

# Govt defends Aadhaar in SC, says it's a must for an orderly society...

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NEW DELHI

**T**he government defended linking Aadhaar with permanent account number (PAN), on Tuesday, saying a biometric identification system was an essential feature of contemporary society, and dismissed privacy concerns surrounding the unique ID number.

"Aadhaar can be used for all and sundry. It cannot be restricted to the Aadhaar Act," the country's top legal officer Mukul Rohatgi said.

A Supreme Court bench comprising justices A.K. Sikri and Ashok Bhushan is hearing three pleas challenging the government's decision to make Aadhaar mandatory for filing income tax returns (ITRs) as well as for obtaining and retaining PAN. The petitions were filed by Binoy Vishwam, a senior Communist Party of India leader and S.G. Vombatkere, a retired army officer.

"An identification system was necessary for an orderly society and to keep pace with technology," Rohatgi said, adding that the petitioners' arguments indicated they wanted to live in a vacuum. Rohatgi also said that Aadhaar is not voluntary under the law, as the petitioners have claimed.

**Attorney  
general Mukul  
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An individual has a social contract with the state under which no constituent can say "I don't want to be identified," the attorney general argued.

Can the petitioners say that they don't possess a PAN card, a drivers' licence or a credit card and that they live in the Himalayas, he wondered.

According to the provisions of Finance Act 2017, the Aadhaar number or Aadhaar enrolment number will be mandatory to file ITRs and to apply for a new PAN. Further, an existing PAN can be declared void if the taxpayer does not link it with Aadhaar within the period that will be notified by the government.

On 3 May, lawyer Arghya Sengupta is expected to conclude arguments on behalf of the government. Vidhi Centre for Policy Research, a New Delhi-based think tank founded by Sengupta had assisted the government in framing the Aadhaar legislation.