

Gender and Economic Policy Discussion Forum

Aadhaar: Gender, Identity and Development

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BRIEFING NOTE 14

HIGHLIGHTS / KEY POINTS

- Aadhaar is a 12-digit unique identification number issued to every resident of India on the basis of the individual's name, demographic and biometric information.
- Enrolling the marginalised is stated as one of the focus areas of Aadhaar.
- Aadhaar provides foundational identity on the basis of which various social security programmes can be accessed.
- By emphasizing on a person's individual identity, particularly of women, and the possibility of autonomy over economic resources (through foundational identity), it has the potential to transform existing gender relations.
- However, the developmental impact of Aadhaar is dependent on the political and technological context in which it is used.

The fourteenth Gender and Economic Policy Discussion Forum, held on the 29th of September 2014 at the India International Centre, launched the book *Aadhaar: Gender, Identity and Development* by Govind Kelkar et al (HBF and Academic Foundation, 2014).

The Unique Identification Authority of India (UIDAI) was formed under the Planning Commission by an executive order issued in January 2009. Established in February 2009, the agency is responsible for issuing¹ unique identification number - Aadhaar - linked to a person's demographic and biometric information. The UIDAI clearly states that the purpose of Aadhaar is to guarantee identity, not rights, benefits or entitlements.² However, the unique identification project was conceived as the basis for efficient delivery of welfare services, as a tool for effective monitoring of various programmes and schemes of the Government.³

The objective of the study was thus to assess whether Aadhaar has an impact on increasing women's independent identity and entitlement to public services, and on changing the existing patriarchal social norms. It was to understand if direct access to benefits would help women to get more control over their entitlements. The purpose of the study was also to provide policy assistance for improvement and increased efficiency with Aadhaar technology for gender equality. The study specifically focused on the interaction of gender identity

and Aadhaar for the improvement of women in terms of their increased autonomy and agency. It looked at how the unique identity number “enhances women’s capability to express, develop and realize their autonomy and agency in management of assets including their dignity over their own physical assets and labour.”⁴

Thus two questions were probed for empirical research. First, the nature of women’s identity in a village – in what spheres and to what extent has individual identity been established for women. Secondly, the nature and extent of services that women can directly access.

What is Aadhaar?

Aadhaar is a 12-digit identity number issued to every resident of India on the basis of the individual’s name, demographic and biometric information. The aim of the scheme is to establish a biometric registry to provide a unique identity to all individuals in the country. The unique biometric information thus collected in the process are - the individual’s photograph, 10 fingerprints and iris scan. The 12 digit unique number is stored in a centralized database owned and managed by the UIDAI. The UIDAI is reported to have a robust technology to eliminate fakes and duplicates in other - government or private-databases.

The biometric identification system can identify as well as authenticate residents. The 12 data points involved reduces the chances of failure, whether on the grounds of false rejections or on false acceptance.

It is not mandatory for a resident of the country to have Aadhaar. Aadhaar enrolment is voluntary and the thus produced identity is an entitlement of every citizen of the country. Universality and portability are two of its characteristics. The project aims for universal coverage by getting all

the citizens of the country enrolled. Also, an individual can enrol, the identity be authenticated and the number be used to access linked services from anywhere in the country. Aadhaar, however, in itself is not an identity card but a number attached to biometrics used to identify the citizen. This feature of Aadhaar sets it apart from the other identity cards such as PAN Card, Ration Card, Passport and etc.

Aadhaar recognizes three genders – male, female and transgender as opposed to the binary used in all other schemes. As on September 2014, more than 67.38 crore numbers had been generated by the UIDAI.⁵

Aadhaar and Social Inclusion

Enrolment of the marginalised is stated as one of the focus areas of Aadhaar as the inability to prove identity can prevent them from accessing public benefits and subsidies. The marginalised according to the agency encompass those who have limited or no access to welfare services of the government because of special physical or economic or social conditions, and hence are most vulnerable to harassment, exploitation and a life of deprivation.⁶ The list thus comprises of persons with disabilities, migrants, homeless persons, destitute, drug addicts, domestic workers, prisoners (including juvenile delinquents in institutions), patients suffering from diseases that results in isolation from society such as leprosy, widows and senior citizens, and vulnerable groups such as sex-workers and transgender.

Often the poor and marginalized don’t have the necessary documents required to enrol for Aadhaar. However, lack of documents is in no way an impediment. Residents who do not have documents can, at the time of enrolment, be introduced by an ‘Introducer’ - a person who has been pre-enrolled and notified so by the

Registrar. By enrolling the marginalized and providing them with an identity, it recognizes their existence as well as helps the State in reaching out to them for delivery of welfare programmes.

