

India Supreme Court Rules Aadhar Constitutional, but Sets Limits | The Washington Post

By Vidhi Doshi

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NEW DELHI — India's Supreme Court on Wednesday upheld the validity of a giant and controversial government program to collect and store the biometric data of its billion-plus citizens, but placed new limits on how the data can be used and stored.

A five-judge panel ruled 4 to 1 that while the government's flagship [Aadhaar program](#) has huge benefits in delivering welfare efficiently, biometric data can no longer be used by private entities such as banks or cellphone operators for authentication purposes, curbing the program's ambitious scope as a universal ID.

"Aadhaar empowers the marginalized section of the society and gives them an identity," Justice Arjan Kumar Sikri said in delivering the 1,448-page verdict.

The judgment also noted, however, that "there needs to be balancing of two competing fundamental rights, right to privacy on one hand, and right to food, shelter, and employment on the other hand."

Aadhaar — meaning foundation in Hindi — provides each citizen with a unique 12-digit number, linked to their iris scans and fingerprints. Started in 2009 under India's previous administration and expanded by Prime Minister Narendra Modi, the Aadhaar program was hailed by the government as a tool to bring India into the digital age and help restructure its tax and welfare system as part of the "Digital India" program.

The government's original idea was to be able to easily identify people fraudulently claiming government benefits, such as food or fuel rations.

But over the years, it has morphed from a welfare delivery tool to a near-necessity for everyday life in India. Citizens have been asked for their Aadhaar cards to

access a host of government and private services, including new bank accounts, school enrollments and airline reservations.

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[India's biometric program was supposed to end corruption. But the neediest may have been hit hard.](#)

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