



Aadhaar is Not a Proof of Citizenship

For Prelims: [Aadhaar](#), [Citizenship](#), [Election Commission of India](#), [Citizenship Act of 1955](#)

For Mains: Issues Arising Out of Design & Implementation of Policies, Concerns regarding the use of Aadhaar.

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Why in News?

The Indian government has recently emphasized that [Aadhaar](#) is not proof of [citizenship](#) or date of birth (D.O.B).

- The new Aadhaar cards and PDF versions of the identity document have started including a more explicit and prominent disclaimer that they are **“a proof of identity, not of citizenship or date of birth,”** signalling to government departments and other organizations to not use it for those purposes.

What are the Legal Clarifications on the Use of Aadhaar as an Identity Document?

- **Bombay High Court:**
 - Bombay High Court in **State of Maharashtra vs Unique Identification Authority of India (UIDAI) Case, 2022** clarified the scope and limitations of Aadhaar as an identity document. The Court stated that **Aadhaar is only a proof of identity and residence, not of citizenship or date of birth.**
- **Supreme Court of India:**
 - The [Supreme Court of India](#) in the case of [Justice K.S. Puttaswamy \(Retd.\) and Anr. vs Union Of India, 2018](#) has upheld the constitutional validity of Aadhaar.
 - The Court also clarified that **Section 9 of the Aadhaar Act, 2016** states that "The Aadhaar number or the authentication thereof **shall not, by itself, confer any right of, or be proof of, citizenship or domicile** in respect of an Aadhaar number holder".
- **Ministry of Electronics and Information Technology (MeitY):**
 - MeitY clarified in a 2018 memorandum that Aadhaar is **“per se ... not a proof of date of birth,”** as the **date of birth is based on a different document given by Aadhaar applicants.**
- **Employees' Provident Fund Organisation (EPFO):**
 - The [EPFO](#) which administers the mandatory retirement fund for salaried employees in India.
 - The EPFO issued a circular in January 2024 **deleting Aadhaar from the list of documents acceptable as a proof of date of birth.**

Aadhaar

- Aadhaar is a **12 digit individual identification number** issued by the [Unique Identification Authority of India \(UIDAI\)](#) on behalf of the Government of India. The number serves as a **proof of identity and address**, anywhere in India.
- Aadhaar card, which is a biometric document, **stores an individual's personal information on a government database.**
- An Aadhaar card can be issued to any person **residing in the country for more than six months continuously**, provided he/she submits one of the 18 listed identity cards and an address proof.
 - Foreign nationals are eligible to obtain one **if they have been living in India for half a year.**
- Aadhaar number will help the residents to avail various services provided by banking, mobile phone connections and other Govt and Non-Govt services in due course.

What are the Concerns Regarding the Aadhaar?

- **Usage of Aadhaar as Proof of Citizenship or D.O.B:**
 - The [Election Commission of India](#) explicitly accepts Aadhaar as proof of date of birth for enrolling people to vote.
 - These new clarifications on Aadhaar usage, prominently printed in the identity document, may challenge such allowances.
- **Privacy and Security:**
 - Aadhaar involves the collection and **storage of sensitive personal information**, such as fingerprints, iris scans, and face photos, which **raises the risk of data breaches, identity theft, and surveillance.**
- **Biometric Authentication:**
 - Aadhaar relies on **biometric verification for accessing services**, which poses challenges such as the **reliability and accuracy of the technology**, the availability and quality of the infrastructure, and the exclusion and **denial of services due to biometric failures.**

Citizenship

- Citizenship is the legal status and **relationship between an individual and a state** that entails specific rights and duties.
- The [Citizenship Act of 1955](#) prescribes five ways of acquiring citizenship, viz, **birth, descent, registration, naturalization and incorporation of territory.**
 - **The Act** also deals with renunciation of citizenship by way of **termination, deprivation and Voluntary Renunciation.**
- The Indian Constitution defines **citizenship in Part II**, which includes **Articles 5 to 11.**
- Citizenship is listed in the **Union List under the Constitution** and thus is under the exclusive jurisdiction of Parliament.
- A **birth certificate in India** can serve as proof of identity, age, and Indian citizenship.
 - According to the [Registration of Births and Deaths Act, 1969](#), births must be registered within 21 days.

Way Forward

- Launch extensive **awareness campaigns to educate the public, government departments, and organizations** about the revised and **explicit disclaimer on Aadhaar cards.**
 - Emphasize that **Aadhaar is solely a proof of identity and residence**, and not a document verifying citizenship or date of birth.

- Conduct a comprehensive **reassessment of Aadhaar's role and permissible uses**, considering legal, privacy, and security concerns.
- Implement robust **data security measures to safeguard sensitive information** stored in the Aadhaar database.
- Explore innovative solutions to improve the **reliability and accuracy of biometric verification**, reducing instances of failures and exclusions.
- Encourage collaborative efforts to enhance the overall effectiveness and inclusivity of the Aadhaar system.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. Consider the following statements: (2018)

1. Aadhaar card can be used as a proof of citizenship or domicile.
2. Once issued, Aadhaar number cannot be deactivated or omitted by the Issuing Authority.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (d)

Mains:

Q. Two parallel run schemes of the Government, viz the Aadhaar Card and NPR, one as voluntary and the other as compulsory, have led to debates at national levels and also litigations. On merits, discuss whether or not both schemes need run concurrently. Analyse the potential of the schemes to achieve developmental benefits and equitable growth. **(2014)**

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