhaar or EID number. Please refer illustration below for filling EID. Please bring the original Proof of Relationship (POR) document. (See list C below). For other cases, it is optional for the resident to fill up the relationship details.
Field 8: DOCUMENTS	Write the name of Documents for POI and POA. In case proof of Date of Birth is available, then write the name of Date of Birth document. If the resident is not holding a Proof of Identity & using the Head of Family based enrolment, then write the name of Proof of Relationship document. For Valid list of documents, please refer list of Documents below.
Field 9 INTRODUCER/HOF	Resident who does not have POI and POA may get enrolled through an Introducer/ Head of Family. PI contact nearest enrolment centre or your Registrar, for further details.

LIST A. POI Documents POI (Proof of Identity) documents containing Name & Photo - Passport - PAN Card - Ration/ PDS Photo Card - Voter ID - Driving License - Government Photo ID Cards/ Service photo identity card issued by PSU - NREGS Job Card - Photo ID issued by Recognized Educational Institution - Arms License - Photo Bank ATM Card - Photo Credit Card - Pensioner Photo Card - Freedom Fighter Photo Card - Kissan Photo Passbook - CGHS/ ECHS Photo Card - Address Card having Name and Photo issued by Department of Posts - Certificate of Identity having photo issued by Gazetted Officer or Tehsildar on UIDAI standard certificate format for enrolment/ update - Disability ID Card/ handicapped medical certificate issued by the respective State/ UT Governments/Administrations - Bhamashah Card/Jan-Aadhaar card issued by Govt. of Rajasthan - Certificate from Superintendent/ Warden/ Matron/ Head of Institution of recognized shelter homes or orphanages etc. on UIDAI standard certificate format for enrolment/update - Certificate of Identity having photo issued by MP or MLA or MLC or Municipal Councillor on UIDAI standard certificate format for enrolment/ update - Certificate of Identity having photo issued by Village Panchayat Head or Mukhiya or its equivalent authority (for rural areas) on UIDAI standard certificate format for enrolment/ update - Gazette notification for name change - Marriage certificate with photograph - RSBY Card - SSLC book having candidates photograph - ST/ SC/ OBC certificate with photograph - School Leaving Certificate (SLC)/ School Transfer Certificate (TC), containing name and photograph - Extract of School Records issued by Head of School containing name and photograph - Bank Pass Book having name and photograph - Certificate of Identity containing name and photo issued by Recognized Educational Institution signed by Head of Institute on UIDAI standard certificate format for enrolment/ update. - Certificate of identity containing Name, DOB and Photograph issued by Employees' Provident Fund Organisation (EPFO) on UIDAI standard certificate format for enrolment/ update		
LIST B. POA Documents POA (Proof of Address) documents containing Name & Address - Passport - Bank Statement/ Passbook - Post Office Account Statement/ Passbook - Ration Card		
- Voter ID - Driving License - Government Photo ID cards/ service photo identity card issued by PSU - Electricity Bill (not older than 3 months) - Water Bill (not older than 3 months) - Telephone Landline Bill (not older than 3 months) - Property Tax Receipt (not older than 1 year) - Credit Card Statement (not older than 3 months) - Insurance Policy - Signed Letter having Photo from Bank on letterhead - Signed Letter having Photo issued by registered Company on letterhead - Signed Letter having Photo issued by Recognized Educational Institution on letterhead or Photo ID having address issued by Recognized Educational Institution - NREGS Job Card - Arms License - Pensioner Card - Freedom Fighter Card - Kissan Passbook - CGHS/ ECHS Card - Certificate of Address having photo issued by MP or MLA or MLC or Gazetted Officer or Tehsildar on UIDAI standard certificate format for enrolment/ update - Certificate of Address issued by Village Panchayat head or its equivalent authority (for rural areas) on UIDAI standard certificate format for enrolment/ update - Income Tax Assessment Order - Vehicle Registration Certificate - Registered Sale/ Lease/ Rent Agreement - Address Card having Photo issued by Department of Posts - Caste and Domicile Certificate having Photo issued by State Govt - Disability ID Card/ handicapped medical certificate issued by the respective State/ UT Governments/ Administrations - Gas Connection Bill (not older than 3 months) - Passport of Spouse - Passport of Parents (in case of Minor) - Allotment letter of accommodation issued by Central/ State Govt. (not more than 3 years old) - Marriage Certificate issued by the Government, containing address - Bhamashah Card/Jan-Aadhaar card issued by Govt. of Rajasthan - Certificate from Superintendent/ Warden/ Matron/ Head of Institution of recognized shelter homes or orphanages etc. on UIDAI standard certificate format for enrolment/ update - Certificate of Address having photo issued by Municipal Councillor on UIDAI standard certificate format for enrolment/ update - Identity Card issued by recognized educational institutions - SSLC book having photograph - School Identity card - School Leaving Certificate (SLC)/ School Transfer Certificate (TC), containing Name and Address - Extract of School Records containing Name, Address and Photograph issued by Head of School - Certificate of Identity containing Name, Address and Photo issued by Recognized Educational Institution signed by Head of Institute on UIDAI standard certificate format for enrolment/ update - Certificate of identity containing Name, DOB and Photograph issued by Employees' Provident Fund Organisation (EPFO) on UIDAI standard certificate format for enrolment/ update		
LIST C. POR Documents POR (Proof of Relationship) documents containing Name of applicant and Name of HoF (Head of Family) - PDS Card - MNREGA Job Card - CGHS/ State Government/ ECHS/ ESIC Medical card - Pension Card - Army Canteen Card - Passport - Birth Certificate issued by Registrar of Birth, Municipal Corporation and other notified local government bodies like Taluk, Tehsil etc. - Any other Central/ State government issued family entitlement document - Marriage Certificate issued by the government - Address card having name and photo issued by Department of Posts - Bhamashah Card/Jan-Aadhaar card issued by Govt. of Rajasthan - Discharge card/ slip issued by Government hospitals for birth of a child - Certificate of Identity having photo issued by MP or MLA or MLC or Municipal Councillor or Gazetted Officer on UIDAI standard certificate format for enrolment/update - Certificate of Identity having photo and relationship with HoF issued by Village Panchayat Head or Mukhiya or its equivalent authority (for rural areas) on UIDAI standard certificate format for enrolment/ update		
LIST D. DOB Documents DOB (Date of Birth) documents containing Name and DOB - Birth Certificate - SSLC Book/ Certificate - Passport - Certificate of Date of Birth issued by Group A Gazetted Officer on UIDAI standard certificate format for enrolment/ update - A certificate (on UIDAI standard certificate format for enrolment/ update) or ID Card having photo and Date of Birth (DOB) duly signed and issued by a Government authority - Photo ID card having Date of Birth, issued by Recognized Educational Institution - PAN Card - Marksheet issued by any Government Board or University - Government Photo ID Card/ Photo Identity Card issued by PSU containing DOB - Central/ State Pension Payment Order - Central Government Health Service Scheme Photo Card or Ex-Servicemen Contributory Health Scheme Photo card - School Leaving Certificate (SLC)/ School Transfer Certificate (TC), containing Name and Date of Birth - Extract of School Records issued by Head of School containing Name, Date of Birth and Photograph - Certificate of Identity containing Name, DOB and Photo issued by Recognized Educational Institution signed by Head of Institute on UIDAI standard certificate format for enrolment/ update - Certificate of identity containing Name, DOB and Photograph issued by Employees' Provident Fund Organisation (EPFO) on UIDAI standard certificate format for enrolment/ update		

