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EDITORIAL ANALYSIS

# Suspicionless Scans: On Abhigyan, NAFIS and Privacy

THE HINDU

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CURATED &amp; WRITTEN BY

**Bharat Choudhary**

UPSC Educator &amp; Content Creator

[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)

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# Suspicionless Scans: On Abhigyan, NAFIS and Privacy

 **The Hindu**   20 June 2026   **GS2**

Source: [ujjyari.com](https://ujjyari.com) — researched, fact-checked & UPSC-mapped



## INTERVIEW ANGLE

*"Where is the line between proactive policing and a surveillance state when an officer can scan any citizen's fingerprint at will?"*

Source: [Original editorial](#)  [The Hindu](#)

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## WHY THIS MATTERS NOW

Police forces are increasingly equipped with portable fingerprint scanners that can identify a person on the spot by matching against a national biometric database. Marketed as tools for faster crime-solving, devices such as Abhigyan, linked to the National Automated Fingerprint Identification System, also make it possible to scan ordinary citizens without any prior suspicion. That capability sits in tension with the right to privacy the Supreme Court recognised in Puttaswamy, raising urgent questions about legality, necessity, and proportionality.

## THE CRUX IN 60 WORDS

A handheld scanner that reads a fingerprint and matches it against a criminal database lets police check anyone, anywhere, without cause. Such suspicionless scanning inverts the presumption of innocence and strains the three-part privacy test of legality, necessity, and proportionality. Without [statutory](https://ujjyari.com/vocab/statutory/) backing and safeguards on retention, access, and oversight, the technology risks function creep and routine surveillance.

## THE ISSUE, DECODED

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ELEMENT	WHAT IT IS	WHY IT MATTERS
Abhigyan	Portable fingerprint scanner	Enables on-the-spot biometric checks
NAFIS	National Automated Fingerprint Identification System (NCRB)	Large criminal fingerprint database for matching
Puttaswamy test	Legality, necessity, proportionality	Standard every privacy intrusion must meet
Suspicionless scan	Check without prior cause	Inverts presumption of innocence
CrPC Identification Act, 2022	Governs measurements of arrested/convicted	Does not authorise random public scanning

## THE ANALYSIS: WHEN CONVENIENCE OUTFRONS THE CONSTITUTION

- 1 **The capability is the concern.** The value of these scanners lies in checking people quickly, including those against whom there is no suspicion. That is exactly the feature that raises constitutional alarm.
- 2 **The legal basis is thin.** The Criminal Procedure Identification Act of 2022 permits collecting biometric measurements from arrested and convicted persons. It does not provide a clear **mandate** (<https://ujjiyari.com/vocab/mandate/>) for scanning random members of the public on the street.
- 3 **Necessity is unproven.** The proportionality test asks whether less intrusive means could achieve the aim. Targeted, suspicion-based identification already exists, so a blanket scanning power is hard to justify as necessary.
- 4 **Safeguards are missing.** There are no clear rules on how long captured prints are retained, who can access matches, or how misuse is audited. This creates fertile ground for function creep, where data collected for one purpose is reused for another.

## DATA AND INSTITUTIONS VAULT

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*Nine-judge Bench held privacy a fundamental right under Article 21; intrusions must satisfy legality, necessity, and proportionality.*

*National Automated Fingerprint Identification System, maintained by the National Crime Records Bureau (NCRB).*

*Authorises collection of biometric and behavioural measurements from arrested, detained, and convicted persons; replaced the Identification of Prisoners Act, 1920.*

*Requires a legitimate aim, a rational connection, the least restrictive means, and a balance between intrusion and benefit.*

## THE DEBATE

**The argument for** is that rapid biometric identification helps solve crimes, trace missing persons, and catch repeat offenders, serving the legitimate state interest in public safety.

**The argument against** is that a power to scan anyone without suspicion treats every citizen as a suspect, lacks statutory authority for the general public, and operates without safeguards against misuse and function creep.

**The balanced verdict:** the technology can serve genuine law-enforcement aims, but only within a statutory framework that confines its use to defined, suspicion-based circumstances with strict oversight. Deployed as a general dragnet, it fails the constitutional test.

