



National Forensic
Sciences University

Knowledge | Wisdom | Fulfilment

An Institution of National Importance
(Ministry of Home Affairs, Government of India)

AADHAAR DATA BREACH IN INDIA

Privacy Concerns and Legal Implications

College: National Forensic Sciences University, Goa

Session: 2024 - 25

Semester: 1st

Subject Name: Introduction to Forensics Science and Cyber Law

Submitted by:

SALONI RANGARI

GOURAV DAS

AESHA KANANI

NOMCEBO NHLENGETHWA

Submitted to:

DR. RAKHEE LOHIA

INTRODUCTION TO AADHAAR

Understanding Its Importance and Data Security Challenges



What is Aadhaar?

India's unique identification system managed by the Unique Identification Authority of India (UIDAI), providing a 12-digit unique identity number linked to biometric and demographic data.

Significance of Aadhaar

Aadhaar is used for government welfare schemes, financial services, and identity verification, playing an integral role in digital governance and financial inclusion in India.

Why Address Data Breaches?

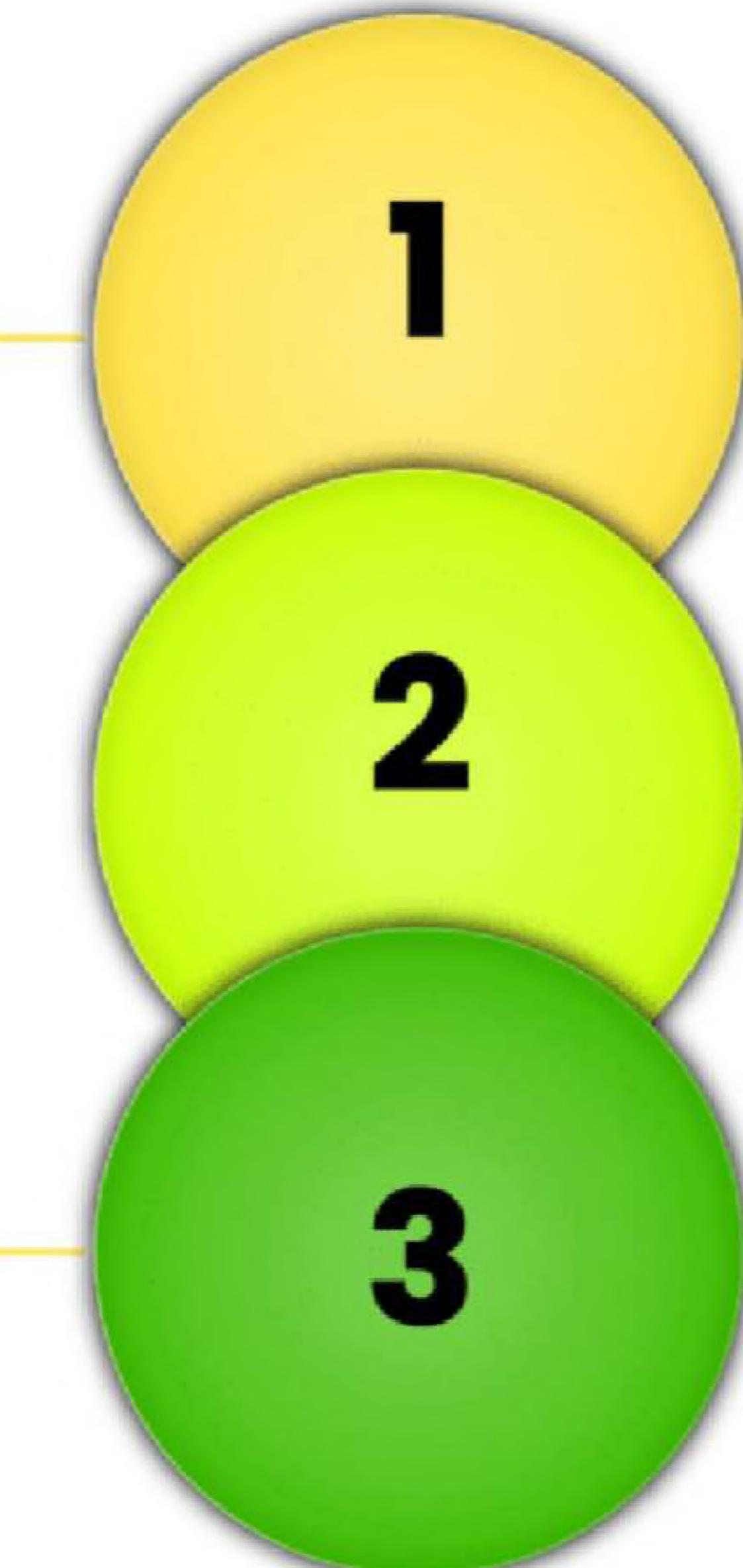
The massive volume of sensitive data, including biometric and demographic details of over 1.3 billion people, poses risks to privacy, national security, and public trust, leading to legal and ethical concerns that call for reforms in data protection laws.