Illustration for filling up EID No.

Acknowledgement/ Consent for enrolment / पावती / नामांकन हेतु सहमति

Enrolment No/ नामांकन संख्या:

0008/12345/00020

This is not the Aadhaar Number

Date/ तिथि: 28/04/2011 15:50:16

OR EID No:

0 0 0 8 1 2 3 4 5 0 0 0 2 0 2 8 0 4 2 0 1 1 1 5 5 0 1 6

Note: In instances where original documents are not available, copies attested / certified by a public notary/gazetted officer will be accepted.



Mera Aadhaar, Meri Pehchaan

02nd Nov, 2020

LIST OF ACCEPTABLE SUPPORTING DOCUMENTS FOR VERIFICATION

POI (Proof of Identity) documents containing Name and Photo

1. Passport
2. PAN Card
3. Ration/ PDS Photo Card
4. Voter ID
5. Driving License
6. Government Photo ID Cards/ Service photo identity card issued by PSU
7. NREGS Job Card
8. Photo ID issued by Recognized Educational Institution
9. Arms License
10. Photo Bank ATM Card
11. Photo Credit Card
12. Pensioner Photo Card
13. Freedom Fighter Photo Card
14. Kissan Photo Passbook
15. CGHS/ ECHS Photo Card
16. Address Card having Name and Photo issued by Department of Posts
17. Certificate of Identity having photo issued by Gazetted Officer or Tehsildar on UIDAI standard certificate format for enrolment/ update
18. Disability ID Card/ handicapped medical certificate issued by the respective State/ UT Governments/ Administrations
19. Bhamashah Card/Jan-Aadhaar card issued by Govt. of Rajasthan
20. Certificate from Superintendent/ Warden/ Matron/ Head of Institution of recognized shelter homes or orphanages etc. on UIDAI standard certificate format for enrolment/ update
21. Certificate of Identity having photo issued by MP or MLA or MLC or Municipal Councilor on UIDAI standard certificate format for enrolment/ update
22. Certificate of Identity having photo issued by Village Panchayat Head or Mukhiya or its equivalent authority (for rural areas) on UIDAI standard certificate format for enrolment/ update
23. Gazette notification for name change
24. Marriage certificate with photograph
25. RSBY Card
26. SSLC book having candidates photograph
27. ST/ SC/ OBC certificate with photograph
28. School Leaving Certificate (SLC)/ School Transfer Certificate (TC), containing name and photograph
29. Extract of School Records issued by Head of School containing name and photograph
30. Bank Pass Book having name and photograph
31. Certificate of Identity containing name and photo issued by Recognized Educational Institution signed by Head of Institute on UIDAI standard certificate format for enrolment/ update.