## HOW TO THINK ABOUT THIS (TRANSFERABLE SKILL)

*For any new state surveillance tool, run it through the proportionality ladder. First, is there a law authorising it? Second, is the aim legitimate? Third, is this the least intrusive means? Fourth, do the benefits outweigh the rights cost, with safeguards in place? A tool can serve a good purpose and still fail because it skips a rung. The technology's usefulness is never sufficient justification on its own.*

## DIAGRAM-IN-WORDS

Officer scans citizen -> Match against NAFIS -> No prior suspicion -> Puttaswamy test (legality, necessity, proportionality) -> Fails without statute and safeguards

## THE WAY FORWARD

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- 1 **Enact clear statutory backing** specifying when and on whom such scanners may be used, confined to suspicion-based circumstances.
- 2 **Set retention and deletion rules** for prints captured from persons not charged with any offence.
- 3 **Impose access controls and audit trails** so every match is logged and reviewable.
- 4 **Provide independent oversight**, ideally judicial or a dedicated data-protection authority.
- 5 **Bar function creep** by prohibiting reuse of collected data for unrelated purposes.

## THE TAKEAWAY BOX

*A live case study on the proportionality test and the tension between security and privacy.*

*“Power without safeguards is the architecture of a surveillance state.”*

*Puttaswamy (2017), NAFIS, NCRB, Criminal Procedure (Identification) Act 2022, proportionality test.*

*An officer’s discretion to scan anyone tests the ethical limits of state power and the duty to respect citizen dignity even in policing.*

*Connects to past questions on the right to privacy and surveillance.*

*Data protection law, criminal justice reform, civil liberties, and digital governance.*

**Sources:** *The Hindu* (<https://www.thehindu.com/opinion/editorial/>), *PIB* (<https://pib.gov.in/>)

Source: Suspicionless Scans: On Abhigyan, NAFIS and Privacy – Ujjyari.com | Free UPSC & State PCS Editorial Analysis

**KEY ARGUMENTS AT A GLANCE**

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**Portable fingerprint scanners linked to NAFIS enable random, suspicionless biometric checks that fail to satisfy the legality, necessity, and proportionality requirements of the Puttaswamy privacy test.**

 **SUPPORTING**

- A roadside scan of any citizen treats the population as suspect, inverting the presumption of innocence.
- Matching against a large criminal fingerprint database without statutory backing lacks a clear legal basis.
- Absence of safeguards on retention, access, and audit creates risks of function creep and misuse.

 **COUNTER**

Rapid biometric identification can solve crimes, identify the missing, and verify repeat offenders, serving a legitimate state interest in public safety.

 **WAY FORWARD**

Enact statutory backing with clear necessity thresholds, retention limits, judicial oversight, and independent audits before such tools are deployed.


**MAINS ANSWER FRAMEWORK**

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**QUESTION**

*'The right to privacy is a fundamental right subject to the proportionality test. Examine how suspicionless biometric checks by police measure up against the Puttaswamy framework. (250 words)'*

**INTRODUCTION**

The Supreme Court in Puttaswamy held privacy to be a fundamental right, but a qualified one, subject to a three-part test of legality, necessity, and proportionality. Police adoption of portable fingerprint scanners tests whether the state can honour that test in everyday policing.

**BODY**

The Abhigyan device, a handheld scanner linked to the National Automated Fingerprint Identification System maintained by the NCRB, lets an officer capture a person's fingerprint on the street and match it against a vast criminal database. The technology promises faster identification of repeat offenders and missing persons.

But its power lies precisely in enabling checks without prior suspicion, which inverts the presumption of innocence and treats the general public as a pool of potential suspects. Under the Puttaswamy test, any privacy intrusion needs a clear law, a legitimate aim, and means proportionate to that aim.

Suspicionless scanning struggles on all three. The legal basis is thin, since the Criminal Procedure Identification Act of 2022 governs collection from arrested and convicted persons, not random citizens.

Necessity is unproven where targeted methods exist. Proportionality fails when a blanket capability is deployed without retention limits, access controls, or independent oversight.

Function creep, where data gathered for one purpose migrates to others, is the predictable danger.

**CONCLUSION**

Biometric policing tools are not inherently illegitimate, but power without safeguards is the architecture of a surveillance state. India needs statutory limits and oversight before such scanners become routine.


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## Bharat Choudhary

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[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)[Read Full Article on Ujiyari →](#)<https://ujiyari.com/editorials/2026/06/suspicionless-scans-abhigyan-nafis-privacy/>

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