

GOVT. OF NCT OF DELHI
DEPARTMENT OF SOCIAL WELFARE
GLNS COMPLEX, DELHI GATE, NEW DELHI-02
(ADMINISTRATION BRANCH)

No.F.10(232)/2015/DSW/Cir/Estt./Part-II/5459-5529

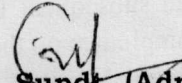
Dated:

25 MAY 2017

CIRCULAR

I am directed to enclose the copy of letters vide No. D.O no.R-13015/1/2017-IT date 03/05/2017 received from the Secretary, Govt of India, Ministry of Rural Development, Deptt of Rural development, Krishi Bhawan, New Delhi enclosing hereby O. M no.10 (36)/2015-EG-II (Vol-V) dated 25.03.2017 (copy enclosed) issued by Ministry of Electronics & Information Technology subject- Data sharing - compliance of the IT Act, 2000 and Adhaar Act, 2016, for information and necessary compliance.

Encls: As above.


Supdt. (Admn.II)

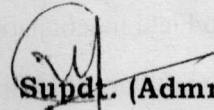
No.F.10(232)/2015/DSW/Cir/Estt./Part-II/5459-5529

Dated:

25 MAY 2017

Copy to:

1. All DDs/DSWOs, DSW, GNCTD, Delhi Gate, Delhi
2. All Supdts/DDO/HOO of Homes/Institutions, DSW, GNCTD, Delhi Gate, Delhi
3. Sr. System Analyst, DSW for uploading the circular on the Departmental website.
4. Guard file.


Supdt. (Admn.II)



9/CC
26/5/17

MB/GA2
26/5/2017

Sh. Kamal, A.B.
Sh. Abhishek, A.B.

3410

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

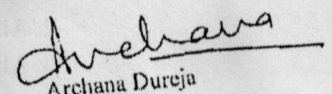
Subject: Data Sharing - Compliance of the IT Act, 2000 and Aadhaar Act, 2016

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)

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भारत सरकार
Government of India
इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय
Ministry of Electronics & Information Technology
इलेक्ट्रॉनिक्स निकेतन, 6, सी जी ओ कॉम्प्लेक्स, नई दिल्ली-110003
Electronics Niketan, 6, C G O Complex, New Delhi-110003
Website: www.meity.gov.in

संख्या 10(36)/2015-EG-II(Vol-V)
No.....

दिनांक 25.03.2017


Date.....

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).

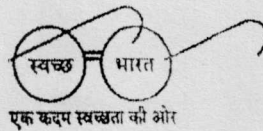
It is requested that any act of publishing personal identity or information i.e. Aadhaar number and demographic details alongwith personal sensitive information such as bank details, in contravention of the Aadhaar Act, 2016 and the Information Technology Act, 2000 may be refrained with immediate effect. 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.


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





सत्यमेव जयते

अरुणा सुंदरराजन, आई.एस.एस.
Aruna Sundararajan, I.A.S.

32/L
सचिव
इलेक्ट्रॉनिक्स और सूचना प्रौद्योगिकी मंत्रालय
भारत सरकार
Secretary
Ministry of Electronics &
Information Technology (MeitY)
Government of India

D.O No. NIC/DDG(SBS)/ITACT/2017
Dated: 24th April 2017

Sub: Sensitization on compliance of IT Act, 2000 and Aadhaar Act, 2016 while Data Sharing in the departmental Websites

Dear Secretary,

Kindly refer to the Office Memorandum (OM) No. 10(36)/2015-EG-II (Vol-V) Dated: 25.03.2017 on Data Sharing - Compliance of IT Act, 2000 and Aadhaar Act, 2016. The OM is self-explanatory and aims for maintenance of secrecy with respect to personal identity or information of residents.

2. It has come to notice that there have been instances wherein personal identity or information of residents, along with Aadhaar numbers and demographic information, and other sensitive personal data such as bank details etc. collected by Ministries/ departments, state departments for the administration of welfare schemes etc. have been published online.

3. Publishing identity information i.e. Aadhaar number along with demographic information is in clear contravention of the provisions of the Aadhaar Act, 2016 and constitutes an offence punishable with imprisonment upto 3 years. Further, publishing of financial information including bank details, being sensitive personal data, is also in contravention of provision under IT Act, 2000 with violations liable to pay damages by way of compensation to persons affected.

4. In view of the above, the Web Information Managers (WIMs) of all Ministries/ Departments and State Government departments may kindly sensitize the Ministries/ Departments and State Government departments respectively and also take all precautions while publishing/ sharing data on their websites, ensuring compliance of the IT Act, 2000 and Aadhaar Act, 2016 with immediate effect. Further, they are also requested to review their website contents/ quality as per the standard guidelines of GIGW, IT Act 2000 and Aadhaar Act 2016. It is also advised that any such contents already published or still appearing publicly, may be discontinued with immediate effect.

With regards,

Yours sincerely,

(Aruna Sundararajan)

To

Secretaries of all the Ministries/Departments, Government of India

इलेक्ट्रॉनिक्स निकेतन, 6, सी.जी.ओ. कॉम्प्लेक्स, नई दिल्ली-110003 / Electronics Niketan, 6, C.G.O. Complex, New Delhi-110003
Tel. : 011-24364041 • Fax : 24383134 • email : secretary@mit.gov.in