32. Certificate of identity containing Name, DOB and Photograph issued by Employees' Provident Fund Organisation (EPFO) on UIDAI standard certificate format for enrolment/ update

POR (Proof of Relationship) documents containing Name of applicant and Name of HoF (Head of Family)

1. PDS Card
2. MNREGA Job Card
3. CGHS/ State Government/ ECHS/ ESIC Medical card
4. Pension Card
5. Army Canteen Card
6. Passport
7. Birth Certificate issued by Registrar of Birth, Municipal Corporation and other notified local government bodies like Taluk, Tehsil etc.
8. Any other Central/ State government issued family entitlement document
9. Marriage Certificate issued by the government
10. Address card having name and photo issued by Department of Posts
11. Bhamashah Card/Jan-Aadhaar card issued by Govt. of Rajasthan
12. Discharge card/ slip issued by Government hospitals for birth of a child
13. Certificate of Identity having photo issued by MP or MLA or MLC or Municipal Councilor or Gazetted Officer on UIDAI standard certificate format for enrolment/ update
14. Certificate of Identity having photo and relationship with HoF issued by Village Panchayat Head or Mukhiya or its equivalent authority (for rural areas) on UIDAI standard certificate format for enrolment/ update

DOB (Date of Birth) documents containing Name and DOB

1. Birth Certificate
2. SSLC Book/ Certificate
3. Passport
4. Certificate of Date of Birth issued by Group A Gazetted Officer on UIDAI standard certificate format for enrolment/ update
5. A certificate (on UIDAI standard certificate format for enrolment/ update) or ID Card having photo and Date of Birth (DOB) duly signed and issued by a Government authority
6. Photo ID card having Date of Birth, issued by Recognized Educational Institution
7. PAN Card
8. Marksheet issued by any Government Board or University
9. Government Photo ID Card/ Photo Identity Card issued by PSU containing DOB



Mera Aadhaar, Meri Pehchaan

LIST OF ACCEPTABLE SUPPORTING DOCUMENTS FOR VERIFICATION

10. Central/ State Pension Payment Order
11. Central Government Health Service Scheme Photo Card or Ex-Servicemen Contributory Health Scheme Photo card
12. School Leaving Certificate (SLC)/ School Transfer Certificate (TC), containing Name and Date of Birth
13. Extract of School Records issued by Head of School containing Name, Date of Birth and Photograph
14. Certificate of Identity containing Name, DOB and Photo issued by Recognized Educational Institution signed by Head of Institute on UIDAI standard certificate format for enrolment/ update
15. Certificate of identity containing Name, DOB and Photograph issued by Employees' Provident Fund Organisation (EPFO) on UIDAI standard certificate format for enrolment/ update

POA (Proof of Address) documents containing Name and Address

1. Passport
2. Bank Statement/ Passbook
3. Post Office Account Statement/ Passbook
4. Ration Card
5. Voter ID
6. Driving License
7. Government Photo ID cards/ service photo identity card issued by PSU
8. Electricity Bill (not older than 3 months)
9. Water Bill (not older than 3 months)
10. Telephone Landline Bill (not older than 3 months)
11. Property Tax Receipt (not older than 1 year)
12. Credit Card Statement (not older than 3 months)
13. Insurance Policy
14. Signed Letter having Photo from Bank on letterhead
15. Signed Letter having Photo issued by registered Company on letterhead
16. Signed Letter having Photo issued by Recognized Educational Institution on letterhead or Photo ID having address issued by Recognized Educational Institution
17. NREGS Job Card
18. Arms License
19. Pensioner Card
20. Freedom Fighter Card
21. Kissan Passbook
22. CGHS/ ECHS Card
23. Certificate of Address having photo issued by MP or MLA or MLC or Gazetted Officer or Tehsildar on UIDAI standard certificate format for enrolment/ update

24. Certificate of Address issued by Village Panchayat head or its equivalent authority (for rural areas) on UIDAI standard certificate format for enrolment/ update
25. Income Tax Assessment Order
26. Vehicle Registration Certificate
27. Registered Sale/ Lease/ Rent Agreement
28. Address Card having Photo issued by Department of Posts
29. Caste and Domicile Certificate having Photo issued by State Govt
30. Disability ID Card/ handicapped medical certificate issued by the respective State/ UT Governments/ Administrations
31. Gas Connection Bill (not older than 3 months)
32. Passport of Spouse
33. Passport of Parents (in case of Minor)
34. Allotment letter of accommodation issued by Central/ State Govt. (not more than 3 years old)
35. Marriage Certificate issued by the Government, containing address
36. Bhamashah Card/Jan-Aadhaar card issued by Govt. of Rajasthan
37. Certificate from Superintendent/ Warden/ Matron/ Head of Institution of recognized shelter homes or orphanages etc. on UIDAI standard certificate format for enrolment/ update
38. Certificate of Address having photo issued by Municipal Councillor on UIDAI standard certificate format for enrolment/ update
39. Identity Card issued by recognized educational institutions
40. SSLC book having photograph
41. School Identity card
42. School Leaving Certificate (SLC)/ School Transfer Certificate (TC), containing Name and Address
43. Extract of School Records containing Name, Address and Photograph issued by Head of School
44. Certificate of Identity containing Name, Address and Photo issued by Recognized Educational Institution signed by Head of Institute on UIDAI standard certificate format for enrolment/ update
45. Certificate of identity containing Name, DOB and Photograph issued by Employees' Provident Fund Organisation (EPFO) on UIDAI standard certificate format for enrolment/ update