OVERVIEW OF THE DATA BREACH

Incident Details and Compromised Information

Data Breach Scale

Sensitive data of approximately 81.5 crore Aadhaar holders leaked in one of India's largest data breaches.



Timeline of Events

The breach was initially discovered when personal details were found accessible on third-party platforms, leading to public disclosure highlighting unauthorized access to Aadhaar data stored in government and private databases.

Compromised Information

The breach involved Aadhaar numbers, linked demographic details such as names, addresses, and phone numbers, along with potential access to biometric data.

PRIVACY CONCERNS ARISING FROM THE BREACH

Understanding the Risks and Violations

Identity Theft

Fraudsters can easily assume individuals' identities with leaked Aadhaar numbers and demographic details.

Right to Privacy

The breach challenges the fundamental right to privacy as upheld in the landmark case of Justice K.S. Puttaswamy vs. Union of India.

Financial Fraud

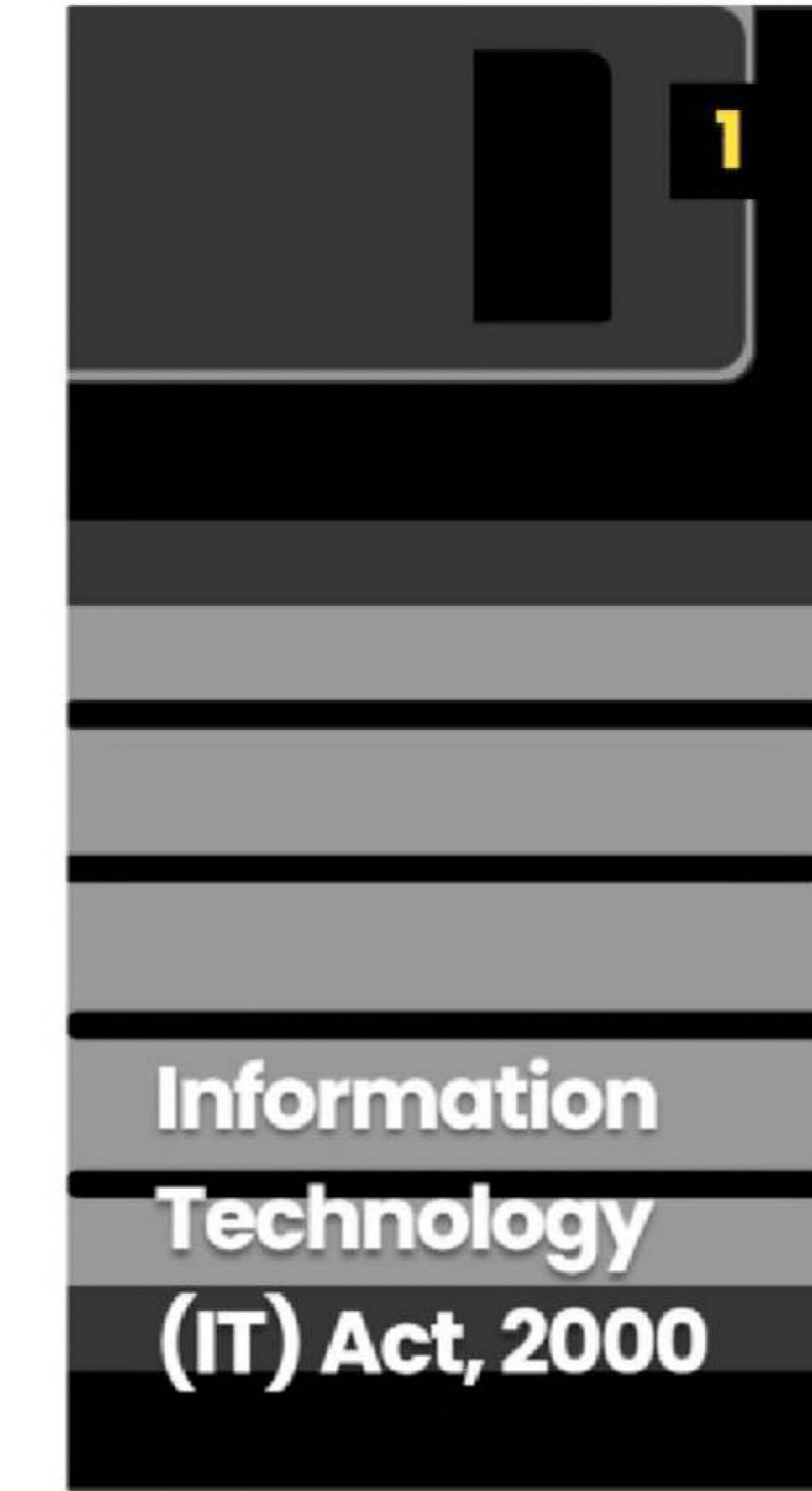
Fraudulent activities, including bank account manipulation and unauthorized transactions, can be carried out using leaked data.