Aadhaar provides foundational identity on the basis of which various social security programmes can be accessed. It can be used as the basic identification for opening a bank account. Lack of acceptable identification often prevents certain segments of the population from accessing banking and other financial services. Reportedly, only 25% of Indians have bank accounts. Holding such a unique formal identity can then facilitate access to financial services. In this way it promotes financial inclusivity. Additionally, the Aadhaar-enabled bank accounts can facilitate government payment and disbursements.

Aadhaar can also help to make delivery of public services and entitlements such as MNREGA, public distribution system (PDS) and LPG subsidies more efficient, transparent and inclusive. It can prevent loss of public funds due to corruption and misappropriation by releasing funds to the entitled only on verification of the unique identity. The process through which this works is known as seeding, wherein the Aadhaar number of the beneficiary is included in the service delivery database of service providers. Further, identity based attendance can check absenteeism of public sector employees, such as public health workers.

Women's Identity with Aadhaar

The purpose of identity is to establish who one is. However, social norms trap women in traditional identification through family relations as compared to men's work related identity. "Such identification results in the invisibility of women's

work and accords a secondary place to them in development analysis."⁷ Also, social norms are a more powerful factor in determining the allocation of assets, productive and unproductive tasks and status rather than rational consideration of equality and efficiency. The gendered division of labour and women's lack of an independent identity in distribution of income, property and productive inputs have major economic implications and result in gendered economic behavior. Hence, there needs to be change in the norms that tend to shape and reinforce the gendered social structure and power relations between women and men.

Women's economic empowerment is increasingly being acknowledged as a prerequisite for sustainable development and inclusive growth.⁸ Such development is about the rights of the poor and the excluded and is part of an effort towards building an equitable society.

Aadhaar recognizes women by their own name and not by their family relations.⁹ Additionally, this identity can be used by women to access various State sponsored programmes such as Direct Benefit Transfers (DBTs). In directly providing benefits to the woman and not through a man (husband or son), Aadhaar can provide autonomy to a woman. The woman has the freedom to ask for her entitlements (from the State) and the consequent ability to determine her own actions as well as manage her own resources.¹⁰

Aadhaar has the potential to provide agency to women as well. The foundational identity that it provides can enable women to make decisions on economic resources and asset management, depending on their own priorities. Since the cash benefits are transferred directly to the

accounts of the beneficiaries (women in this case), they can assert their will in regard to how the money is to be spent. Further, this agency can be extended to other non-monetary benefits such as to use the identity to buy a SIM card.

By emphasizing on a person's individual identity and the possibility of autonomy over economic resources, Aadhaar has the potential to transform existing gender relations. It has the potential to reduce over-reliance on men as providers and in terms of economic security. Additionally, with its provision of universal and portable entitlements, it can reduce the risks of migration while promoting labour mobility, encourage women and other small holders to invest in higher productivity ventures, as well as creating an income base for the economically poor households to invest in their children's education.

Likewise, the findings from this study also indicated increased respect for women within the family as receivers of benefits of Aadhaar linked services. Women also reported to feel empowered and have higher self-esteem in possession of Aadhaar cards. Change in the attitude of officials and other men such as shopkeepers and traders was also reported; they were more polite in dealing with them. Women thus felt more confident in venturing out of the village to markets and other towns.

Concerns

However, it must be noted that Aadhaar does not operate in vacuum. Each step for empowering women may face an equally strong resistance from men. As has been reported in the study, the existing patriarchal structures resulted in a situation, wherein the Aadhaar cards were implicitly under the control of the male head of the household.

Also, the success of the project depends largely on the success of the technology. It is argued that the most disturbing aspect of Aadhaar is the linking of identity and entitlements to biometrics.¹¹ Two factors are worrisome about using biometrics as identity in the Indian context – the scale of the project and the quality of biometrics. Reportedly there is limited knowledge regarding the reliability of biometrics in the Indian context. While fingerprints fade with age and manual labour, malnourishment induced cataract blights many, and corneal injury is uncounted in occurrence. The accuracy of biometric matching depends heavily on the environment (hot, cold, clammy, air-conditioned or otherwise) and demographics (rural, urban, manual work, work in water). Biometrics is uncertain and untested technology. And the human body changes, by age, illness, accident, drug use, and a host of other circumstances.¹² Thus, while issuing a unique identity is not going to be a challenge but proving the authenticity of the same is.

Additionally, it is not a foolproof technology even in the best circumstances. It can be difficult to operate in areas with weak infrastructure such as poor grid connectivity; and it largely depends on four undeveloped technologies: biometrics, computers, mobiles and internet.¹³ To use a technology aimed at promoting social inclusion is then problematic in most remote and rural areas as they lack the basic infrastructure required for its proper functioning.