- **Bring original documents for Enrolment/ Update. No photocopy required.**
- **Original documents are scanned and given back to you.**

CERTIFICATE FOR AADHAAR ENROLMENT/ UPDATE

Instructions: All details to be filled in Block Letters

(To be valid for 3 months from date of issue)

To be printed on plain A4 paper size;

Not required to print on letter head;

D D

M M

Y Y Y Y

Resident's Details

☐ Resident ☐ Non-Resident Indian (NRI) ☐ New Enrolment ☐ Update Request

Aadhaar Number:
(For update only)

Full Name:

C/o:

House No./ Bldg./ Apt:

Street/ Road/ Lane:

Landmark:

Area/ Locality/ Sector:

Village/ Town/ City:

Post Office:

District:

State:

PIN Code:

Date of Birth:

Signature of the Resident/
Thumb/ Finger Impression

Resident's Recent
Colour Photograph
3.5cm x 4.5 cm

Cross Signed and
Cross Stamped
by the Certifier.

**NB: DO NOT
OVERLAP WITH
TEXT BOXES**

Certifier's Details (To be filled by the certifier Only)

Name of the Certifier:

Designation:

Office Address:

Contact Number:

I hereby certify above mentioned details of the resident
and I am a.... (Tick appropriate box below)

- ☐ Gazetted Officer - Group A
☐ Village Panchayat Head or Mukhiya
☐ Gazetted Officer - Group B
☐ MP/ MLA/ MLC/ Municipal Councilor
☐ Tehsildar
☐ Head of Recognized Educational Institution
☐ Superintendent/ Warden/ Matron/ Head of Institution
of Recognized shelter homes/ Orphanages
☐ EPFO Officer

Checklist for Certifier

- ☐ No overwriting ☐ Issue date is filled ☐ Resident's signature ☐ Certifier's details
☐ Resident's Photo is cross signed and cross stamped (*paper to photo or photo to paper*)

Signature & Stamp of the Certifier

NOTE: This format is applicable for POI documents at Sl. Nos. 17, 20, 21, 22, 31 & 32; POA documents at Sl. Nos. 23, 24, 37, 38, 44 & 45; POR documents at Sl. Nos. 13 & 14 DOB documents at Sl. Nos. 4, 5, 14 & 15 of Schedule II of the Aadhaar (Enrolment and Update) Regulations, 2016, as amended from time to time.

CERTIFICATE FOR AADHAAR ENROLMENT/ UPDATE

Instructions: All details to be filled in Block Letters

(To be valid for 3 months from date of issue)

To be printed on plain A4 paper size;

Not required to print on letter head;

14 10 2020

Resident's Details

☒ Resident	☐ Non-Resident Indian (NRI)	☐ New Enrolment	☒ Update Request
Aadhaar Number: (For update only)	1 2 3 4 5 6 7 8 9 0 1 2		
Full Name:	MOHAN KUMAR		
C/o:	MAHESH KUMAR		
House No./ Bldg./ Apt:	A- 312 / 5 ,		
Street/ Road/ Lane:	BLOCK - D4		
Landmark:	NEAR OXFORD LIBRARY		
Area/ Locality/ Sector:	MOHAN NAGAR		
Village/ Town/ City:	INDRAPURAM		
Post Office:	INDRAPURAM		
District:	DELHI		
State:	DELHI		
PIN Code:	1 1 0 0 0 1		
Date of Birth:	01 01 1990		

Mohan

Signature of the Resident/
Thumb/ Finger Impression

Attested &
Manoj Tiwari
14/10/20

OFFICE STAMP

Certifier's Details (To be filled by the certifier Only)

Name of the Certifier:	MANOJ TIWARI
Designation:	DEPUTY DIRECTOR
Office Address:	MINISTRY OF HEALTH , ROOM No- 305 D, SHASTRI BHAWAN , NEW DELHI - 110001
Contact Number:	9876543210

I hereby certify above mentioned details of the resident and I am a.... (Tick appropriate box below)

- ☒ Gazetted Officer - Group A
- ☐ Village Panchayat Head or Mukhiya
- ☐ Gazetted Officer - Group B
- ☐ MP/ MLA/ MLC/ Municipal Councilor
- ☐ Tehsildar
- ☐ Head of Recognized Educational Institution
- ☐ Superintendent/ Warden/ Matron/ Head of Institution of Recognized shelter homes/ Orphanages
- ☐ EPFO Officer

Checklist for Certifier

- ☒ No overwriting ☒ Issue date is filled ☒ Resident's signature ☒ Certifier's details
- ☒ Resident's Photo is cross signed and cross stamped (paper to photo or photo to paper)

Manoj Tiwari

उप-निदेशक/ Dy. Director 14/10/20

OFFICE STAMP

Signature & Stamp of the Certifier

NOTE: This format is applicable for POI documents at Sl. Nos. 17, 20, 21, 22, 31 & 32; POA documents at Sl. Nos. 23, 24, 37, 38, 44 & 45; POR documents at Sl. Nos. 13 & 14 DOB documents at Sl. Nos. 4, 5, 14 & 15 of Schedule II of the Aadhaar (Enrolment and Update) Regulations, 2016, as amended from time to time.