Potential for Abuse

Misuse of Aadhaar data can lead to manipulation, discrimination, and loss of autonomy for individuals.

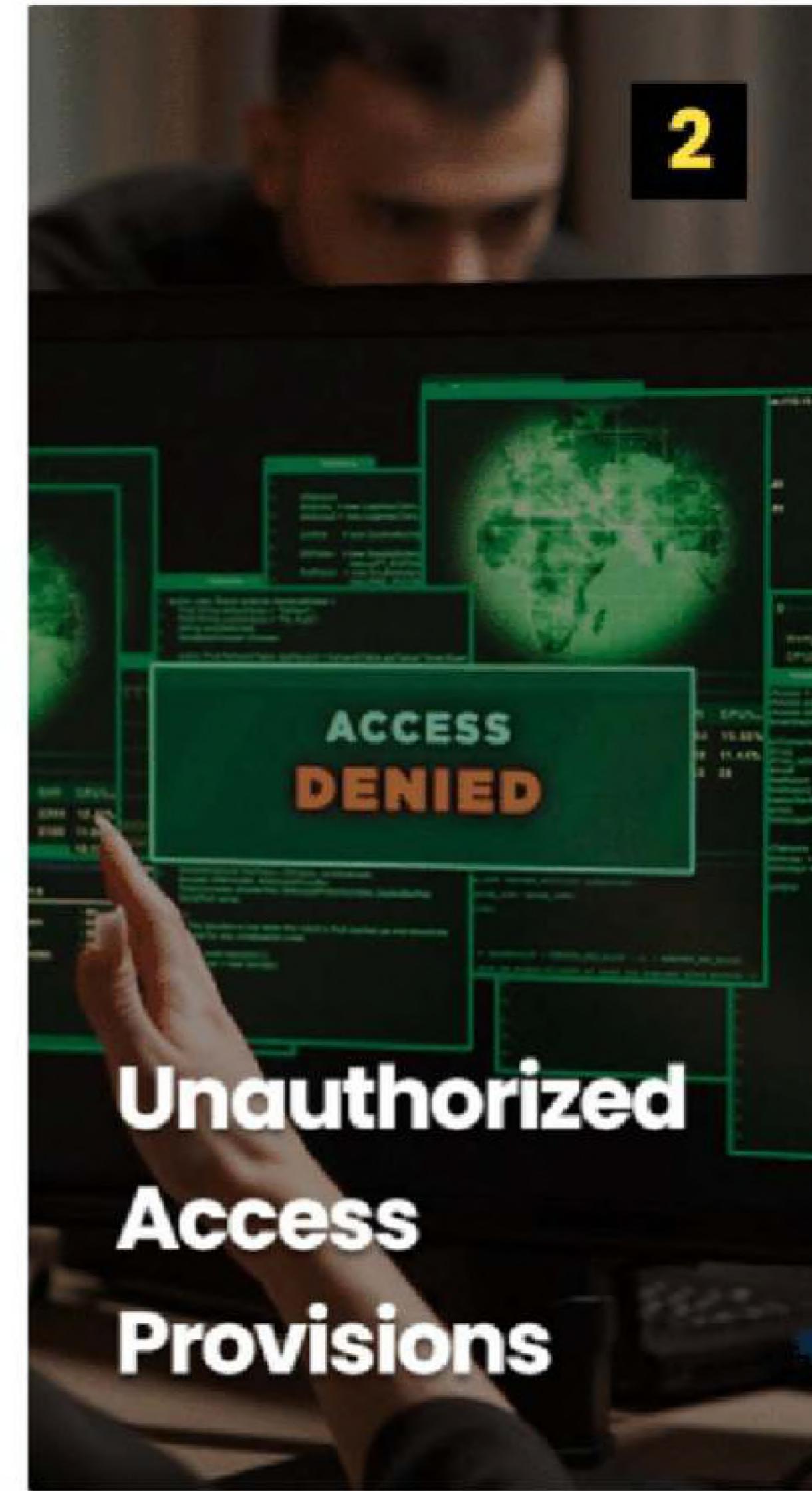
LEGAL IMPLICATIONS OF THE BREACH

Current Legal Framework



Information Technology (IT) Act, 2000

Defines cybercrimes and establishes legal provisions to address data breaches, specifically through Section 43A and Section 72A.



