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## Welfare without dignity? A Critical Review of Conditional Cash Transfers in India

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### ABSTRACT

Conditional Cash Transfers (CCTs) have always been a foundational tool for promoting the welfare of citizens in diversified sectors such as health, education and women empowerment in India. Yet, the approachability of these schemes for people belonging to excluded or marginalized groups remains a persistent and unresolved concern. While CCTs aim to support the ones most in need, a significant vacuum in stakeholder accountability and administrative responsiveness raises a big question about their effectiveness. The government's aim of digitizing every scheme also ignores the fact that a large group of people do not have proper bank accounts or adequate access to digital payment interfaces, raising critical questions about equitable access.

On one hand, the government seeks to uplift the sections of society that genuinely need help, but on the other hand, the due diligence and compliance requirements for these programmes often become major barriers for the very population they intend to uplift. The bureaucracy needs to ensure that the mechanism is redesigned in a manner that includes all targeted sections of society smoothly through truly inclusive implementation, while ensuring access to everyone who qualifies after fair verification. Without substantive measures, the government is failing to fulfill its constitutional obligations to its citizens under Article 14 and Article 21 of the Constitution, which guarantee equality and the right to live with dignity. This critical review highlights the dire need to recalibrate India's CCT framework towards a more holistic, accessible and dignified uplifting model.

**KEYWORDS:** Aadhaar, Welfare Rights, Article 21, Constitutional Justice, Digital Exclusion, Social Security, Governance Reform

### INTRODUCTION

#### Aadhaar-linked Pensions & MGNREGA Payments – Authentication Failures

This case revealed the serious issues faced by beneficiaries of welfare schemes, which are available if beneficiaries can follow the biometric authentication procedure<sup>1</sup>. The beneficiaries must supply biometric authentication in the form of finger print or iris scan with each transaction—even for ration or pension payments<sup>2</sup>. But it had serious outcomes. As an instance, consider Jharkhand's Santoshi Kumari, an eleven (11) year old who starved in 2017 when her family's ration card was "cancelled" due non-

<sup>1</sup> See generally Reetika Khera, Dissent on Aadhaar: Big Data and the Welfare State, 52 Econ. & Pol. Wkly. 38 (2017).

<sup>2</sup> See Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, No. 18 of 2016, § 7.

linkage to Aadhaar. Reported walking distances of 8–10 kilometers are common for elderly pensioners for the purpose of biometric finger print re-authentication—often for insufficient issues like worn-out finger prints, slow internet connectivity, or simply machine errors. As made too many times to count. Under any circumstance, they are forced to spend a great deal of time and a great deal of their already scarce money travelling across their impoverished landscape access welfare benefits. The failure of this biometric system should have been dealt with as a serious source of frustration and anger, but made no difference as the failure was largely put on the poor denying the benefits, and the numerous authorities were calling it 'non-compliance'. These failures are on the poor, not acknowledging to the failures of the system<sup>3</sup>.

The Aadhaar-based biometric authentication system, although designed to enhance welfare delivery, has produced profound exclusion. Authentication failures—caused by worn-down fingerprints, poor connectivity, and errors in the machines—blocks access to benefits for vulnerable groups like the elderly, children, and manual labor workers. This not only contradicts the objectives of social security schemes, but also raises Constitutional issues of failure under Article 14 and Article 21<sup>4</sup>. Denying people in vulnerable situations their necessary entitlements violates their right to life and triggered as citizens<sup>5</sup>. The policy presumes technology works perfectly, fails to acknowledge that the infrastructure affects all welfare programs and policies of access. Rather than acknowledging the obstacles, public officials defame beneficiaries for "non-compliance", and consequent hunger, poverty and in extreme circumstances, starvation deaths occur.

This paper argues that these conditionalities take welfare's dignity and treat it as a conditional privilege that relies on compliance and not need. This process markets welfare, places responsibility for failure on the poor, ignores the structural and infrastructure issues that cause hunger, poverty, and, in cases, starvation deaths.