INSTRUCTIONS FOR FILLING UP CERTIFICATE FOR AADHAAR ENROLMENT/ UPDATE

A. GENERAL INSTRUCTIONS – Please read the below instructions carefully before filling the application form

The Application Form consists of two **parts**, i.e., Resident details and Certifier details.

A Sample filled form is provided inline with the instructions for reference. Residents are advised to also view the sample filled form provided after reading these instructions.

Please note: Incomplete or inappropriately-filled application form will not be accepted.

Please follow the instructions given below while filling the form:

- Certificate has to be printed on Plain paper.
- Use CAPITAL LETTERS only, as shown in the image below –

r a m e s h

R A M E S H

Incorrect

Correct

- Use standard fonts and avoid stylized writing.
- Use black or blue ball point pen only. Do NOT fill the application form with ink-pen or pencil.
- Put a tick marks (✓), in the boxes where you have to select options as your answer and leave the other option(s) blank.
- Write clearly within the boxes without touching the boundaries. Try and write in the centre of the box, as shown in the image below–

M E H T A

M E H T A

Incorrect

Correct

- Leave one box blank after each complete word, while filling up the boxes.

R A M E S H G U P T A

R A M E S H G U P T A

Incorrect

Correct

- Do NOT write “NA” or “N/A” or “NOT APPLICABLE” in any boxes in the form to convey that the column is not relevant for your case. Leave that column blank.

B. FIELD-WISE GUIDELINES FOR FILLING UP “CERTIFICATE FOR AADHAAR ENROLMENT/ UPDATE”- Resident section

Ensure all the fields are filled properly, as per below instructions.

S No	Filed Name	General Instructions
1	Date of Issue	• Specify the date in DD-MM-YYYY format. • Ensure the Certificate is submitted within 3 months of date of issue. • Enrolment or Update Request will be rejected if Date of Issue is blank or Certificate has expired.
2	Resident Category	• Specify the resident is native Resident of India or belongs to Non Resident Indian (NRI) Category
3	Enrolment type	• Specify the current request is either for obtaining a Aadhaar card which is known as “New Enrolment” or for updating an existing Aadhaar details which is known as “Update Request”.
4	Aadhaar Number	• Mention your Aadhaar Number. • In case of Enrolment, Kindly leave it blank. • In case of Update, it is mandatory to specify the aadhaar number.
5	Full Name	• Mention the name of Resident. • Name shall be mentioned in the format as to be recorded in the Aadhaar.
6	C/o	• Mention the Care of (C/o) if required in the address field. • This field can be left blank as well.
7	House No/ Bldg./ Apt:	• Mention the House Number, Building Name or Apartment Name as per the address.
8	Street/Road/ Lane	• Mention Street Name, Road & Lane of the address.
9	Landmark	• Mention the Landmark near your address. • This field can be left blank as well, if not required.
10	Area/ Locality/ Sector	• Mention Area/ Locality/ Sector of your address.
11	Village/ Town/ City	• Mention Village/ Town/ City of your address.
12	Post Office	• Mention the nearest post office of your address. • This field can be left blank.
13	District	• Mention the District of your address.

14	State	Mention the State of your address.
15	Pin Code	Mention the pincode of your address.
16	Date of Birth	Mention the Date of Birth.
17	Signature	- Resident shall put his/her Signature in the box specified for signature. <u>Illiterate Resident can provide Thumb or Finger impression.</u>
18	Resident Photo	- Resident shall paste latest color photograph of size 3.5 cm X 4.5 cm. - Ensure photo is pasted in the space provided. It shall not overlap in text boxes. - Photo needs to be cross signed by the certifier. - Photo needs to be cross stamped by the certifier.

C. FIELD-WISE GUIDELINES FOR FILLING UP “CERTIFICATE FOR AADHAAR ENROLMENT/ UPDATE”- Certifier section

Kindly ensure all the fields are filled properly by the Certifier, as per below instructions.