Unauthorized Access Provisions

Section 43A and Section 72A of the IT Act address unauthorized access to personal data but are criticized for lacking sufficient deterrents for large-scale breaches.

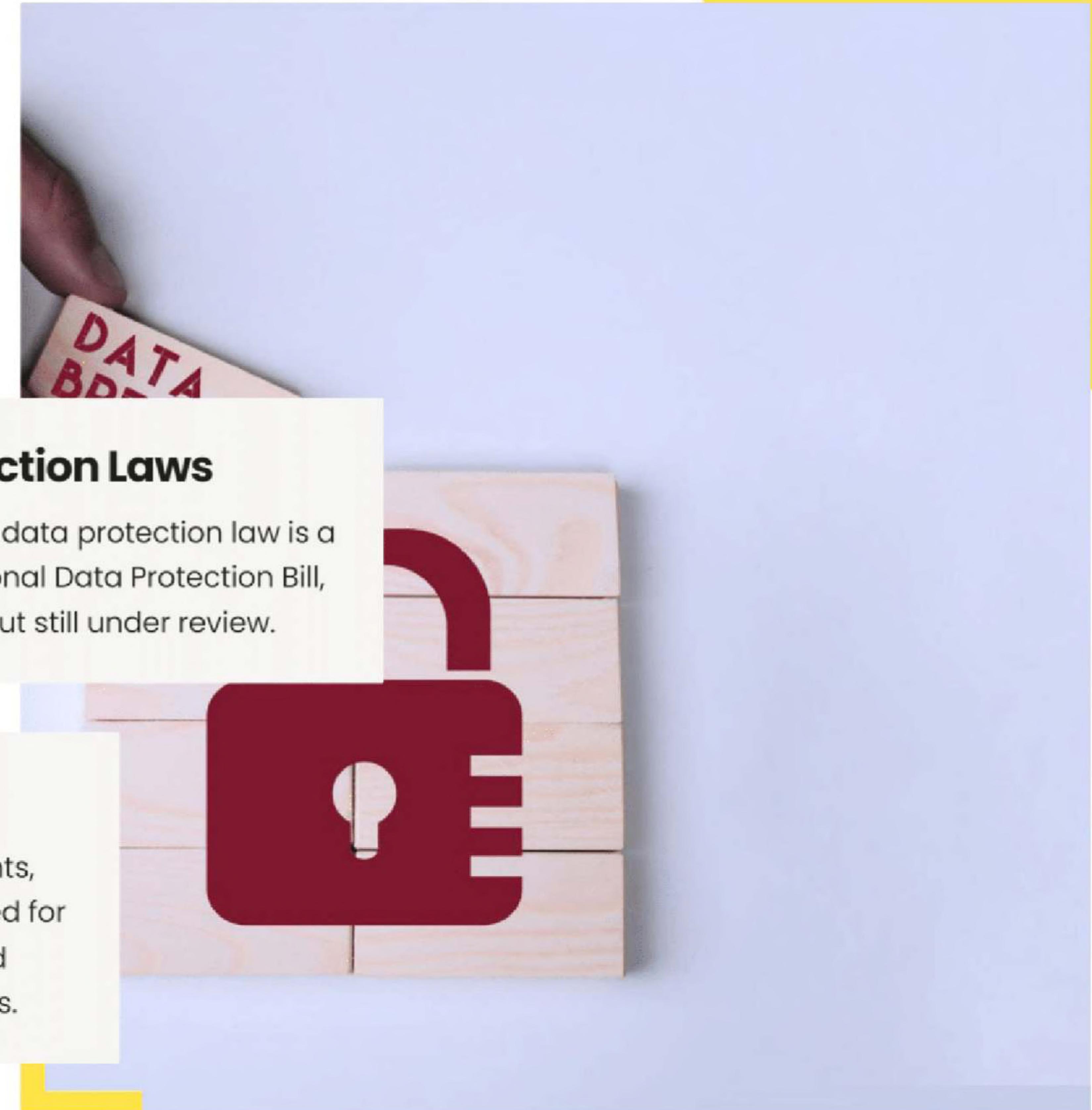


Aadhaar Act, 2016

Governs the collection, storage, and use of Aadhaar data, though it has limited scope concerning penalties and accountability for breaches.

