



Government of Haryana/ हरियाणा सरकार

Secretariat for Information Technology
सूचना प्रौद्योगिकी सचिवालय

From

Vijayendra Kumar, IAS
Secretary to Govt. Haryana,
Electronics & Information Technology Department,
Haryana Civil Secretariat,
Chandigarh

To

1. All the Head of the Departments/ Boards/ Corporations etc. in the State
2. All the Commissioners of the Divisions in the State of Haryana
3. All the Deputy Commissioners in the State of Haryana
4. SIO, National Informatics Centre, Haryana Unit, New Secretariat, Chd.

No.SIT:2017: 4803

Dated: 25.04.2017

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

Reference to the communication of MeitY, Govt. of India on 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 or 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), Sector 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 43A 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.

Attention is also drawn to the communication of Joint Secretary and Additional Registrar General, office of Registrar General & Census Commissioner, India, Ministry of Home Affairs,



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Govt. of India. They have intimated that an exercise of collecting Aadhaar numbers for the purpose of NPR (National Population Register) was got done through the Deputy Commissioners in the field. They have intimated that:-

- i) State should ensure that the personal identity or information of residents including Aadhaar Number and Demographic information should not be published, shared either online or offline mode.
- ii) Publishing or sharing identity information i.e. Aadhaar number alongwith demographic information such as name, date of birth, address etc. is in clear contravention of the provisions of the Aadhaar Act, 2016.
- iii) Publishing of financial information including Bank Account details which also is in contravention of Provisions under Information Technology Act 2000 and Rules framed thereunder.

It is pertinent to mention here that the data collected during survey of National Population Register and its updation, contains vital information of Aadhaar and other demographic information which is available on paper with the State Depts., district and sub district levels of the State Govt. It is requested to secure and safeguard the data available in print or in the form of soft copies. No data should be shared in any form directly or indirectly with any individual or agency without express permission of the office of RGI of UIDAI.

Action taken report on all above may please be send to this office.

Secretary to Govt. Haryana
Electronics & Information Technology Department,

Endst. No.SIT:2017: 4804

Dated: 25.04.2017

A copy of the above is forwarded to the following for information please:-

1. Director General, National Informatics Centre, Govt. of India, Ministry of Electronics & Information Technology, E-Governance Group, Govt. of India, A-Block, CGO Complex, Lodhi Road, New Delhi-110 003
2. Ms. Archana Dureja, Scientist 'F', Ministry of Electronics & Information Technology, E-Governance Group, Govt. of India, Electronics Niketan, 6, CGO Complex, Lodhi Road, New Delhi-110 003
3. Joint Secy. & Addl. Registrar General, Office of Registrar General & Census Commissioner, India, Ministry of Home Affairs, Govt. of India, 2-A, Mansingh Road, New Delhi-110 011.
4. PS to PSEIT for kind information of worthy PSEIT.

Secretary to Govt. Haryana
Electronics & Information Technology Department,