S No	Filed Name	General Instructions
1	Name of Certifier	Mention the name of Certifier
2	Designation and office name	Specify the designation and office name of the Certifier.
3	Office Address	Specify the complete address of the certifier, along with Department name.
4	Contact Number	Specify the contact details of the certifier.
5	Certifier Type	- Mention the certifier type by tick (✓) mark on one of the box provided against below mentioned categories: - Gazetted Officer - Group A - Village Panchayat Head or Mukhiya - Gazetted Officer - Group B - MP/ MLA/ MLC/ Muncipal Councilor - Tehsildar - Head of Recognized Educational Institution - Superintendent/ Warden/ Matron/ Head of Institution of Recognized shelter homes/ Orphanages - EPFO Officer
6	Checklist for Certifier	- Verify the below checklist by putting tick (✓) mark on the boxes: - No overwriting - Issue date is filled - Resident's signature - Certifier's details - Resident's Photo is cross signed and cross stamped (paper to photo or photo to paper) - Please ensure that complete form is duly filled, and all boxes of checklist all selected.
7	Sign & Stamp of the certifier	Provide certifier's signature and stamp in the space specified.

D. IMPORTANT INSTRUCTIONS

Below are few important steps that resident shall ensure before submitting the form:

- Certificate must be printed on Plain paper.
- Form must be submitted within 3 months of **date of issue**.
- Ensure No overwriting in the form.
- Date of issue must be filled properly in DD-MM-YYYY format.
- Resident signature or thumb impression is must.
- Certifier details must be filled in properly.
- Latest colored photograph of 3.5cm X 4.5 cm should be pasted within the defined area.
- Certifier cross sign & cross stamp must be available on the resident photograph.
- Certifier complete details must be filled in.

Record of hunger deaths reported in newspapers and/or verified through independent fact finding teams, 2015-2018

Name & Age	Block & District	Date of death	Details	Sources
Shiv Kumar Majhi, 4 yrs (m)	Surguja, Chhattisgarh	Late May 2015	Adivasi?, Family PDS ration card was cancelled; father worked as casual labourer, the family did not have a ration card; possibly PDS card was cancelled	Indian Express
Jungle Singh, age unknown (m)	Pendra Block, Bilaspur, Chhattisgarh	27 May 2015	Dalit or Adivasi; reportedly did not have a single grain in his stomach as per post mortem report.	Indian Express
Lambu Ram, 60 yrs (m)	Bagicha, Jashpur, Chhattisgarh	October 2015	Adivasi; had to mortgage PDS ration card to meet medical expenses for his father, never got card back.	Catch News
Jobha Majhi, 60 yrs (m)	Sheikhpura, Bihar	25 March 2016	Musahar (Mahadalit); CM claimed that he had an AAY card and had got grain in January 2016.	TOI report The Telegraph
Ramsurat, 50 yrs (m)	Nalanda	June 2016	Dalit; had reportedly not eaten for 10-20 days; survived by an 8 year old son	Newsx.com
Govinda 5 years, (m), Aishwarya/Munni, 2 yrs (f)	Koransarai, Dumrao, Buxar, Bihar	26 August, 1 September, 2018	Musahar (Dalit); father in jail for alleged participation in violent protest. Family had PDS ration card, but unable to get Aadhaar card made , so were not getting rations for the past 8 months; No work under NREGA	Bhaskar.com and The Wire
Paro, 2 yrs, Shikha, 4 yrs, and Mansi 8 yrs (f)	Mandavali, East Delhi, Delhi	25 July, 2018	Mother was mentally unstable, father unemployed used to operate cycle rickshaw, did not have a ration card	Delhi Rozi Roti Adhikar Abhiyan
Indradeo Mali, 40 yrs (m)	Hazaribagh, Jharkhand	December 2016	Dalit; No food cooked in house since three days before death. Family did not get ration for two months preceding death.	News18.com and Dainik Jagran
Santoshi Kumari, 11 years (f)	Simdega, Jharkhand	28 September, 2017	Dalit; Santoshi's family was denied ration for six months preceding her death. Its ration card was deleted as it was not linked with an Aadhaar.	RTFC Jharkhand statement
Bajinath Ravidas, 40 yrs (m)	Jharia, Dhanbad, Jharkhand	21 October, 2017	Dalit; rickshaw puller, long term deprivation; had applied for PDS ration card many times, but did not get it. Family got ration card after his death, his wife awaits widow pension	Report of fact finding by HRLN News18.com
Ruplal Marandi, 60 yrs (m)	Deoghar, Jharkhand	23 October, 2017	Adivasi; Ruplal's family was denied its ration for two months as it could not prove its identity through ABBA.	HRLN fact finding report
Lalita Kunwar, 45 yrs (f)	Garhwa, Jharkhand	October 2017	Adivasi; Lalita's family was denied ration for six months preceding her death.	Prabhat Khabar
Premani Kunwar, 64 yrs	Garhwa,	1 December	OBC; After Sep 2017, Premani's social security pension was redirected to	RTFC Jharkhand fact