NEED FOR STRONGER DATA PROTECTION LAWS

Addressing Inadequacies and Accountability



Inadequate Data Protection Laws



The absence of a comprehensive data protection law is a significant concern, with the Personal Data Protection Bill, 2019, aimed at filling these gaps but still under review.

Penalties and Accountability



Current laws lack strong penalties for breach incidents, focusing more on individual breaches. There is a need for stronger regulation with clear legal provisions to hold organizations accountable for large-scale data leaks.

LESSONS LEARNED FROM THE BREACH

Key Insights for Enhanced Cybersecurity

- 1 Importance of Robust Cybersecurity Measures**  There is a critical need for strengthening security systems through stringent security protocols, including encryption and regular audits.
- 2 Better Authentication Mechanisms**  Implementing multi-layered approaches such as two-factor authentication (2FA) is essential to protect sensitive data.
- 3 Public Awareness and Trust**  Educating citizens about data privacy and their rights is crucial for rebuilding public trust.

GLOBAL CONTEXT OF DATA BREACHES

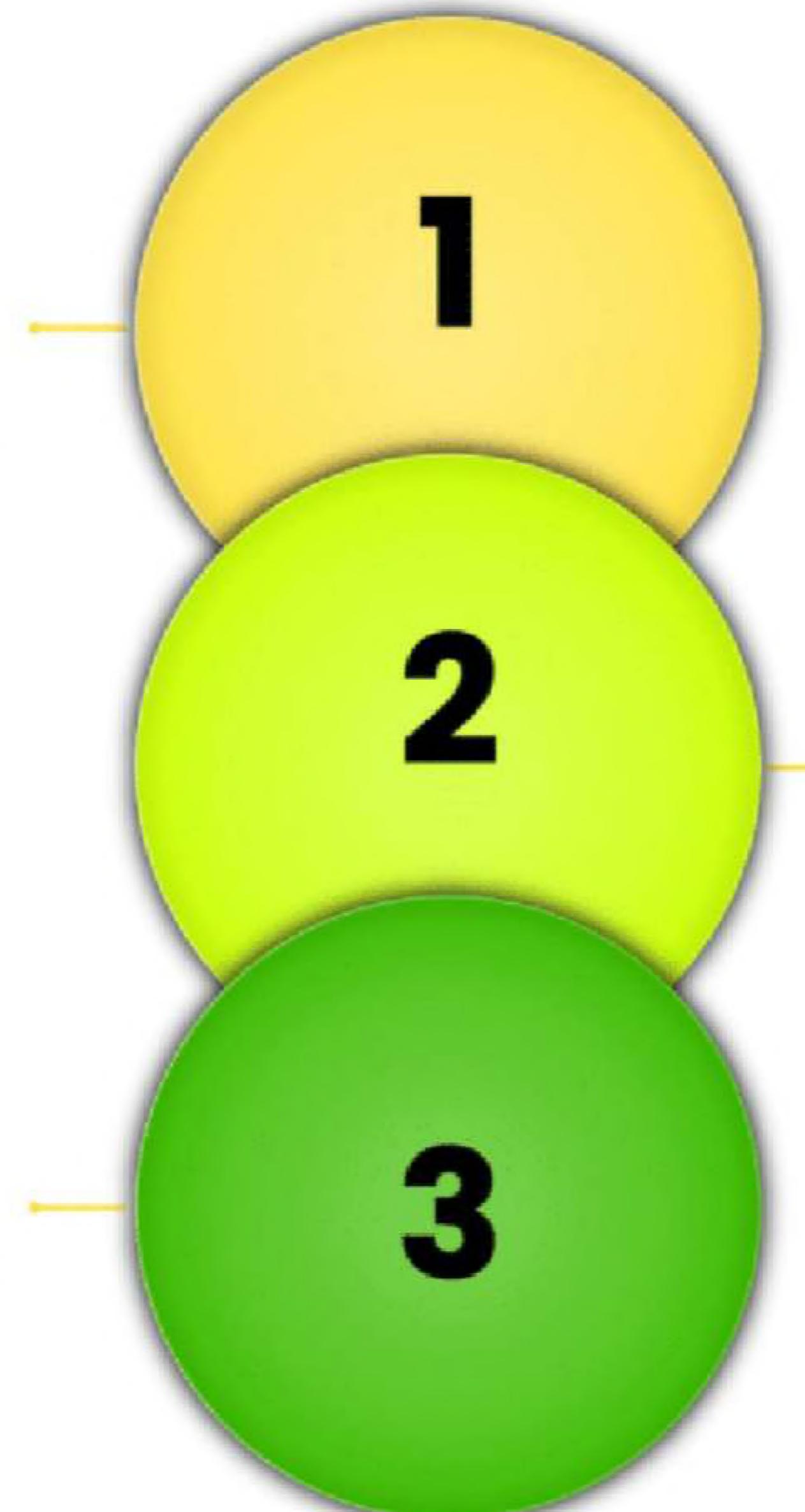
Understanding the Growing Threats and Standards

Growing Threats to Personal Data

There is a rising trend of data breaches worldwide, posing significant risks to personal data security.