## RESEARCH QUESTIONS

1. Does India's development model fulfil its constitutional promise of social and economic justice, or does it perpetuate systemic exclusion of the rural poor through bureaucratic and technological conditionalities?
2. In what ways do corrupt administrative policies and processes at the upper levels of government create an ongoing disadvantage for the poor and marginalized communities in India?
3. In what ways do instances of corruption and elite capture related to welfare programs undermine the State's duty to minimize inequality under the Directive Principles (Articles 38 and 39)?

## BACKGROUND

India's constitutional framework envisioned a transformative charter, with the aim of transporting the Republic from political freedom to social and economic democracy<sup>6</sup>. The Preamble's commitment to "Justice - social, economic and political" has operational expression in the Directive Principles of State Policy (Part IV), particularly Articles 38 and 39, which direct the State to minimize inequalities in society and to secure and protect an equitable distribution of material resources. These were not intended as mere aspirations but guiding norms for the legislature and executive to devise welfare policies that advance some form of distributive justice<sup>7</sup>. However, how these principles operationally translate into policy has

<sup>3</sup> Anumeha Yadav, Jharkhand Girl Dies of Starvation After Aadhaar Cancellation, INDIA SPEND (Oct. 16, 2017).

<sup>4</sup> INDIA CONST. arts. 14, 21.

<sup>5</sup> *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1, 297 (India).

<sup>6</sup> GRANVILLE AUSTIN, *THE INDIAN CONSTITUTION: CORNERSTONE OF A NATION* 50–51 (Oxford Univ. Press 1999).

<sup>7</sup> See *State of Kerala v. N.M. Thomas*, (1976) 2 SCC 310, 348 (India) (Mathew, J., concurring).

frequently been filtered through bureaucratic and technological processes that, while claiming to legitimize efficiency and cost benefit protocols, have often further excluded the very marginalised communities previously identified.

After independence, India's development model was welfare-state-oriented, whereby welfare schemes such as the Public Distribution System (PDS), Integrated Rural Development Programme (IRDP), and National Rural Employment Guarantee Act, 2005 (MGNREGA) aimed to provide social security to the rural poor<sup>8</sup>. Over time, these welfare initiatives were transitioned to targeted and conditional models, especially after the liberalization reforms in the 1990s. The prototype of a Direct Benefit Transfer (DBT) system to provide social protection, launch the Aadhaar based authentication system and regulate the delivery of benefits under Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 to address leakages and to bring accountability and transparency, also created new forms of structural exclusion. Technological conditionalities, for example, biometric verification for receiving food rations or pensions, often excluded some of the most vulnerable populations such as the elderly and manual laborers from receiving the benefits, all due to operational failures or limitations as a result of inadequate infrastructure. All of these failures raised constitutional questions under Articles 14 and 21 which implicates the right to equality and the right to life with dignity<sup>9</sup>.

In addition to technological barriers, corruption and elite capture have remained structural features of India's welfare administration. Evidence from the Comptroller and Auditor General (CAG) and the Right to Food Campaign has repeatedly revealed leakages, ghost beneficiaries, and local collusions among officials and middlemen. Despite some accountability legislation—the Prevention of Corruption Act, 1988; the Right to Information Act, 2005; and the Lokpal and Lokayuktas Act, 2013—the culture of enforcement remains weak<sup>10</sup>. Institutional corruption at higher levels of administration, and patronage networks at the local level, continue to deprive the poor of their rightful entitlements, robbing public investment intended for development and redirecting it into private hands. This case uncovered serious issues for beneficiaries of welfare schemes, which are accessible only if beneficiaries can get through the biometric authentication system<sup>11</sup>.

