



सां/No. : 5-1(425)/2017-PD

दिनांक/Dated: 28.04.2017

प्रेषक / From :

संयुक्त सचिव (प्रशासन)
Joint Secretary (Admn.)

सेवा में / To :

The Directors / Heads of all
National Labs. / Instts. of CSIR
Hqrs./Complex/Centres/Units

महोदय/Sir / महोदया/Madam,

मुझे भारत सरकार के निम्नलिखित कार्यालय ज्ञापन को आपकी जानकारी, मार्गदर्शन और अनुपालन के लिए अग्रेषित करने का निदेश हुआ है।

I am directed to forward herewith the following Office Memorandum for information, guidance and compliance.

क्रम सं. Sl. No.	कार्यालय ज्ञापन सं. / Office Memorandum No.	विषय / Subject
1	Govt. of India, Ministry of Electronics & Information Technology, e-Governance Group OM No. 10(36)/2015- EG-II (Vol-V) Dated 25.03.2017	Data Sharing – Compliance of the IT Act, 2000 and Aadhaar Act, 2016 – reg.

भवदीय/Yours faithfully

विनोद कुमार

(विनोद कुमार/ Vinod Kumar)
अवर सचिव (नीति प्रभाग)/ US(PD)

संलग्न/Encl. : यथोपरि/As above

प्रतिलिपि/Copy to:

- 1) Head, IT Division with the request to make this OM available on the website & Policy Repository.
- 2) कार्यालय प्रति/Office copy.

No. 10(36)/2015-EG-II (Vol-V)
Government of India
Ministry of Electronics & Information Technology
e-Governance Group

Electronics Niketan,
6, CGO Complex,
Lodhi Road
New Delhi - 110003
Dated: 25.03.2017

Office Memorandum

Subject: Data Sharing - Compliance of the IT Act, 2000 and Aadhaar Act, 2016

It has come to notice that there have been instances wherein personal identity or information of residents, including Aadhaar number and demographic information, and other sensitive personal data such as bank account details etc. collected by various Ministries/Departments, State Government Departments, in the administration of its various welfare schemes etc. has been reportedly published online and is accessible through an easy online search.

The said act of publishing identity information i.e. Aadhaar number along with demographic information such as name, date of birth, address etc. is in clear contravention of the provisions of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, more specifically Section 29 (2), Section 29 (3) and 29 (4) and constitutes an offence under Sections 37, 40 & 41 punishable with imprisonment upto 3 years.

Further, publishing of financial information including bank account details, being sensitive personal data, is also in contravention of provisions under the Information Technology Act, 2000 and the Rules framed thereunder, more specifically Rule 3 & Rule 6 of the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal data or Information) Rules, 2011 and constitutes an offence under Section 43 A of the Information Technology Act, 2000 and the offending parties are liable to pay damages by way of compensation to persons affected.

In view of the above, it is hereby informed that any act of publishing personal identity or information i.e. Aadhaar number and demographic details alongwith personal sensitive information such as bank details, in contravention of the Aadhaar Act, 2016 and the Information Technology Act, 2000 may be refrained with immediate effect. Further, any such content already published and still appearing publicly may be discontinued with immediate effect.



Archana Dureja
Scientist 'F'

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To:

1. All Secretaries, Government of India
2. Chief Secretaries of all States/UTs
3. IT Secretaries of all States/UTs
4. Web Information Manager of websites (NIC)