Press Release: Swecha and Rethink Aadhaar question Aadhaar based Voter Deletions

Voter deletions in Telangana is a contentious issue with much debate and many complaints to the Election Commission of India (ECI) by political parties and voters. People have approached the High Court in Hyderabad for justice, which has not yet been delivered for all those voters who could not vote in the 2018 Telangana Assembly Elections. At the center of all of these voter deletions in Telangana is a Aadhaar project calle State Resident Data Hub (SRDH). The united Andhra Pradesh state was an early adopter of the Aadhaar project implementing it in the state as early as 2010. Several pilots and projects on Aadhaar have been implemented first in the state.

One such pilot activity involved linking Aadhaar to voter id, with the Election Commission of India starting two pilot programmes on this issue in parts of Nizamabad and Hyderabad districts in November 2014.4 Based on the outcomes of these pilot programmes, a National Consultation on Aadhaar and voter id linking was organized by the ECI in Hyderabad in February 2015. The ECI then launched the National Electoral Rolls Purification and Authentication Programme (NERP-AP), using Aadhaar linking, on 01-04-15 to be completed by 31-08-15. NERP-AP was shut down following the Supreme Court's order dated 11-08-15, which restricted the use of Aadhaar, on a voluntary basis, to six welfare schemes. Telangana being the early implementer of this programme since 2014 had nearly completed linking Aadhaar and voter id for all the residents. By the time NERP-AP was halted on 11-08-15, 30 lakh voters had been struck off the electoral rolls in Telangana.

The methodology shared by the Chief Electoral Officer is a matter of grave concern. The CEO's office supplied voter data to IT&EC department which is the nodal agency maintaining State Resident Data Hub (SRDH). Typically, the SRDH has data on the residents of the state which is supplied by the Unique Identification Authority of India (UIDAI) and collected further by the state government. In Telangana the state governments conducted a state census wherein voter data was collected along with Aadhaar. These state census surveys was called Samagraha Kutumbha Survey 2014.

SRDH was initially set up by the UIDAI to give states the information of residents similar to the Aadhaar database without biometrics. SRDH is currently maintained by private parties under IT&EC department. The UIDAI was constrained not to collect caste, religion and other sensitive information data for Aadhaar, but recommended the states to collect this information.This was collected as part of Aadhaar biometric collection terming the data collection process Know Your Resident (KYR) & Know Your Resident Plus (KYR+). In the Telangana SRDH, there are complete 360 degree profiles of residents personal data. This information was used to find duplicate voters by SRDH application and was later shared by the IT&EC department with the office of the CEO. This is again a clear violation of electoral laws to allow government or a technology application to intervene in preparing voter rolls. In fact, by allowing voter data to be combined with SRDH data

Reg.No: 777/08

Swecha

Sy No: 91,Beside AALIM,Greenlands Colony,Gachibowli X Roads,
SherelingamPally,Rangareddy Dt,Hyderabad-500032.ph:040-23001263
Website: www.swecha.org, e-mail: manager@swecha.net

on Aadhaar, caste, and religion, the ECI has neglected their rules and procedures of not collecting this information in order to avoid discrimination against voters. Aadhaar is not a proof of citizenship and is only a proof of long-term residence as even foreigners are allowed to have it legally. The right to vote is purely for Indian citizens, mixing Aadhaar with voter id only complicated the matters for the country.

The methodology followed by ECI to identify duplicate voters using Aadhaar was unknown to the general public, but was recommended by ECI to be used as standard template to other states CEOs. Even though the pilot programmes on Aadhaar voter id linking have taken place in the districts of Telangana, no information about them is available in the public domain. Several RTI requests to the Chief Electoral Officer (CEO) of Telangana have been denied. In 2018, the ECI wrote to CEOs asking them to disclose the methodology used in NERP-AP for Aadhaar data collection after severe public outcry against ECI collecting Aadhaar data without the consent of voters. In **Letter No. 1471/Elecs.B/A1/2018-3** dated 25th April 2018, the office of the CEO has explained this methodology.

These large-scale voter deletions resulted in political parties complaining to the Election Commission from 2015 itself. But the Commission has not conducted any serious enquiry into the matter until now. On the contrary, the ECI, through its lawyers, committed perjury by even lying to the courts that no wrongful deletions have taken place. This is asserted by the **Letter No. 736/Elections.EA/A2/2015-134** written by the then Chief Electoral Officer Mr. Bhanwar Lal. In the letter, the CEO has clearly complained that BLOs have not properly conducted door-to-door verification and there were challenges specifically in Hyderabad. This reveals that the Election Commision simply used Aadhaar to delete potential duplicate voters without any verification as observed in last elections. Election laws do not allow the ECI to use any software for preparing electoral rolls. (EVMs have been allowed under Representation of People's Act after amendments by Parliament).

The Election Commission has abdicated its responsibility as a constitutional authority on the matter of preparing and maintaining electoral rolls. It has thus failed in serving it's very purpose of its existence. The ECI has behaved as an authoritarian institution by collecting our personal data from the government without our consent and violating our fundamental right to privacy. ECI sharing the voter data with the government to build 360 degree profiles of residents is further deplorable. Most importantly, the ECI's responsibility is to ensure everyone votes - their own motto of "Leave No Voter Behind" has not been followed. The conduct of Election Commission of India on this matter is undemocratic as they have undermined citizens' rights, ignored our complaints and made a mockery of democratic principles.

Demands from the Election Commission of India:

Swecha and Rethink Aadhaar demand that the Election Commission of India at least attempt to redeem itself of this mistake by conducting an urgent investigation and disclosing to us publicly what exactly transpired in Telangana under NERP-AP.

- We demand the complete details of the pilot programmes conducted in Telangana in 2014.
- We demand the ECI disclose the list of voters deleted during the period NERP-AP was conducted.
- We demand that the ECI procure and disclose every detail regarding the use of State Resident Data Hubs in NERP-AP.
- We demand that the ECI scrub/delete/scuttle all government databases with voter data before the General Elections of 2019.
- We demand in full the details of various data attributes collected for SRDH application by the state government.
- We demand that the ECI procure and disclose the source code, algorithms, and names of private firms employed in this exercise through the SRDH application.
- We lastly demand that the ECI delete/destroy and specifically burn all personal Aadhaar-related documents collected illegally through this exercise.

Y. Kiran Chandra

Chairman, Swecha
General Secretary FSMI