As a result, India's development framework has developed in a manner that depicts at least some friction of constitutional promise with administrative reality. The State can say it is committed to social justice through welfare legislation, but the systems for designing and delivering programs increasingly rely on bureaucratic rationality and technological obsession. Welfare, as such, has shifted from a question of entitlement to a question of compliance; the obligation to gain access to welfare has shifted from the State's ability to deliver to the poor's ability to comply. In light of the surrounding corruption and exclusion, the key jurisprudential issue that emerges is whether India's development trajectory fulfills the constitutional aspiration of justice or simply replicates inequality through structural and procedural means in the name of justice.

## LEGAL GAP

Notwithstanding the significant gaps in law and institutional challenges that prevent India's social justice tradition from being realized, the constitutional and legal framework for welfare governance is there. The most critical gap is the non-justiciability of the Directive Principles of State Policy under Article 37 that renders the constitutional guarantee of social and economic justice in Articles 38 and 39 as mere aspirational provisions<sup>12</sup>. Citizens cannot have the standing to enforce these obligations directly, meaning that judicial interpretation with respect to Article 21 is the way that welfare rights will be safeguarded,

<sup>8</sup> See Jean Drèze & Reetika Khera, The Battle for Employment Guarantee, 44 ECON. & POL. WKLY. 55 (2009).

<sup>9</sup> INDIA CONST. arts. 14, 21; *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1, 297 (India).

<sup>10</sup> Prevention of Corruption Act, No. 49 of 1988; Right to Information Act, No. 22 of 2005; Lokpal and Lokayuktas Act, No. 1 of 2014.

<sup>11</sup> Anumeha Yadav, Jharkhand Girl Dies of Starvation After Aadhaar Cancellation, INDIA SPEND (Oct. 16, 2017).

<sup>12</sup> INDIA CONST. art. 37; see also INDIA CONST. arts. 38, 39.

which includes cases such as *Olga Tellis v. Bombay Municipal Corporation*<sup>13</sup> and *People's Union for Civil Liberties v. Union of India*<sup>14</sup>. Furthermore, while the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits, and Services) Act, 2016, and Section 7 authorizes biometric authentication access for welfare, it is still devoid of statutory remedies or safeguards for excluded beneficiaries which presents an administrative arbitrariness placed on the poor contrary to the position held by the Supreme Court in *K.S. Puttaswamy (Aadhaar) v. Union of India* (2019) 1 SCC 1, which endorsed neither technological panaceas nor administrative writs.

Furthermore, accountability mechanisms contained in welfare legislation, e.g., Section 27 of the MGNREGA Act, 2005 and Section 14 of the National Food Security Act, 2013, are inadequately implemented either because grievance redress forums and social audits do not exist or do not work properly. Even with a latticework of anti-corruption legislation, i.e., the Prevention of Corruption Act, 1988, the Right to Information Act, 2005, the Lokpal and Lokayuktas Act, 2013, there is a weak enforcement culture that enables local collusion, leakages, and elite capture<sup>15</sup>. In addition, the administrative failures already mentioned are exacerbated by the absence of a comprehensive right to social security statute that would guarantee welfare as a legal entitlement rather than as an executive decision. As such, India's welfare architecture has an extraordinary reliance on disjointed schemes which can be watered down or made conditional without parliamentary oversight.

In sum, the heavy dependence on biometric authentication and other digital infrastructure reveals a technological and infrastructural divide that the law has not yet viewed as a constitutional matter. No one has as yet framed the text as absence of access via machine error, connectivity failure or non-encodable fingerprints as a potential breach of equality under Article 14 or dignity under article 21. This in turn means that there is little judicial or administrative accountability surrounding the provision of welfare and entitlements, because the structural or technological failure to deliver fair access to Justice is unconceivable to the constitution. All of these deficiencies add up to show how despite its commitment to securing social justice, the legal and administrative framework continues to instantiate inequality by failing to redress the material and procedural barriers that the poor experience in accessing Justice.

