

Aadhaar won't go down PAN: Govt

UID mandatory for filing I-T return as PAN not foolproof, apex court told

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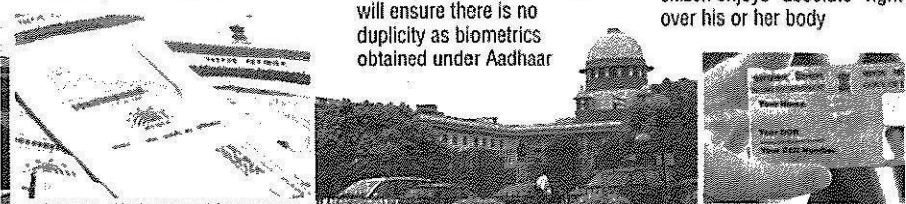
The Centre on Tuesday vouched for Aadhaar's foolproof security by claiming that among the 113 crore Unique Identification (UID) cards issued by the Government, not a single card has been duplicated, making it a preferred choice over permanent account number (PAN) cards for filing Income Tax returns.

Giving statistics in support of the Centre's decision to make Aadhaar mandatory for PAN cards and filing I-T returns under Section 139AA of the amended Income Tax Act, Attorney General Mukul Rohatgi submitted that "seeding of Aadhaar with PAN will ensure there is no duplicity as biometrics obtained under Aadhaar programme cannot be duplicated." He added instance of a duplicate Aadhaar is non-existent.

Comparing it with the sys-

IN DEFENCE OF I-T ACT AMENDMENT

- ▮ Among the 113 crore Unique Identification (UID) cards issued by the Government, not a single card has been duplicated
- ▮ The purpose of linking Aadhaar will give a robust system to ensure identities are not faked and this will lead to a more orderly society,' said the A-G
- ▮ Claiming that among the 29 crore PAN cardholders, 10 lakh were cancelled as many persons were found to possess multiple PAN cards, the A-G said, "This was possible as a PAN can be obtained on a fake ration card, driving licence, or such identity document"
- ▮ Seeding of Aadhaar with PAN will ensure there is no duplicity as biometrics obtained under Aadhaar
- ▮ The A-G refuted the petitioners' contention that the State cannot mandatorily make bodily intrusion of citizens except with their consent
- ▮ He said under the laws prevailing in the country, no citizen enjoys "absolute" right over his or her body



tem that prevailed prior to the amendment, Rohatgi said that among the 29 crore PAN cardholders, 10 lakh were cancelled as many persons were found to possess multiple PAN cards. This was possible as a PAN can be obtained on a fake ration card, driving licence, or such identity document. These could be locally procured at the State level, which is beyond the Centre's control. In case of Aadhaar, the A-G said, the biometrics of citizens will be

deposited with a Central repository that will remain encrypted. "To crack the 12-digit number of Aadhaar will take thousands of years," he said.

"The purpose of linking Aadhaar will give a robust system to ensure identities are not faked and this will lead to a more orderly society," the A-G argued. Responding to recent news about leakage of Aadhaar numbers of pensioners in Jharkhand, Rohatgi said, "There was no leak on our part but the

official in the Jharkhand administration had put out the Aadhaar numbers on website. Even this should not have been displayed. But even if the number is put out, the idea is biometrics should not be revealed."

In the two separate petitions by CPI leader Binoy Viswam and retired Army officer SG Vombatkere, they had alleged the Aadhaar system was an invasion on citizen's privacy and open to misuse.

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On the aspect of privacy, the A-G argued that citizens cannot expect state to provide security, facilities and other benefits and refuse to abide by rules when the State requires them to part with their identity information to check on terror financing, black money and other illegal activities.

Under PAN, a citizen used to give his thumb impression and photograph, while under Aadhaar a citizen has to additionally provide finger prints and iris scan.

The A-G refuted the petitioners' contention that the State cannot mandatorily make bodily intrusion of citizens except with their consent. He said under the laws prevailing in the country, no citizen enjoys "absolute" right over his or her body. He cited examples of how prostitution is banned, medical termination of pregnancy is prohibited beyond 24 weeks, and taking own life is not allowed under Indian laws.

But the Bench did not entirely agree with the AG. "We understand citizens have an obligation to the State under a social contract. But in a society we live, we don't lose our dignity. A balance has to be maintained.

The argument is not that you cannot make Aadhaar regulation but it cannot infringe upon a citizen's fundamental right," the bench said. The Centre's argument will continue on Wednesday.