Name & Age	Block & District	Date of death	Details	Sources
(f)	Jharkhand	2017	someone else's bank account linked with her Aadhaar . She did not receive her ration in Nov 2017 even though she successfully authenticated herself.	finding
Etwariya Devi, 67 yrs (f)	Garhwa, Jharkhand	25 December 2017	OBC; Etwariya's family was denied its ration due to ABBA failure . In Dec 2017 she did not receive her pension, allegedly due to authentication failure.	RTFC Jharkhand fact finding report
Budhni Soren, 40 yrs (f)	Giridih, Jharkhand	13 January 2018	Adivasi; Budhni was not issued a ration card (possibly as she did not have Aadhaar). She was not issued a widow pension.	eNewsRoom and Times of India
Lukhi Murmu, 30 yrs (f)	Pakur, Jharkhand	23 January, 2018	Adivasi; Lukhi's family was denied ration since Oct 2017 due to ABBA failure .	RTF Jharkhand fact finding
Sarthi Mahtain, age unclear (f)	Dhanbad, Jharkhand	29 April, 2018	Sarthi was denied her ration and pension as she could not go to the ration shop or bank for ABBA due to illness .	Dainik Jagran and Jansatta.com
Savitri Devi Mahto, 55 yrs (f)	Giridih, Jharkhand	2 June, 2018	OBC; Savitri's family was not issued a ration card. She did not receive her pension as her account was not linked with Aadhaar .	RTFC Jharkhand fact finding report
Mina Musahar, 45 yrs (f)	Chatra, Jharkhand	4 June, 2018	Dalit; Neither Mina nor her son's family was not issued a AAY ration card.	RTF Jharkhand report
Chintaman Malhar, 40 yrs (m)	Ramgarh, Jharkhand	14 June, 2018	Musahar (Dalit); Chintaman's family was not issued a ration card. The entire village was also deprived of rations, pensions and other basic entitlements.	RTFC fact finding report
Lalji Mahto, 70 yrs (m)	Jamtara, Jharkhand	10 July, 2018	OBC; He did not receive his pension for the past three months	Dainik Jagran
Rajendra Birhor, 39 yrs (m)	Ramgarh, Jharkhand	24 July, 2018	Adivasi; Rajendra's family was not issued a ration card . It also did not get social security pension entitled to particularly vulnerable tribes. Died of destitution.	Report of RTFC fact finding team, NDTV.com
Chamtu Sabar, 45 yrs (m)	Dhalbhumgarh, East Singhbhum	16 September, 2018	Particularly Vulnerable Tribal Group (Adivasi), newspaper report states that there was no food in the house for the 4-5 days before he died. Entitled to Antyodaya card (as PVTG) but did not have one . Suffered from TB.	Prabhat Khabar
Narayan 55yrs, Subbu 52 yrs, Venkatrama 46 yrs (m)	Gokarna, Karnataka	2 Jul, 8 Jul and 13 Jul, 2017	Dalit brothers, The brothers' family was denied ration for six months preceding their death. Their ration card was deleted as it was not linked with Aadhaar .	PPT based on fact finding PUCL Report The Quint
Lalit Rangari, 36 yrs (f)	Gondiya, Maharashtra	July 2015	Dalit; widow, two children, one of whom is visually disabled.	India Today
Bishnu Charan, 65 yrs (m)	Rajnagar Block, Kendrapara, Odisha	October 2015	Name was struck off PDS ration card list during NFSA rollout. Had two sons, one was disabled and married; Died from the stress that his name had been put on the 'suspect list' of the NFSA	Odisha Times

Name & Age	Block & District	Date of death	Details	Sources
Suadei, 55 yrs (f)	Ghutupali village, Bolangir, Odisha	8 December 2015	Did not get PDS grain the month she died.	Times of India
TK Mohananda, 65 yrs (m)	Komna block, Nuapada	14 December 2015	Dalit, landless. Has two mentally challenged children. Was AAY beneficiary earlier, but name was struck off PDS ration card list during NFSA rollout.	The Hindu
Khetrabasi Pradhan, 80 yrs (m)	Daspalla, Nayagarh	March 2016	Could not get pension because age was wrongly recorded on voter card	Odisha Sun Times
Rankanidhi Khura, 39 yrs (M)	Balichhara village, Junagarh, Kalahandi, Odisha	25 March 2017	Khura a mentally challenged person lived with aged mother and brother (also mentally challenged). Family didn't have PDS card or pension depended solely on earning of their mother. Died due to prolonged unavailability of food.	The New Indian Express
Bilas Singh, 30 yrs (f)	Barchana, Jajpur, Odisha	14 October, 2017	Her husband said that she did not receive any medical assistance although he had contacted the local ASHA, ANM and anganwadi worker.	The New Indian Express
Gobind Behera, age unclear (m)	Shantipada, Binjhapur, Jajpur	20 May 2017	Living alone after wife's death and was surviving on the food provided by neighbours	Odisha Sun Times
Kunti Sahu, 35 yrs (f)	Khaprakhol, Bolangir, Odisha	28 July 2018	Kharra (Dalit), died on Harishankar road railway station, lived there with her mother, survived by begging, which she could not do for 2 months due to illness. Mother got old age pension, not clear if they had a ration card	RTF Odisha fact finding report
Kundru Nag, 68 years (f)	Khuntapalli, Sadar Block, Bargarh, Odisha	12 June 2018	Elderly widow, husband and wife received Rs. 300 as pension; denied PDS grain on Antyodaya card . A neighbour denied their rice, was told that she could not be given it because of authentication requirements. Permission to give without authentication came too late.	Odisha Post, Scroll.in.
Mungre Chhura, 59 yrs (f)	Jairpada, Bongomunda, Bolangir, Odisha	~22 August, 2018	Dom (Dalit); widowed 5-7 years ago, did not get pension, used to have PDS ration card, before rollout of NFSA, but deprived after. Ought to have been getting pension and 35kg of rice with an Antyodaya ration card.	New Indian Express + RTF Odisha fact finding
Shrikant Dixit, 40 yrs (m)	Barabanki, UP	June 2016	Post-mortem report found 50gms of food in his stomach	India.com
Nathu Prasad 40 yrs (m)	Naraini, Banka, UP	1 May 2016	Dalit; had reportedly not eaten for four days, en route to the PDS shop with sister-in-law when he died. CM announced Rs. 5 lakh as relief;	The Hindu Khabar Lahariya
Dharmendra, 28 yrs (m)	Soraon tehsil, Allahabad, UP	23 October, 2016	Dalit, "did not possess the Aadhaar card which is required to procure the subsidised ration card for families below the poverty line" , district administration has ordered action against local ration dealer.	Daily Mail NDTV
Subhash Singh, 42 yrs (m)	Dudahi, Kushinagar, UP	10 April, 2017	A week before he died, the dealer refused them PDS grain , had not eaten for four days,	Patrika.com

