Legality of Aadhaar

Why in news?

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Supreme Court in its recent judgement has effectively held that policy goals override rights in the Aadhaar – PAN case.

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What is the issue?

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- Binoy Viswam v. Union of India case in the SC deals with the dispute over Section 139AA of the Income Tax Act, 1961.
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- Central government made it obligatory on individuals filing income tax returns to link their permanent account numbers (PAN) to their Aadhaar which was termed unconstitutional as it infringed a number of fundamental rights.
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- The petitioners argued that Section 139AA violated the rights to equality, to practise any profession, and to personal liberty.
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- The court rejected the contention that the Income Tax Act cannot make Aadhaar compulsory when the core legislation, the Aadhaar (Targeted Delivery of Financial & Other Subsidies, Benefits & Services) Act, 2016, makes enrolment in the scheme voluntary.
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- The court accepted the state's arguments that the linking of Aadhaar and PAN can help eradicate the ills of tax evasion caused by a proliferation of black money.
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- The petitioners highlighted that both biometric details and iris scans can be forged.
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Source: The Hindu

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