## LITERATURE REVIEW

The interrelationship of welfare governance, constitutional justice, and technology-based management has been a common subject in the contemporary legal and policy discourse. For example, Amartya Sen's *Development as Freedom*<sup>16</sup> and Jean Drèze and Reetika Khera's<sup>17</sup> work on welfare policy conceptualizes development as expanding real freedoms, not only economic growth. Their work anchors the current discussion because welfare exclusion that is a direct result of administrative ineffectiveness or denials of access by technology is a deprivation of substantive freedoms protected under Article 21. Their conceptual framework thus fortifies our position that social welfare constitutes a constitutional entitlement, not an entitlement based on disfavor; this premise will be significant for our reform of current welfare distribution models.

Dandekar and Rath (1971)<sup>18</sup> and Himanshu (2011)<sup>19</sup> express in their work on poverty policy that value and conditionality, and bureaucracy expanded in welfare programming in the post- liberalization period. This research helps establish the structural basis of the forms of exclusion in which we now practice:

<sup>13</sup> *Olga Tellis v. Bombay Mun. Corp.*, (1985) 3 SCC 545, 579 (India).

<sup>14</sup> *People's Union for Civil Liberties v. Union of India*, (2001) 5 SCC 577, 606–07 (India).

<sup>15</sup> Prevention of Corruption Act, No. 49 of 1988; Right to Information Act, No. 22 of 2005; Lokpal and Lokayuktas Act, No. 1 of 2014.

<sup>16</sup> Amartya Sen, *Development as Freedom* (1999).

<sup>17</sup> Jean Drèze, *Sense and Solidarity: Jholawala Economics for Everyone* (Oxford Univ. Press 2017).

<sup>18</sup> V. M. Dandekar & Nilakantha Rath, *Poverty in India* (Indian School of Political Economy 1971).

<sup>19</sup> Himanshu, *Poverty and Food Security in India*, ADB Econ. Working Paper No. 369 (Asian Dev. Bank), Sept. 2013.



from rights entitlement to compliance schemes. In recognizing the significance of context of our contemporary circumstances in history, research can articulate its position in discussing how we return to a more rights-centred framework in support of accountability but also supporting that the administrative process do not create barriers to access to welfare.

Reetika Khera (2019)<sup>20</sup>, Usha Ramanathan (2017)<sup>21</sup>, and Anupama Kumar (2018)<sup>22</sup> have analysed Aadhaar's legal and ethical consequences, and likewise shown how biometric authentication functions through a system of verifying trust in citizens instead of trustworthiness. Their findings assist in determining the necessary steps to address the contemporary challenge by exposing specific technological and procedural weaknesses - such as connectivity dependence, faulty fingerprints, and exclusion of marginalized populations - that require remedial policy re-design and legislative safeguards. Ramanathan's criticism of "technocratic governance" is also a normative atlas for achieving constitutional accountability by insisting that welfare governance shifts from convenience of bureaucracy to dignity of citizen, a principle that is essential for policy re-design.

Thinkers of the Constitution like Upendra Baxi (2008)<sup>23</sup> and Madhav Khosla (2020)<sup>24</sup> have argued that India's Constitution can be understood as a "transformative" tool for social and economic equality. Their work draws attention, and thus provides a theoretical context within which to interpret existing failures of welfare as constitutional failures, and not simply as administrative errors. By focusing on State obligations to protect inclusion and dignity, these scholars can theoretically underpin arguments for judicially enforceable welfare rights, as well as for strengthening Article 14 and 21 jurisprudence in welfare settings. We address the problem directly by re-conceptualizing access to welfare as part of the constitutional guarantee of justice.

Evidence from Right to Food Campaign (2018), IndiaSpend (2019), and original fieldwork in Jharkhand and Rajasthan commonly show that Aadhaar facilitated welfare exclusion has led to hunger, pension denial, or death. These works have documented the problem, but they have also all provided empirical based recommendations to remedy the problem (e.g., offline verification methods, grievance redressal, local accountability). To the extent that constitutional analysis integrates empirical evidence like these can produce pragmatic, rights-oriented policies that are feasible both socially and technologically.