Name & Age	Block & District	Date of death	Details	Sources
Shakina, 50 years (f)	Bareilly, UP	14 November, 2017	Paralysed, weak, had Antyodaya card. The family had been denied ration under the PDS for November , because Shakina was too unwell to be even taken to the shop in a rickshaw for ABBA, as she was every month.	NDTV
Nem Chand, 42 yrs (m)	Kudaria Ikhlaspur, Bareilly, UP	4 January, 2018	No food in the past three days, was ailing so his 82 year old mother sold the kerosene and grain they had got from the PDS, used to work as barber but stopped after he suffered from paralytic stroke	Times of India
Amir Jahan, 36 yrs, m/f	Moradabad, UP	25 January, 2018	Had applied for, but not been issued PDS ration card , family was given one after she passed away	RTFC fact finding report
Rajwati 60 yrs, Rani 25 (f)	Bareilly, UP	5 July, 2018	Committed suicide due to hardship. Ration card cancelled due to lack of Aadhaar	Navbharat Times and Jansatta.com
Khushi, 8 yrs (f)	Vedai village, Sadabad, Hathras, UP	10 September, 2018	Father worked as a labourer in a cold storage, but was without work for two months. Family had not eaten for a week, family does not have a ration card. Annu, her younger sister also fell unconscious, and was critical	The Wire
Sangeeta, 30 yrs (f), Suraj, 8 yrs (m) Daughter, 2m (f)	Dudahi, Kushinagar, UP	6 and 11 September, 2018	Musahar (Dalit) family, Mother and son died first and a week later 2 month old baby girl died, they had a ration card, had got grain in the previous month	NDTV
Fenku, 22 yrs, Pappu 16 yrs (m)	Padrauna, Kushinagar, UP	12-13 September, 2018	Musahar (Dalit) brothers, used to get seasonal work as brick kiln workers, were weak and began to remain unwell. Died on two consecutive days.	Newslick.in
Surath Kumar Gayen, 63 yrs (m)	Bhatpara, West Bengal	24 March, 2018	His family stopped receiving PDS grains after he was missed during the 2017 digitization drive. Did not receive pension due to lack of Aadhaar	Report of Right to Food and Work Campaign, West Bengal fact finding team

NATIONAL SEMINAR

ON

LAW, TECHNOLOGY AND DEVELOPMENT IN THE 21ST CENTURY:
TRANSFORMING CHALLENGES INTO OPPORTUNITIES

March 30, 2019

Sponsored By Indian Council of Social Science
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(ICSSR- NWRC) Chandigarh.

This is to certify that Prof/ Dr/ Ms/ Mr *Ajith K*.....
has participated and presented a paper titled *Reflections of (In) Visibility:
Reading.....Aachhar.....judgment.....and.....Digital.....Citizenship in India
through Rural.....Contexts*

"LAW, TECHNOLOGY AND DEVELOPMENT IN THE 21ST CENTURY:
TRANSFORMING CHALLENGES INTO OPPORTUNITIES" held at University

Institute of Legal Studies, Panjab University, Chandigarh.

Sabina Salim

Dr. Sabina Salim

COORDINATOR



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Department of Political Science, School of Social Sciences
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Certificate

This is to certify that Prof. /Dr. /Ms. /Mr. *Ajith Kumbhanni, MPhil Scholar*.....
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Governance in digital societies: Understanding welfare, technology and citizenship in India.
in the Two Day National Seminar organized under the auspices of the Department of Political Science, University of Hyderabad. The seminar
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Prof. E. Venkatesu
Seminar Co-ordinator

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Prof. Kham Khan Suan Hausing
Head of the Department

UNIQUE IDENTIFICATION PROJECT IN INDIA: THE PROBLEMATIC OF (IN)VISIBILITY

by Ajith K

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