Examples of International Standards

Countries like the EU with GDPR and the USA with CCPA exemplify comprehensive data protection laws that serve as models for other nations.

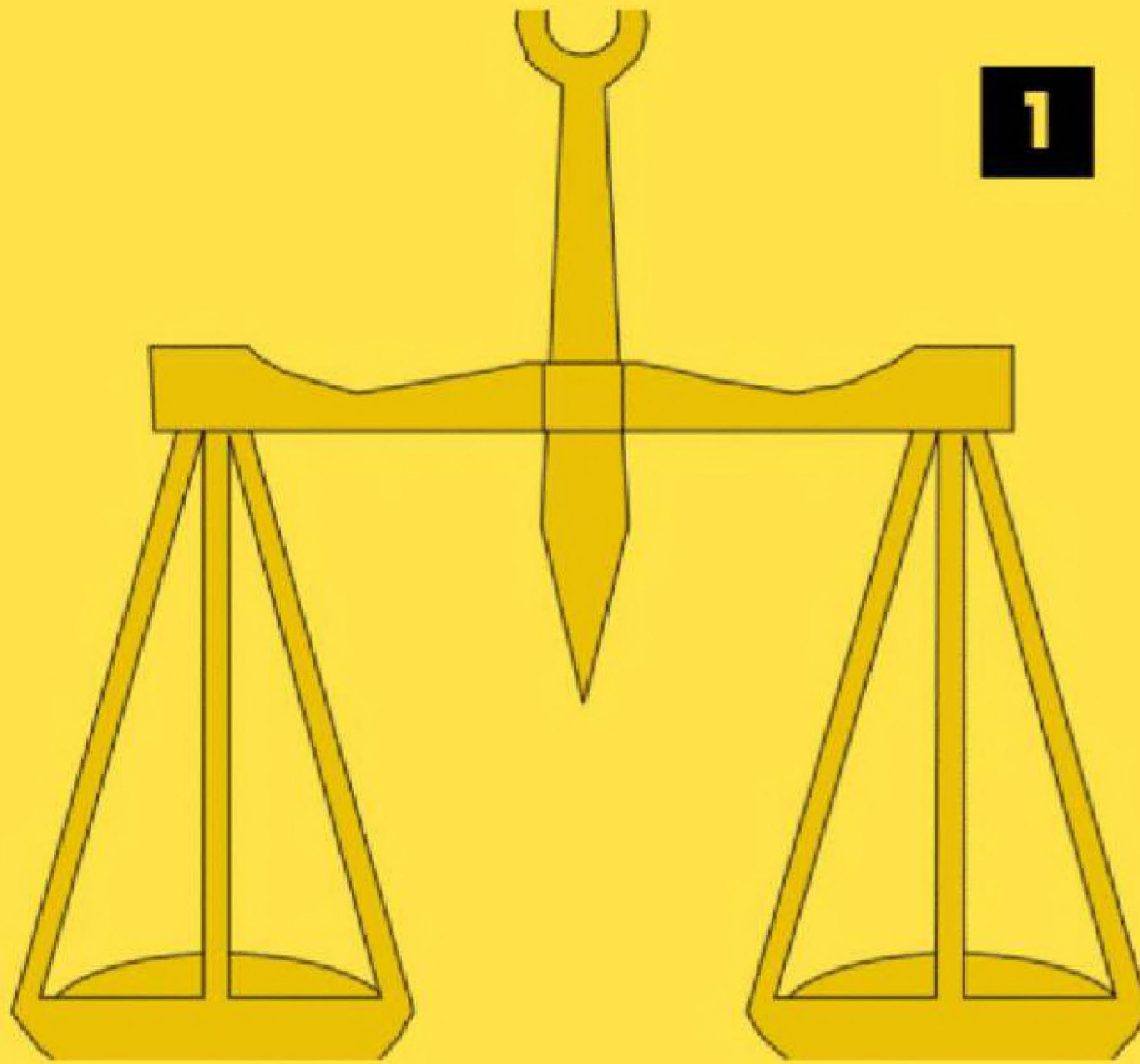


India's Data Breach

The recent breach in India underscores the urgent need for stronger data protection regulations that align with global standards.

