

राष्ट्रीय इलेक्ट्रॉनिकी एवं सूचना प्रौद्योगिकी संस्थान (रा.इ.सू.प्रौ.सं.)
 National Institute of Electronics and Information Technology (NIELIT)
 (An ISO 9001 : 2008 Certified Organisation)

इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय, भारत सरकार

Ministry of Electronics and Information Technology, Government of India

Ref. No. NIELIT/HQ/MIS/03 (Vol – VII) | 662

05/04/2017

OFFICE MEMORANDUM

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

Please find enclosed a copy of communication No. 10(1)/2017-EG-II dated 28/03/2017 from Section Officer, E-Governance Division, MeitY, enclosing therewith a copy of O.M. No. 10(36)/2015-EG-II(Vol-V) dated 25/03/2017, regarding Data sharing – compliance of the IT Act, 2000 and Aadhaar Act, 2016 for information and compliance.


 (Janak Raj)
 Registrar

Encls: As above

To,

1. The Executive Directors / Directors / Directors – in – Charge
 All NIELIT Centres
2. All HoWs/Section Heads, NIELIT HQs

Pl. circulate to all offices

5/4/17

RS

428

No. 10(1)/2017-EG-II
Ministry of Electronics & Information Technology
(E-Governance Division)
Electronics Niketan, 6-CGO Complex
Lodhi Road, New Delhi-110003

Dated: 28.03.2017

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

Please find enclosed copy of O.M. No. 10(36)/2015-EG-II (Vol-V) dated 25.03.2017 regarding Data Sharing- Compliance of the IT Act, 2000 and Aadhaar Act, 2016.

The same is forwarded herewith for your information & necessary compliance please.

Encl: as above

(Laxman)
Section Officer
Ph. 24301552

NIELIT
Registrar's Office
Diary No. 796
Date In. 20/3/17
Date Out. 20/3/17

- To
1. Attached offices of MeitY
 2. All Societies under MeitY
 3. ICERT/CCA/CAT
 4. Companies under MeitY
 5. NeGD/ My Gov.

for circulation to all
concern for compliance.

1 Registrar
+
2 JD(S)

12/3/17
30/3

3 CFO
+
4 Addl. Director (PA)
+
TSO

महानिदेशक (रा.इ.सू.प्रौ.सं) का कार्यालय
O/o DG, NIELIT
दैनिकी नं./Dy. No. 12785
आवक तिथि/Dt. IN. 20/03/17
आवक तिथि/Dt. OUT 30/03/17

427)

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

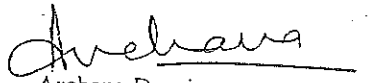
Subject: Data Sharing - Compliance of the IT Act, 2000 and Aadhaar Act, 2016

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'

Phone: 011-24362528

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)