



Aadhaar - Mobile Linkage

Why in news?

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- The Supreme Court recently declared that privacy is a fundamental right.
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- But most telecom operators continue to pressure their users for mandatory Aadhaar linkage - thereby violating individual privacy.
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What is the linking process?

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- Re-verification requires a user to visit a telecom service centre and undergo a biometric (fingerprint) authentication.
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- The fingerprints are then matched with the Aadhaar database to establish authenticity.
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- The messages and calls for Aadhaar linking have only increased in frequency with time.
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- Some operators have even issued threats of disconnection if linkage doesn't happen within a specified time.
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What are the legal issues?

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- **The Framework** - The Centre is the custodian of the airwaves.

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- It issues licences to private companies for providing mobile voice and data services.
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 - Telecom operators are governed by regulations by the Department of Telecommunications (DOT).
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 - This includes clauses for subscriber verification.
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 - **Aadhaar Issue** - A series of circulars issued by the DOT from March 2017 onwards.
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 - These directed the telecom operators to re-verify their existing subscribers through Aadhaar authentication by February 2018.
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 - **Court orders** - Courts have limited the Aadhaar programme to a voluntary program restricted to specific services.
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 - The government instead is pushing for its use in mandatory re-verification.
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 - Even when viewed independent of court orders, the DOT circulars stands no grounding in law.
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What lies ahead?

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- Irrespective of legality, the aggressive push for Aadhaar linking continues to instil fear in people that their mobile phone connections will be disconnected.
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 - This is especially problematic, as the Supreme Court has indicated that the pending Aadhaar litigations will be heard in November.
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Source: Indian Express

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