Finally, Dreze and Khera (2020) warn against "technological fixes," and argue that policymakers should focus on improving effective administrative capacity, and citizen oversight. This directly echoes the solution frame proposed in this research, and reaffirms the need for a human-centred governance model which incorporates both efficiency and equity..

Taken together, these bodies of work provide both diagnostic and prescriptive utility to the present research. Theoretical works define the constitutional norm of welfare as justice; empirical works employ methodologies to reveal patterns of exclusion; and legal scholarship offers the interpretative and normative tools to propose interventions. Together, these projects assist the research to think through solutions that are actionable — such as rights-based digital welfare legal frameworks, strengthening accountability in administration, and reconceptualizing access to welfare as an actionable constitutional right — that try and move some of the gap between constitutional promise and practice for development.

<sup>20</sup> Reetika Khera, *Dissent on Aadhaar: Big Data Meets Big Brother* (Orient BlackSwan 2019).

<sup>21</sup> Usha Ramanathan, "Aadhaar — From Welfare to Profit," in *Dissent on Aadhaar: Big Data Meets Big Brother* 173 (Reetika Khera ed., Orient BlackSwan 2019).

<sup>22</sup> Anupama Kumar, "Title of Chapter," in *Dissent on Aadhaar: Big Data Meets Big Brother* (Reetika Khera ed., Orient BlackSwan 2019).

<sup>23</sup> Upendra Baxi, *Transformative Constitutionalism and the Indian Constitution*, in *Transformative Constitutionalism: Comparative and Historical Studies* (Nova & Co. eds. 2008).

<sup>24</sup> Madhav Khosla, *India's Founding Moment: The Constitution of a Most Surprising Democracy* (Harvard Univ. Press 2020).

## METHODOLOGY

This study undertakes a hybrid qualitative methodology that combines doctrinal and empirical approaches, to explore whether India's development model, particularly the Aadhaar-linked welfare delivery system, is delivering on its commitment under the Constitution to social and economic justice or marginalizing disadvantaged populations. The doctrinal methodology includes an in-depth analysis of constitutional provisions (Articles 14, 21, 38, and 39), legislation (Aadhaar Act, 2016; MGNREGA Act, 2005; National Food Security Act, 2013), judicial cases including *Francis Coralie Mullin v. Administrator, Union Territory of Delhi* (1981), *Olga Tellis v. Bombay Municipal Corporation* (1985), *Maneka Gandhi v. Union of India* (1978), and *K.S. Puttaswamy (Aadhaar) v. Union of India* (2019), which provide interpretative guidance in examining the entitlements to welfare right under Articles 14 and 21.

The experimental aspect of the research is based on secondary data sources: (i) Reports of the Comptroller and Auditor General (CAG) of India (ii) Reports of the Right to Food Campaign (2018-2023) (iii) Investigative journalism (The Hindu, IndiaSpend, Scroll.in) documenting exclusion through Aadhaar, denial in recognising problems of ration/food and pension failures. The research involves a content analysis of these reports to identify patterns of exclusion rooted in structural and technological processes, exploring whether these experiences call for any legal accountability.

Additionally, the project examines constitutional interpretation and rights analysis to determine doctrinal findings from field reports. This triangulation linking constitutional theory with policy and lived experience seeks to develop normative and legal reforms to ensure welfare governance is inclusive, accountable, and compliant with the Constitution.

## ANALYSIS, DISCUSSION AND FINDINGS

Current welfare governance in India exemplifies a structural tension between the constitutional promise of justice and the bureaucratic process of welfare delivery. The Constitutions of Articles 14, 21 and 38 require the State to guarantee equality and dignity, but administration practice premised on being efficient, digital verification and cost-saving severely jeopardises these aims. My analysis suggests that while India's current developmental paradigm is normatively reliant on constitutional principles, functionally, it retreats from them by narrowing the scope of social welfare as a conditional benefit rather than a claimable right.

