

“Aadhaar is today identity in the cou

DR AJAY BHUSHAN PANDEY, CEO of the Unique Identification Authority of India (UIDAI), allays concerns on privacy, surveillance and the linking of Aadhaar to a huge array of services. Excerpts from an interview with Seetha:

UIDAI has always held that the Central Identities Data Repository (CIDR) is the sole repository of biometric data. But the Aadhaar Handbook for Registrars says registrars can retain the biometric data. There are allegations that State Resident Data Hubs (SRDHs) are keeping biometrics.

No. When the enrolment happens, regardless of who does it, all the data — biometric, demographic — gets encrypted with a 2,048-bit encryption key (which is a very, very high standard). This data comes to us and is out of bounds for everyone. No one gets to keep this.

When the project was in the initial stages, different processes and rules may have been in place. But after the passage of the Aadhaar Act, no one has access to the data.

UIDAI may be collecting only very basic information, but state governments are collecting a lot of extra data under the KYR+ head, and this can enable surveillance by security agencies.

But that also is gone. KYR+ was being used much before the Aadhaar Act. There is now nothing called KYR+.

What happens to the data that the SRDHs may have already collected?

Individual state governments may have collected information, but today the law is very clear: any information collected will have to be protected, and this cannot be used for any purpose other than what has been communicated to the person at

the time of collection. The Aadhaar Act also says the identity information cannot be disclosed without the prior consent of the individual. The Act is now applicable on new data as well as old data.

UIDAI systems may be robust, but can the verification/authentication point not be the source of violation of privacy?

If Aadhaar becomes an identity mechanism, there will be certain elements in society which will attempt to misuse it, sometimes use it to commit a crime. What we need to see is whether the Aadhaar system will make the process of tracing the crime and criminal easier.

When every bank account is verified with Aadhaar, if money is withdrawn fraudulently from one bank account and put in another, then it will be easier to identify, trace and punish the person committing the fraud, because the second account is also verified with Aadhaar.

But in Hyderabad, last year, there was a case of people downloading Aadhaar numbers and using that to open bank accounts and siphoning off pension money.

But, as per the Prevention of Money Laundering Rules, banks are not supposed to open accounts just on the basis of an Aadhaar number. The bank manager is supposed to get the number and do a fingerprint authentication of the person opening the account. If you don't do this, then it is not the problem of Aadhaar, it is the problem of *their* processes.

If certain violations have happened, if the processes of that domain or relevant laws have not been followed, then naturally, problems will arise. For that, the agency which has been using Aadhaar has to be held accountable, and not Aadhaar.

But since it is the UIDAI which gets the flak, will you be taking up this issue with the banking and telecom regulators?

This is an ongoing process. We keep telling them this is what you are doing wrong, this is how you should do it, if you don't, you will get into a problem; we issue circulars from time to time.

There have been cases where biometrics were scanned and stored in the device. UIDAI had taken action against Axis Bank, eMudra and Infoserve for doing multiple authentications...

Firstly, storing of biometric and replaying it is a criminal offence under the Aadhaar Act, inviting three years' imprisonment. More importantly, technically also, this possibility has been checked, because we have, in May or June, brought in this registered device concept. The registered device ensures that the biometric gets encrypted at the time of capture, and also gets a certain time stamp, so it is not capable of being stored or replayed. UIDAI recognises only the encrypted biometric, which comes for authentication. Even if someone is able to store it, he will not be able to use it, because we will understand from the replay that this is a stolen biometric.

In Lucknow, there was the instance of the fingerprint of Aadhaar enrolment operators being cloned and being used to generate fake Aadhaars. Will that no longer be possible?

When there is any large system, people will try to break into it. We will always have to be alive to such threats. Every big IT organisation keeps facing different kind of vulnerabilities. They classify the vulnerability into critical, high, medium and low levels, and have a policy on how

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to respond to each of these levels.

Vulnerabilities of various kinds will be attempted and they will continue to be addressed by us. We always need to be ready. But saying that we have made a system that will never ever be vulnerable, that is something any person responsible for any IT system should not do.

Aadhaar was to be a number, not a card. Now it is a card and photocopies of the card are liberally used. Cards can be faked, and signed photocopies, which are susceptible to forgery, are the norm. Doesn't this make the original idea of Aadhaar meaningless?

Aadhaar is supposed to be used with authentication. But an individual hiring a household help can't do authentication, and will need some ID. Generally one trusts and takes the paper ID. Depending on the criticality of your need, you decide whether to accept a paper copy or go for authentication, and if you go for authentication, depending upon your need, would you like to go for one fingerprint, multiple fingerprints or in combination with iris scan or one-time password, and now face recognition. It can't be a one-size-fits-all approach.

Aadhaar is becoming mandatory for a growing list of activities. Don't you think this is creating more points of vulnerability? Doesn't this need to be checked?

It is actually the other way round. Till yesterday, I did not know how many people have taken a SIM card in my name, using the paper ID that I have given to the vendor. If the mobile phone connection can be acquired only with my fingerprint, I am pretty sure nobody else is going to use my identity fraudulently.

But it is going to ridiculous lengths — nursery school admissions...



If two private parties decide to have more trust on Aadhaar, the government does not come into the picture. The good thing about Aadhaar is today it is the most trusted identity in the country. If a person sharing his Aadhaar number thinks this is the best way he can prove his identity without being subject to further questioning, and the person whom he is giving it to is satisfied with just the Aadhaar number, it is between them.

So far as public services like subsidies and welfare are concerned, there are specific provisions under the Aadhaar Act, which allow Aadhaar-based authentication. There are cases of impersonation in examinations. If this is the extent of fraud, if that has to be addressed, then people need to understand the context in which the Aadhaar number is being used, to strengthen the system.

What if there is coercion — the party who is required to identify himself does not want to share the Aadhaar number, but the other refuses to deal with him?

Then it is between two private persons/parties, but such use has to be guided by the Aadhaar Act and regulations. If someone insists on an ID one trusts, it is solely up to the person/party requiring it and also the other person/party whether he wants to give it or not. But if the trusted ID Aad-

haar is required by the government department or agency, then the law has to be followed, and Section 7 of the Aadhaar Act comes into the picture (Section 7 says Aadhaar number is necessary to access government subsidies and services).

When private agencies like Skype, Facebook, Amazon use Aadhaar, are there any protocols they need to follow?

I don't think they are using. They have not come to us.

Our law is very clear — if two individuals/entities want to use Aadhaar as identity proof by mutual agreement or consent, we cannot stop them. They don't require our permission. But if they use it, they have to adhere to all the security guidelines under the Aadhaar Act. All those obligations will come. If they want to use our authentication service, there are some guidelines and payment of a licence fee. But if they want to use Aadhaar without authentication, they are free to.

So you believe Aadhaar is sound, it is alright if other people use it.

Not alright, I would expect them to use it properly. They should follow the rules.

(The full transcript will be available on www.swarajyamag.com)