

Queries from Asia Times for a story regarding Aadhaar program

From: **saikat datta** |

Thursday, 3 Jan, 12:52 PM

To: **Sanjay Jain**

Dear Sanjay,

I hope you are doing well.

I am writing to you in my capacity as the South Asia Editor for Asia Times, a Hong Kong based web publication.

I am working on a story on the Aadhaar program and related issues. Off late, a source shared a taped conversation between you, Mr Sharad Sharma and Ms Saranya Gopinath of Kholasa Labs on or around 29 September 2018, a few days after the Supreme Court's judgment challenging the Aadhaar program.

This was a conversation held at IKP Eden, Bengaluru, as part of the DEPA Open House organized by iSpirit. In this conversation you and your colleagues are heard discussing ways to get around the SC's ban on private entities accessing data collected under the Aadhaar program.

In the interest of fairness and accuracy, I would like your views on the following queries. Please note that we plan to run the story on Friday morning, so your views are requested before that.

1. In light of this conversation, can this be described as a policy capture to aid private enterprise at the cost of citizens' data?
2. iSpirit [has been described by some of you](#) as an effort to avoid scrutiny RTI and CAG audits. Isn't that contradictory to the basic rationale of Aadhaar was to prevent leakages in welfare schemes through greater accountability?
3. Has there been any interaction between you and officials in the Government of India on the amended Aadhaar bill that is now in Parliament? Please share specifics
4. In your conversation you talk about how to get around the ban imposed by the Supreme Court on the private access to Aadhaar data. In your opinion, why should private entities get access to data that has been collected by the government for subsidies only?
5. Kholasa Labs [had official\(s\) from UIDAI](#) also as officials/member of its board. In your opinion, isn't this a classic case of conflict of interest?
6. You describe that the "final end result" will be "same as before, but with guide-rails". Please specify in detail, what the final end result you had in mind, before the SC judgement.

7. What are the regulated use cases that in your opinion must be allowed for private entities? Does it include: Account aggregation, Digital lending and other FinTech use cases?

8. What would be the safe guards in your opinion that exist in the current proposed amendments that provide safeguards to the individual against commercial exploitation of data, which the SC judgement explicitly banned?

9. Since the conversation also talks about Justice Srikrishna Committee and the data protection act, in your opinion the government has introduced the amendments without a Data Protection Act, does that still safe guard citizens' interests?

Thank you,

Regards,
Saikat Datta

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Saikat Datta
South Asia Editor



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