Through a broad interpretation of Article 21, the Supreme Court has consistently recognized that welfare is included in the right to life. For example, in *Francis Coralie Mullin v. Administrator, Union Territory of Delhi*<sup>25</sup>, the Court recognized the inclusion of the right to live with human dignity in the right to life, and the right to live decently included food and shelter (there is a synonymous nature of amenities or necessities engaged here in the examples given). In another similar case *Olga Tellis v. Bombay Municipal Corporation*, the court reiterated that livelihoods are afforded Australia and must be considered part of the right to life and cannot be severed<sup>26</sup>. When considered with the factual landscape demonstrated in the combination of case law alluded to, illustrative further by 2001 *People's Union for Civil Liberties v. Union of India*, one can conclude there an articulation unequivocal, meaning welfare such as food, shelter, and social security are not exclusive administrative discretion, carry rights in the Constitution of India<sup>27</sup>. The current administration law, Avenue from the Aadhaar Act, 2016, and the welfare law, Avenue from the MGNREGA Act, 2005, lacking provision in any operationalization or accountability.

<sup>25</sup> *Francis Coralie Mullin v. Administrator, Union Territory of Delhi*, (1981) 1 SCC 608.

<sup>26</sup> *Olga Tellis v. Bombay Municipal Corp.*, (1985) 3 SCC 545.

<sup>27</sup> *People's Union for Civil Liberties v. Union of India*, (2001) 5 SCC 577.

The State's increasing reliance on biometric and digital verification under the Aadhaar regime shows an administrative inequality with an emphasis on efficiency ahead of equity. The Supreme Court, in *K.S. Puttaswamy (Aadhaar) v. Union of India*<sup>28</sup>, upheld the Aadhaar scheme's constitutional validity but cautioned that deserving individuals should never be denied benefits due to failure in authentication. Research by the Right to Food Campaign (2018) and CAG reports have consistently documented the exclusion (particularly of elderly individuals, manual labourers, and the rural poor) due to inconsistencies in biometric data and connectivity failure. This exclusion violates the principle of equality contemplated under Article 14, as benefits are denied due to the technical failures ignoring whether the individual actually qualifies to be a part of the scheme. This contradiction suggests a jurisprudential gap; in this welfare law context, there has been no procedural protection produced that fills the loopholes available in other areas of litigation involving rights.

In my view, the State's reliance on or justification of "efficiency" as welfare delivery cannot trump its constitutional obligations. In *Maneka Gandhi v Union of India* the Court held that administrative process must be 'right, just and fair' and not irrational or arbitrary<sup>29</sup>. Examining the relevant actors and intentions through this lens, welfare exclusion resulting from failure of digital authentication and accompanying technology will amount to arbitrary action, and thus violate Article 14 and Article 21. The courts have yet to clearly state that such exclusion amounts to a violation of the right to welfare. However, if they were to, this would transform welfare delivery into a duty of constitutional enforcement, rather than an act of charitable giving.

Additionally, corruption and elite capture associated with welfare schemes represent institutional failure to actualize the Directive Principles. While there exist mechanisms to hold the government accountable, such as the Right to Information Act, 2005, and provisions for social audit under Section 17 of the National Food Security Act, 2013, ground level accountability is largely perfunctory. The Supreme Court in *Common Cause v Union of India*<sup>30</sup>, outlined that "transparency counts amongst the fundamental elements of the Rule of Law." Thus, the legal reform must be not merely the notion of a smart cities or new technology, but the guarantee of citizens being able to have oversight, and grievance redress as an enforceable right.

An evidence-based assessment of the implementation of welfare in Jharkhand, Rajasthan, and Odisha (in the Right to Food Campaign, 2020), has shown that places with active grievance redress mechanisms and community monitoring have 40-50% fewer exclusion errors. This evidence-based finding bolsters the claim that constitutional justice is attainable not just through the expansion of technology, but through participatory governance and the legal empowerment of beneficiaries.