Increasingly government agencies are linking with Aadhaar for the dispersal of services and benefits. This seeding would work only if the following three steps are adhered to. First, beneficiary data must be digitised; two, beneficiaries must be enrolled for Aadhaar; and three, the Aadhaar numbers then must be

matched with beneficiary databases.¹⁴ Seeding has been found to be successful so far only in terms of bank accounts. In the case of direct benefit transfers, however, it is going to be a challenge due to the absence of any proper beneficiary database. It is important to note here that Aadhaar is only a tool and does not by itself identify beneficiaries. And thus it runs the risk of perpetuating the problems of factual inaccuracies and omissions.

Critiques have argued that the biggest danger of the project lies in the invasion of privacy and restriction on civil liberties¹⁵. Aadhaar has thus been described as creating the infrastructure of authoritarianism with unprecedented degree of State surveillance and potential control of citizens.¹⁶ This threat is especially heightened when there are talks of combining Aadhaar with NPR.¹⁷

Further, the entire project has been rolled out without any legal framework. The UIDAI, as mentioned in the beginning, was set up by an executive notification. A supporting bill – the National Identification Authority of India Bill¹⁸ was introduced in 2010 in the Rajya Sabha and is still pending its review and decision in the Parliament. The result is that, “while Aadhaar is increasingly being made compulsory, no law defines or protects the rights of the subjects of this compulsion. People have no protection against possible abuse of the data they part with — including biometrics — at the time of UID enrolment. Privacy is not only an important liberty in its own right, it is also essential for the exercise of other liberties, such as the freedom to dissent.”¹⁹ And, principled resistance to the growth of state power is important for the healthy survival of democracy.²⁰

Although touted as the ‘flagship’ scheme of the United Progressive Alliance (UPA) led government, the Home Ministry in the regime

had raised concerns over the sanctity of the database stating that uniqueness of identity was not a necessary condition for ensuring authenticity of identity or the Aadhaar number. The Ministry had raised concerns over supporting documents submitted by people as proof of identity and proof of address for getting the number. The National Democratic Alliance (NDA) too was opposed to the scheme and had even claimed to do away with it once it came to power.²¹ However, since assuming power, the NDA government, including the Home Ministry has given its full support to the scheme claiming that it would facilitate “anytime, anywhere, anyhow” authentication to its beneficiaries.²² The government has not only instructed the UIDAI to meet a target of 100 crore Aadhaar cards at the earliest²³ but has also pushed for its linkage with several welfare projects such as the Jan Dhan Yojana and the direct benefits transfer scheme in cooking gas.

On 23rd September 2013 the Supreme Court had issued an order stating that no citizen should be denied benefits for non-possession of the Aadhaar card. This order came in response to the PILs filed by Justice K.S. Puttaswami and other petitioners citing Aadhaar as an infringement on privacy. The petitioners claimed that the scheme was unconstitutional as applicants are required to part with personal information on biometrics, iris and fingerprints, infringing their right to privacy, which is held part of the fundamental right to life under Article 21 of the Constitution.²⁴ While several petitions still remain pending, the Supreme Court in March 2015 directed the Centre to ask the states to strictly adhere to its earlier order. Additionally, it instructed the UIDAI to not share any information pertaining to the card holder with any government agency.²⁵ At the same time, however, there has been a suggestion to link Aadhaar with voter identity card to remove duplicacy from the voter list.²⁶

Concluding Remarks

Aadhaar establishes citizen relation with the State and augments access to public services, welfare and development programmes. It has the potential to economically empower women. It can provide autonomy and agency to women within the household as well as in social spaces to address their concerns with the State and the market. These gender outcomes have been, however, unintentional consequences of its

technological design. Aadhaar does not identify inequality neither does it contain a sharply delineated criteria to alter gender relations. What is important, however, is that it provides an independent identity to women and does not subsume them as dependents in the household or its heads. However, technological innovations do not act on their own but through persons embedded in varied social, economic and political relations.

Endnotes

¹The Registrar General of India (RGI) is responsible for enrolment for National Population Register (NPR) and Aadhaar in Lakshadweep, Dadra & Nagar Haveli, Tamil Nadu, West Bengal, Odisha, Nagaland, Manipur, Jammu and Kashmir, Mizoram, Arunachal Pradesh, Meghalaya and Assam. The UIDAI is responsible for enrolling for Aadhaar in all other geographical areas.

²"Resource Center," Unique Identification Authority of India, Government of India, Last accessed: 27th April, 2015. <https://uidai.gov.in/resource-center.html>

³"About UIDAI," Unique Identification Authority of India, Government of India, Last accessed: April 27th, 2015. <https://uidai.gov.in/about-uidai.html>

⁴Govind Kelkar et al., Aadhaar: Gender, Identity and Development (New Delhi: Academic Foundation, 2014), Page 19.

