

LINKING OF AADHAAR INFORMATION TO SOCIAL MEDIA ACCOUNTS

Prelims: Governance- Policies; Rights Issues

Mains: GS-II- Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

- ▶▶ **Context:** Supreme Court agreed to hear a plea by Facebook to transfer to the apex court four petitions filed in the High Courts of Madras, Bombay and Madhya Pradesh seeking the “linking of Aadhaar information to social media accounts”.

What is The Issue?

- ▶▶ It all began with a petition by Antony Clement Rubin in Madras High Court last year, **seeking the court's direction to the Central government to make it mandatory for social media users to link their Aadhaar number with email IDs.**
- ▶▶ Social media profiles of users need to be linked with Aadhaar numbers to check circulation of fake, defamatory and pornographic content as also anti-national and terror material; the Supreme Court was informed.
- ▶▶ The suggestion was made by the Tamil Nadu government which is facing resistance from Facebook Inc on the ground that sharing of 12-digit Aadhaar number, the Biometric Unique Identity, would violate the privacy policy of users.

State Government's View:

- ▶▶ The linking of social media profiles of the users with the Aadhaar was needed to check fake news, defamatory articles, pornographic materials, anti-national and terror contents in the online media."

What Happens If User Profiles on Social Media Platforms Are Linked with Their Aadhaar Number?

- ▶▶ The linking of user profiles on social media with Aadhaar would make every message and post by the user traceable.
- ▶▶ Though the move will serve as a deterrent to social media instigators and perpetrators of defamatory and fake posts, it would also violate the privacy of the users, keeping a record of each message along with the registered mobile number or email account. This would mean the end of private communications.

- ▶▶ The privacy experts fear that the linking would allow India's nationalist government to force social media platforms to become surveillance tools.

Facebook's View:

- ▶▶ Facebook Inc said that it cannot share the Aadhaar number with a third party as the content on its instant messaging Whatsapp was end-to-end encrypted and even they do not have access to it.
- ▶▶ Facebook has contended that there are four petitions including -- two in Madras High Court, one in Bombay and one in Madhya Pradesh High Courts -- and they contained almost similar prayers.
- ▶▶ Facebook plea to transfer all this petition to Supreme Court
- ▶▶ Supreme Court agreed to hear a plea by Facebook to transfer to the apex court four petitions filed in the High Courts of Madras, Bombay and Madhya Pradesh seeking the "linking of Aadhaar information to social media accounts".

Issues Involved:

- ▶▶ The question is if linking social media to Aadhaar is breach of privacy.
- ▶▶ Question is whether Aadhaar can be shared with a private entity or not.
- ▶▶ Ordinance has been promulgated, which says that Aadhaar can be shared with a private entity, if there was a larger public interest involved.

Supreme Court Privacy Judgement:

- ▶▶ Supreme court Observation on Social media
 - ✓ Companies such as Google, Facebook, Uber, Airbnb, Amazon, etc. probably have more data on users than the governments of their countries.
 - ✓ **The privacy of citizens needs protection from these non-state players, too.**