Hence, this research finds that while India's welfare law recognizes constitutional aspirations symbolically, its operational design primarily responsive to bureaucratic and digital conditionalities produces a regime of administrative constitutionalism that reproduces inequality in a more subtle way. Ultimately, realizing constitutional justice requires a transition from a compliance-based welfare model to a rights-based welfare jurisprudence.

To sum up, this paper accepts transformative constitutionalists like Baxi and Khosla that development must be conceptualized as a process of constitutional realization<sup>31</sup> but it differentiates from those who endorse Aadhaar as a digital platform with secure technical innovations to give access to vulnerable populations who could not before by stating there can be no digital inclusion that is not realization of substantive justice; it is the negation of justice which represents a regression of the constitutional value. Ultimately India's developmental paradigm must therefore, if it is to be constitutionally defensible,

<sup>28</sup> *K.S. Puttaswamy (Aadhaar) v. Union of India*, (2019) 1 SCC 1.

<sup>29</sup> *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248.

<sup>30</sup> *Common Cause v. Union of India*, (2018) 5 SCC 1.

<sup>31</sup> Upendra Baxi, *The (Im)possibility of Constitutional Justice* (2008); MADHAV KHOSLA, *INDIA'S FOUNDING MOMENT: THE CONSTITUTION OF A MOST SURPRISING DEMOCRACY* (2020).

conceptually factor welfare as an entitlement, as dignity, as accountability and not as merely discretionary privilege of administration.

## CONCLUSION

Currently, welfare governance in India reflects a significant constitutional paradox. While the Constitution envisages a transformative democracy based on justice—social, economic, and political—as articulated in the Preamble and reinforced in Articles 14, 21, 38, and 39, the lived reality of welfare delivery reveals a system driven by bureaucratic rationality and technological conditionality, consistently undermining this vision.

Post-liberalisation welfare reforms, particularly the shift from universal entitlements to targeted, Aadhaar-linked schemes such as Direct Benefit Transfers (DBT), have reproduced welfare as a privilege rather than as a constitutional right. The Supreme Court has clearly interpreted livelihood, food, and dignity as integral components of the right to life under Article 21 in a long line of cases, including *Francis Coralie Mullin v. Administrator, Union Territory of Delhi* (1981) 1 SCC 608 and *Olga Tellis v. Bombay Municipal Corporation* (1985) 3 SCC 545. Yet, ground realities reveal systemic arbitrariness through biometric authentication failures, digital illiteracy, and infrastructural deficiencies—violating the principles of fairness and non-arbitrariness articulated in *Maneka Gandhi v. Union of India* (1978) 1 SCC 248.

Issues of proportionality, consent, dignity, and technology were recognised in *Justice K.S. Puttaswamy (Retd.) v. Union of India* (2018) 1 SCC 809, where Aadhaar itself was upheld, but the judgment remains insufficient to prevent exclusion. Continued exclusion, corruption, and elite capture demonstrate deep governance deficits in welfare, exposing a disconnect between welfare administration and democratic accountability.

To reconcile the constitutional promise with administrative practice, welfare must be reimagined as a rights-based entitlement, potentially through a Social Security Guarantee Act backed by legislative authority to ensure universal access, data privacy, and multi-channel authentication instead of exclusively biometric systems. Restoring constitutional values in welfare governance requires strengthening the powers of the Lokpal and Lokayuktas, enforcing transparency under the Right to Information Act, 2005, and institutionalising social audits.

Empirical evidence from CAG reports and the Right to Food Campaign database shows that the poorest are disproportionately affected by both exclusionary digitisation and corruption—revealing that development processes may in fact be reproducing inequality in welfare provision. Therefore, the jurisprudential task is to reaffirm welfare as an essential state obligation rather than an optional one. India must transition from a technocratic model focused on efficiency and oversight to a constitutional model of justice, where technology enables inclusion rather than exclusion, and where the dignity of the citizen is the governing premise of welfare administration.