

No.F.1(42)/Fin/Rev-II/2014-15/ds v/401
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
FINANCE (REVENUE-II) DEPARTMENT
4TH LEVEL, 'A' WING, DELHI SECRETARIAT
I.P.ESTATE. NEW DELHI 110002
CD-012292432

Dated: 12/04/2017.

CIRCULAR

Sub:- Data Sharing- Compliance of the IT ACT, 2000 and Aadhar Act, 2016.

Please refer to letter no. F.10(36)/2015-EG-II(Vol-V) dated 25.03.2017 received from Ministry of Electronics & Information Technology, GOI along-with enclosure OM No. 10(36)/2015-EG-II (Vol-V) dated 25.03.2017 received from Ministry of Electronics & Information Technology, GOI on the subject cited above for information and further necessary action.


(MANOJ KUMAR)

DY. SECRETARY, FINANCE

TO:-

1. All Pr. Secretaries / Secretaries / Heads of Departments of GNCTD / Autonomous Bodies under Govt. of NCT of Delhi.
2. Website of Finance Department.

Govt. of NCT of Delhi
 APR 2017
 6 AD/2017/15597
 दिनांक 25.03.2017
 Dy. No.
 Date.....

OFFICE OF THE CHIEF SECRETARY
 GOVT. OF NCT OF DELHI
 संख्या 10(36)/2015-EG-II(Vol-V)
 No. 10(36)/2015-EG-II(Vol-V)
 Dt. No.

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

This has reference to OM no. 10(36)/2015-EG-II(Vol-V) dated 25.03.2017 on the subject(enclosed).

It is requested 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.

Further, it is requested to ensure that these instructions are brought to the notice of all concerned for immediate compliance. A report of compliance w.r.t the attached OM may be furnished to this office, at the earliest.

Jaini
 25/03/17
 (R. K. Sudhanshu)
 Joint Secretary

- To:
1. All Secretaries to GOI
 2. All Chief Secretaries of States/UTs
 3. All IT Secretaries of States/UTs

Secretary (Fin)
Secretary (Rev)
Secretary (IT)
JS (IT)
3/4
25/03/17
6/4

Pl. Circulate to all dep.
25/3/17
17/03/17



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

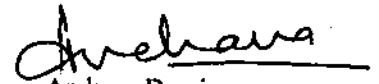
Subject: Data Sharing - Compliance of the IT Act, 2000 and Aadhaar Act, 2016

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)