Aadhaar – Mobile Linkage

Why in news?

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- The Supreme Court recently declared that privacy is a fundamental right.
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- But most telecom operators continue to pressure their users for mandatory Aadhar linkage - thereby violating individual privacy.
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What is the linking process?

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- Re-verification requires a user to visit a telecom service centre and undergo a biometric (fingerprint) authentication.
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- The fingerprints are then matched with the Aadhaar database to establish authenticity.
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- The messages and calls for Aadhaar linking have only increased in frequency with time.
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- Some operators have even issues threats of disconnection if linkage doesn’t happen with a specified time.
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What are the legal issues?

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- **The Framework -** The Centre is the custodian of the airwaves.
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- It issues licences to private companies for providing mobile voice and data services.

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- Telecom operators are governed by regulations by the Department of Telecommunications (DOT).
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- This includes clauses for subscriber verification.
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- **Aadhaar Issue -** A series of circulars issued by the DOT from March 2017 onwards.
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- These directed the telecom operators to re-verify their existing subscribers through Aadhaar authentication by February 2018.
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- **Court orders –** Courts have limited the Aadhaar programme to a voluntary program restricted to specific services.
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- The government instead is pushing for its use in mandatory re-verification.
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- Even when viewed independent of court orders, the DOT circulars stands no grounding in law.
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What lies ahead?

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- Irrespective of legality, the aggressive push for Aadhaar linking continues to instil fear in people that their mobile phone connections will be disconnected.
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- This is especially problematic, as the Supreme Court has indicated that the pending Aadhaar litigations will be heard in November.
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Source: Indian Express

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