

1. Aadhar is required to target subsidies but it is a bi-partisan Bill which many fear would violate privacy of an Individual. Examine the statement in the context of the recent Aadhar Bill passed by the Parliament. (150 Words)

**Answer:**

- In India, the biggest barrier that prevents the poor from accessing benefits and subsidies are an inability to prove identity. Public as well as private sector agencies across the country typically require proof of identity before providing individuals with services.
- Thus Aadhaar is a 12-digit unique identification number issued by the Indian government to every individual resident of India to provide identity to them.
- A clear identity number would transform the delivery of social welfare programs by making them more inclusive of communities which were until now cut off from such benefits due to their lack of identification. It would enable the government to shift from indirect to direct benefits, and verify whether the intended beneficiaries actually receive funds/subsidies.
- A single, universal identity number will also be transformational in eliminating fraud and duplicate identities, since individuals will no longer be able to represent themselves differently to different agencies. This will result in significant savings to the state exchequer.
- However, many experts believe that recent Aadhaar bill passed in the Parliament would violate Privacy of Individual in number of ways.
- Critics have raised concerns that that UIDAI might share the Biometric information of people with other government agencies which may violate the right to privacy of the people
- Using the Biometric data, people might be singled out, tracked and harassed.
- There are provisions in this Bill that seem to address the concern, including one that prohibits any official from revealing information in the data repository to anyone.
- Only minimal data (name, gender, email, residence, biometrics, DoB, etc) is collected (on the recommendations of N Vittal Committee). No data can be collected on religion, economic status, PAN, passport, etc.
- Strong security and data protection measures including highest level of encryption make it impossible to mine data from field computers.
- But the exceptions cause unease. Two provisions are particularly troubling. The first is Section 29(4), by which no Aadhaar number or biometric information will be made public “except for the purposes as may be specified by regulations”. The second, which experts have already flagged, is Section 33, under which the inbuilt confidentiality clauses will not stand when it concerns national security.
- The only reassurance could be that in such cases the direction has to come from an official who is not below the rank of a Joint Secretary to the government.

Nonetheless, without robust laws to protect their data, citizens would be rendered vulnerable.

- There is little doubt that India needs to streamline the way it delivers benefits, and to empower citizens with a basic identification document. But this cannot be done without ensuring the strictest protection of privacy.

## PRACTICE QUESTIONS

### **Answer the following Questions**

1. What do you understand by TRIPS plus provisions being advocated by developed countries outside the WTO based TRIPS agreement? Do you think India should show some flexibility and incorporate certain TRIPS plus provisions in its IPR regime? (150 words)
2. What do you understand by Digital therapeutics? Discuss the opportunities & challenges of Digital Therapeutics specifically in context of preventing lifestyle diseases in India. (150 words)