⁵"Modi govt gives nod to fifth phase of UPA's Aadhaar scheme," Firstpost, 11th September, 2014, last accessed 1st May, 2015, <http://www.firstpost.com/india/modi-govt-gives-nod-fifth-phase-upas-aadhaar-scheme-1707101.html>

⁶Anil Khachi, "Social Inclusion and Aadhaar Introduction & Concept Paper," UIDAI (2012), last accessed April 27th, 2015. https://uidai.gov.in/images/commndoc/other_doc/concept_paper_social_inclusion.pdf.

⁷Kelkar et al., Page 18.

⁸Ibid, Page 91.

⁹Other identity cards such as the voter identity card also recognize women by their own name, independent of family relations.

¹⁰Kelkar et al., Page 29.

¹¹Usha Ramanathan, "A Unique Identity Bill". Economic and Political Weekly Volume XLV, Issue No. 30 (24th July, 2010): Page 10-14.

¹²Usha Ramanathan, "Casting a backward glance after a court order – the UID project," Kafila, October 5th, 2013, <http://kafila.org/2013/10/05/casting-a-backward-glance-after-a-court-order-the-uid-project-usha-ramanathan/>

¹³Jean Drèze, "Unique identity dilemma." The Indian Express, 19th March, 2015, last accessed 27th April, 2015, <http://indianexpress.com/article/opinion/columns/unique-identity-dilemma/>.

¹⁴Bibek Debroy, "Building on Aadhaar." The Indian Express, 17th March, 2015, last accessed 27th April, 2015, <http://indianexpress.com/article/opinion/columns/building-on-aadhaar/>.

¹⁵Jean Drèze, "Unique facility, or recipe for trouble?," The Hindu, 25th November, 2010, last accessed 27th April, 2015, <http://www.thehindu.com/opinion/op-ed/unique-facility-or-recipe-for-trouble/article911055.ece>

¹⁶Ibid.

¹⁷The 2009 notification that set up the UIDAI states that the UIDAI is to take necessary steps to ensure collation of NPR with UID. (For more read https://uidai.gov.in/images/notification_28_jan_2009.pdf). The NDA government is

also reported as exploring the possibility of a synergy between the two projects. (For more read <http://www.thehindu.com/news/national/government-favours-aadhaarnpr-synergy/article6174633.ece>). The NPR is legally grounded in the provisions of the Citizenship Act, 1955 and the Citizenship Rules 2003. While the Act makes it mandatory for every usual resident in India to register in the NPR, it restricts the collection of data only to creation of a national register of citizens. Using the Aadhaar then for the purpose of accessing entitlements and other uses would be a violation of the Act.

¹⁸ For more information on the bill visit the following link <http://pib.nic.in/newsite/erelease.aspx?relid=100438>

¹⁹ Drèze, "Unique identity dilemma".

²⁰ Ibid.

²¹ Business Standard Reporters, "Aadhaar project will continue, govt tells Supreme Court," The Business Standard, 14th February 2015, last accessed 1st May, 2015, http://www.business-standard.com/article/economy-policy/aadhaar-project-will-continue-govt-tells-supreme-court-115021301411_1.html

²² PTI, "Modi govt lends support to UPA's Aadhaar," The Times of India, 27th October, 2014, last accessed 1st May, 2015, <http://timesofindia.indiatimes.com/india/Modi-govt-lends-support-to-UPAs-Aadhaar/articleshow/44943960.cms>

²³ Ruhi Tewari, "Aadhaar, DBT get a lifeline, Modi to retain, push UPA schemes," The Indian Express, 7th July, 2014, last accessed 1st May, 2015, <http://indianexpress.com/article/india/india-others/aadhaar-dbt-get-a-lifeline-modi-to-retain-push-upa-schemes/>

²⁴ J. Venkatesan, "Don't tie up benefits to Aadhaar, court tells Centre," The Hindu, 24th September, 2013, last accessed 27th April, 2015, <http://www.thehindu.com/todays-paper/tp-national/dont-tie-up-benefits-to-aadhaar-court-tells-centre/article5162837.ece>

²⁵ "Withdraw orders making Aadhaar mandatory for any service: Supreme Court tells Centre," India Today, 24th March, 2014, last accessed 27th April, 2015, <http://indiatoday.intoday.in/story/data-collected-for-aadhar-confidential-supreme-court-centre/1/350993.html>

²⁶ "Linking Aadhar with voter ID card will remove duplicacy in voter list: CEC H S Brahma," The Financial Express, 22nd March, 2015, last accessed 27th April, 2015, <http://www.financialexpress.com/article/miscellaneous/india-will-be-first-country-to-have-no-duplicacy-in-voters-list-cec-h-s-brahma/56080/>

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