

# Aadhaar law will pass constitutional test: Jaitley

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The Aadhaar Act has enough safeguards to ensure data protection and will pass any constitutional test, Finance Minister Arun Jaitley said on Wednesday.

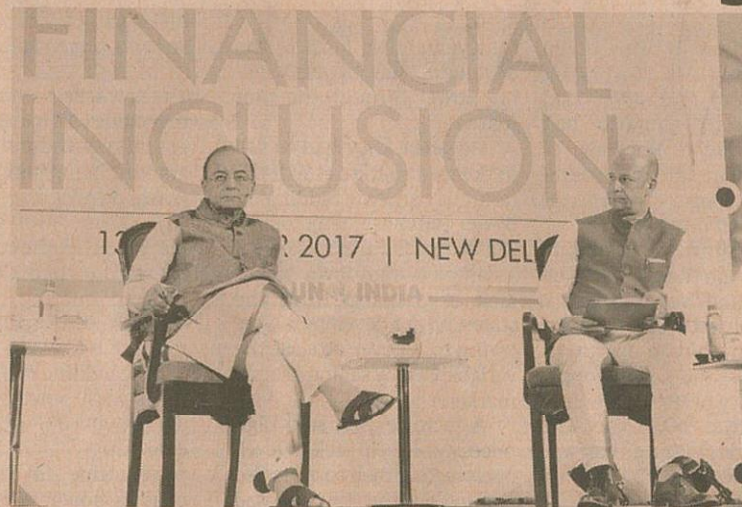
His comments come in the backdrop of the Supreme Court examining legal challenges against making Aadhaar mandatory for government services and a number of other schemes, and also questions being raised about the Aadhaar law's validity as a money Bill.

Speaking at an event on financial inclusion organised by the United Nations, the finance minister said Aadhaar was only evolving as an idea under the Manmohan Singh government, as it did not have legislative backing. "A legislation was necessary because of the evolving debate, the confidentiality of the data and to build some iron wall around the data itself. The Aadhaar legislation has been passed and I am sure it will stand the test of constitutionality."

Earlier last month, a nine-judge Constitution Bench of the apex court had declared right to privacy as a fundamental right, saying it was protected as an intrinsic part of the right to life and personal liberty under Article 21 and as part of the freedom guaranteed by Part III of the Constitution.

Jaitley said in that judgment, the apex court had talked about reasonable restrictions while upholding the idea of privacy as an important constitutional guarantee. Citing some of the conditions on privacy, he said, "... they have to be by the law, they have to be obviously reasonable and some of illustrative restraints not exhaustive are in the larger interest of national security or for the purposes of detection of crime or for the purpose of dissemination of social benefits, I think the third criterion is very consciously inserted because that is the principle purpose for which this was intended to be used and that is where this interplay of over a billion Aadhaar numbers, over a billion bank accounts and mobile phones itself has an important role."

Speaking on financial inclusion, Jaitley said 300 million families have been given access to bank accounts since the launch of the Pradhan Mantri



Finance Minister Arun Jaitley with United Nations Resident Coordinator Yuri Afanasiev at the conclave on financial inclusion in New Delhi on Wednesday PHOTO: PTI

## Privacy is about trust between govt and people: NITI Aayog vice-chairman

Privacy is all about trust between the government and the people, NITI Aayog Vice-Chairman Rajiv Kumar said on Wednesday, while maintaining that there is hardly any privacy left the minute one uses a credit card. He said in today's world even telecallers know what a person buys and what he needs. "You got to focus on mistrust between the government and people. This is core of all debates that are going on about privacy. I have got no privacy left ever since I got Mastercard. I get calls from telecallers who know what I buy.

"If we have any illusions about privacy, stop doing now." The vice-chairman of the government think tank was speaking at a panel discussion on various aspects of financial inclusion, which cover the JAM trinity — the linkage of Jan Dhan bank accounts, Aadhaar ID and mobile phone numbers. The comments come amid various petitions having been filed in the apex court, challenging the government's move making Aadhaar mandatory for availing benefits of various social welfare schemes. The issue got accentuated after the Supreme Court last month declared the right to privacy a fundamental right, a far-reaching verdict that could impact a range of life choices of Indians, including food habits and sexual orientation.

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Jan Dhan Yojana (PMJDY) three years ago. About 42 per cent of households were unbanked before the scheme was launched. Over three years, he said, the number of zero-balance accounts has reduced from 77 per cent to 20 per cent and even these would become operational once the direct benefits transfer scheme is expanded.

PMJDY, launched on August 27, 2014, by Prime Minister Narendra Modi, was aimed at providing financial services to

the poor. These included opening bank accounts for the poor, giving them electronic means of payment (via RuPay cards), and placing them in a position to avail themselves of credit and insurance.

In addition to financial inclusion, Jaitley said the government had taken steps to provide security to the poor via life insurance under the Pradhan Mantri Jeevan Jyoti Bima Yojana and accident insurance under the Pradhan Mantri Suraksha Bima Yojana.