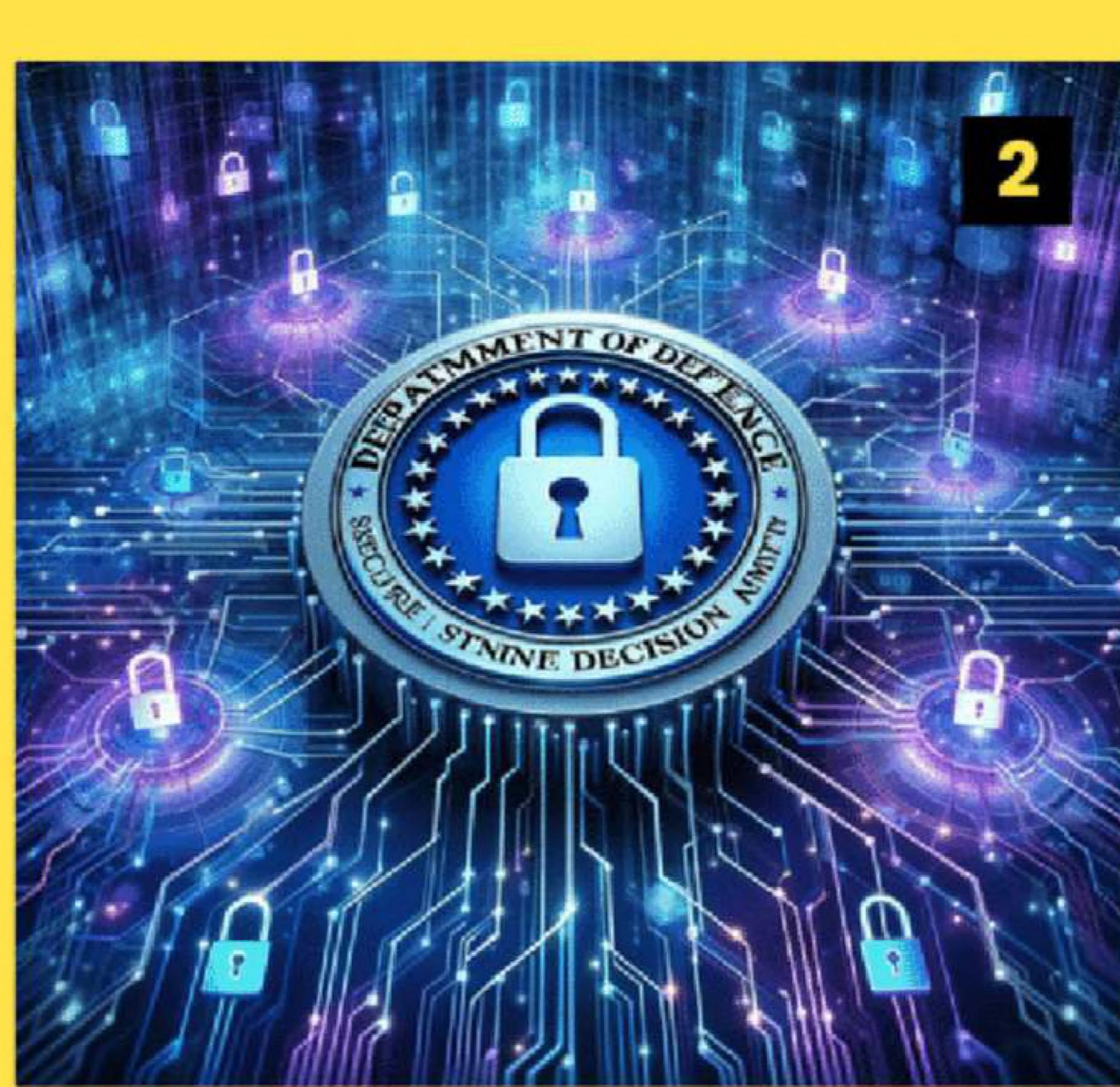
RECOMMENDATIONS FOR FUTURE SAFEGUARDS

Strategies to Enhance Data Protection and Public Trust



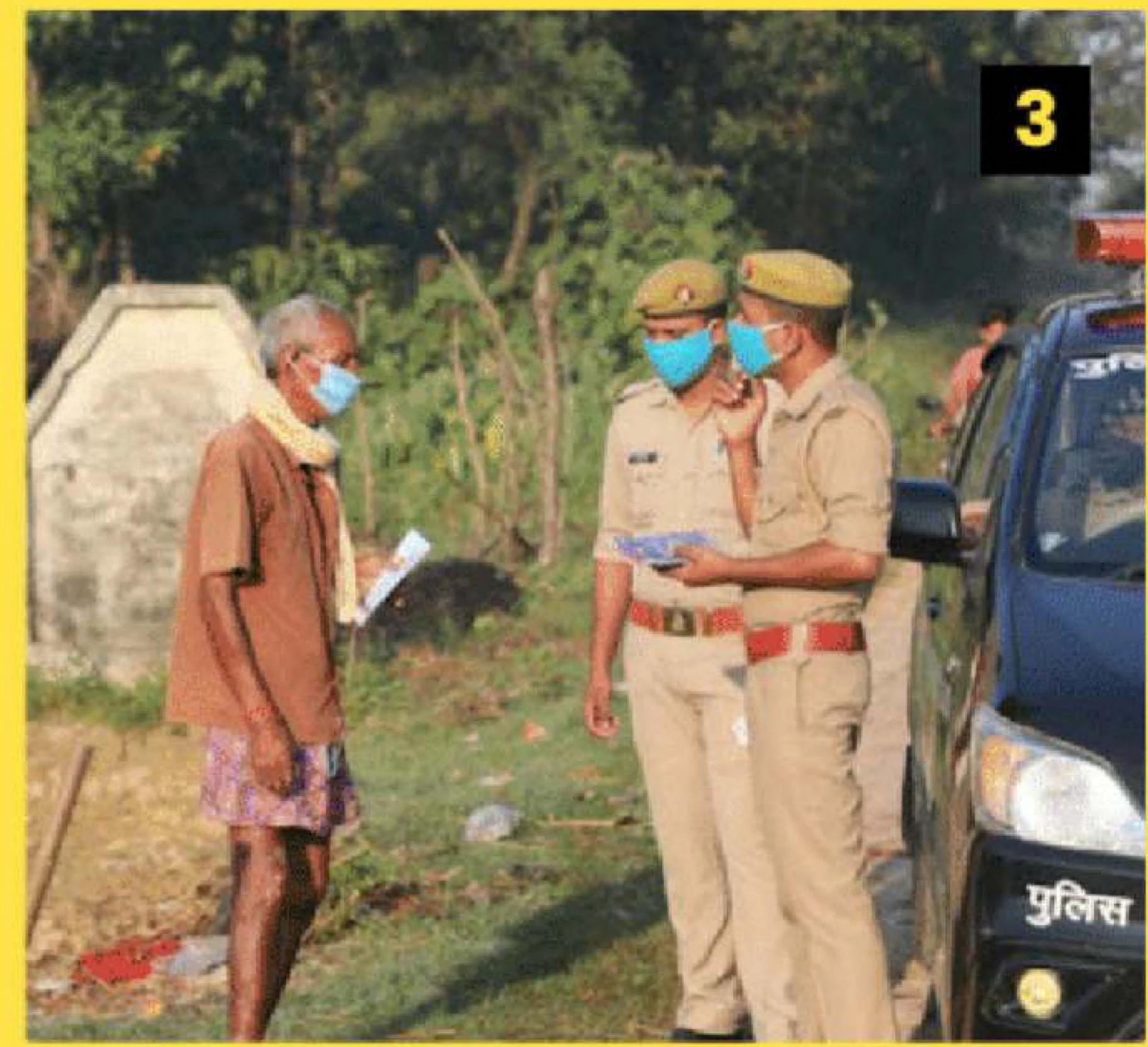
Strengthening Laws

Enactment and enforcement of the Personal Data Protection Bill to protect citizens' privacy rights effectively.



Cybersecurity Enhancements

Investment in cutting-edge cybersecurity measures and continuous auditing to protect data from breaches.



Ensuring Public Awareness

Transparency in how data is handled and breaches are reported to regain public trust.

Acknowledgment of UIDAI

Special thanks to UIDAI for providing publicly available information about Aadhaar and its security practices.

Insights from Experts

Appreciation for legal and cybersecurity experts who offered insights into data protection laws.

Case Studies and Reports

Resources utilized include case studies and reports from leading newspapers like Hindustan Times and The Wire.

Cybersecurity Guidelines

Guidelines sourced from government publications and independent cybersecurity firms to ensure robust data protection.

Legal Research Resources

Legal research was conducted using platforms such as Legal Bites and Economic Times.

ACKNOWLEDGMENTS AND REFERENCES

Special Thanks and Resources Used

**THANK
YOU**