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## Nothing wrong in making Aadhaar mandatory for PAN, I-T return: Nandan Nilekani

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ht Sarika Malhotra  
Hindustan Times, New Delhi



Rajasthani women showing their Aadhaar cards while standing in a queue to vote for a Panchayat election, January, 2016. (PTI File)

The government is right to make Aadhaar mandatory for PAN cards and income tax return filing because it will streamline the system and weed out duplicates and frauds, the identification scheme's poster boy Nandan Nilekani told HT on Thursday.

Nilekani – the brain behind the Unique Identification Authority of India (UIDAI) and its first chairman –defended Aadhaar in the face of a storm of criticism, saying there was nothing wrong in the government’s decision to expand the scheme’s use.

“It is a good idea. Linking Aadhaar to PAN will make the PAN number unique,” the 61-year-old told HT.

Nilekani’s comments came a day after the government pushed a controversial legislation through Parliament that made Aadhaar necessary for filing IT returns and applying for PAN (personal account number) cards.

Finance minister Arun Jaitley told the Lok Sabha that Aadhaar might become the sole identity document in the future. This came on the back of similar government orders making Aadhaar necessary to access a string of entitlements and subsidies, including the mid-day meal scheme.

The government’s move has been criticised by experts, who say the Centre has unconstitutionally bypassed the Rajya Sabha and disregarded Supreme Court orders that had called for Aadhaar to not be made mandatory.

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As Aadhaar controversy rages, Nilekani talks about Modi govt’s move (<http://www.hindustantimes.com/india-news/as-aadhaar-controversy-rages-here-s-what-nandan-nilekani-has-to-say-about-modi-govt-move/story-NKmetudnauXJ3U3KyykUN.html>)



Lok Sabha passes Finance Bill, Aadhaar now mandatory for filing tax returns (<http://www.hindustantimes.com/business-news/lok-sabha-passes-finance-bill-aadhaar-now-mandatory-for-filing-tax-returns/story-Zw3ABbTryqNHJNEH3CRsjP.html>)

But Nilekani disagreed, saying the Centre’s decision couldn’t be seen as unconstitutional as amendments were introduced in the finance bill, which were cleared by Parliament. Critics say the amendments were introduced in this manner as the finance bill was a money bill, which didn’t need the approval of the Upper House where the government is in a minority.

“We have seen many instances in the past where people have held multiple PAN numbers and evade taxes. Since more than a billion people already have the Aadhaar number, linking the two will go a long way in dealing with the issue of tax evasion and curbing black money,” he told HT, virtually echoing Jaitley.

The finance bill was introduced in the Lok Sabha on February 1, and the key amendments in the bill makes it mandatory for every person to quote Aadhaar number after July 1 when applying for PAN or filing income tax returns. In case a person didn’t have Aadhaar, she would be required to quote an enrolment number, indicating an application to obtain Aadhaar was filed.

An earlier legislation had made the identification scheme mandatory for subsidies and entitlements as per the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 received the assent of the President on the 25th March, 2016 and came into force on September 12, 2016.

The act made Aadhaar number necessary for certain subsidies, benefits and services, the expenditure for which is incurred from the Consolidated Fund of India. Nilekani said he wasn’t a constitutional expert but believed that expanding Aadhaar for entitlements couldn’t be called unconstitutional as Parliament has passed the bill and all other Supreme Court judgments precede the law. “The government and departments are simply following the law passed by Parliament. There is a petition in the Supreme Court on the money bill aspect of the Aadhaar act. Let the court decide on it,” Nilekani said.

He clarified it was the responsibility of every department to follow the act in its true spirit and not deny or exclude people from receiving entitlements due to lack of Aadhaar. “If any such case comes to light, it should be reported and the concerned departments should ensure that the guidelines of the act are followed.”

