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Aadhaar-Linking Deadline Extension

Why in news?

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The Supreme Court has indefinitely extended the deadline for Aadhaar linking.

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What is the SC's order?

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- Earlier the SC extended the December 31, 2017 deadline for Aadhaar linking to March 31, 2018.

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- It applied to linking Aadhaar with mobile phones, tatkal passports and for opening bank accounts.

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- The SC has now indefinitely extended that deadline, till the Court pronounces its final verdict on the validity of the Aadhaar scheme.

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- The court called for a sense of certainty that citizens would not be harmed or their services would not be curtailed in the meantime.

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What are the Exceptions?

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- The Court did not relax the March 31 deadline for linking Aadhaar to services under Section 7 of the Aadhaar Act.

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- Besides, the Unique Identification Authority of India (UIDAI) has made announcements despite deadline extension by the SC.
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- As per this, Aadhaar requirement for opening new bank accounts and applying for Tatkal passports under the relevant laws will continue.
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What is the need for extension?

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- **Privacy** - The Aadhaar linking scheme is said to be a coercive step and violation of the ordinary citizen's fundamental right to privacy.
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- The privacy concern is significant because India does not have a data protection regime to prevent or punish personal data leakage.
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- Notably, the SC recently upheld privacy as a fundamental right and intertwined it with basic human dignity and right to life.
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- In this context, the Bench's verdict, at the earliest, on whether Aadhaar is constitutional or not would be significant.
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- **Uncertainty** - The court expressed dissatisfaction at passing numerous interim orders extending the deadline.
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- The government, on the other hand, has issued various 'piecemeal' notifications and legislations to link one service or the other.
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- These have led to a sense of uncertainty and confusion among the citizens and consumers.
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What is the case with Section 7?

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- Section 7 of the Aadhaar Act allows governments to insist on Aadhaar for certain purposes.
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- It applies to establishing the identity of an individual as a condition for availing welfare schemes.

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- These may include subsidy, benefit or service which draws expenditure from the Consolidated Fund of India.
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- Section 7 benefits are excluded from Aadhaar extension because it is statutorily protected by the Aadhaar Act itself.
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- Whereas the other linkages, like with PAN, mobile phones, etc., are based on other statutes or even executive notifications.
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What will the possible impact be?

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- The Court order may impact the welfare scheme beneficiaries, who typically hail from economically disadvantaged sections.
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- The beneficiaries of 139 welfare schemes are at risk of falling off the coverage if they don't furnish Aadhaar proof by March end.
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- The services include the significant ones like the mid-day meal scheme for school children and food subsidies.
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- It sends out a wrong message that privacy may not be a priority concern for the welfare scheme beneficiaries.
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Source: The Hindu, Business Line

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