

UIDAI Headquarter
Bangla Sahib Road, Behind Kali Mandir
Gole Market, New Delhi – 110 001
Dated 8.8.2023

OFFICE MEMORANDUM


Subject: Clarifications on issues relating to sharing of Aadhaar and related data amongst government departments – reg.

In partial modification of the UIDAI OM of even number dated 15.7.22, clarification to query no. 5 has been revised as given below:

Sl. No.	Query	Clarification
5	What should be the mechanism for sharing of Aadhaar and related data between Central Govt. and State Govts. in case the requirement is for the same purpose for which Aadhaar was collected?	<p>It is understood that in many cases, while implementing Central Govt. schemes, the data is collected by the State Govts. In such a scenario, full Aadhaar number can be shared if the State Govt. had collected the data which is now in possession of a Central Govt. Ministry/Department. For example, the data collected in a particular state for a specified purpose like Pradhan Mantri-Fasal Bima Yojana (PM FBY), full Aadhaar number can be shared by Ministry of Agriculture with that State Govt. for that purpose.</p> <p>Similarly, if data has been collected for a centrally sponsored scheme or other scheme/purpose which is implemented/pursued jointly, data can be similarly shared between the Central Govt. and the State Govt.</p> <p>Further, as clarified in the response to query no. 1 above, while a State Govt. can be treated as a single entity for effective formulation of various government schemes and selection of beneficiaries, a separate consent of the beneficiary must be taken</p>

		<p>by the implementing State Govt. department at the time of final delivery of subsidy, benefit and service.</p> <p>Moreover, if the concerned State Govt. wants to utilize same data for some other purpose/ scheme, a separate consent must be taken from the residents by that State Govt.</p>
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This issues with the approval of the Competent Authority.


(Sanjeev Yadav)
Director

To,

- (i) The Ministries/ Departments of Govt. of India
- (ii) The Chief Secretaries of States/UTs

Copy to: For information

Secretary, Ministry of Electronics & Information Technology, Govt. of India.

Government of India,

Ministry of Electronics and Information Technology,

Unique Identification Authority of India

(Authentication and Verification Division)

3rd Floor, Bangla Sahib Road,
UIDAI Hqrs, Near Kali Mata Mandir,
New Delhi- 110001
Dated: 15.07.2022

OFFICE MEMORANDUM

Sub:-Clarifications on issues relating to sharing of Aadhaar and related data amongst government departments - reg.

In order to leverage Aadhaar i.e. the Unique Identity as a tool of good governance to promote ease of living of residents and enabling better access to services for them and to facilitate a smooth, seamless, efficient, transparent and error-free targeted delivery of benefits, services and subsidies to residents, a number of references were received from various Govt. entities to clarify on the possibilities and modalities of sharing of Aadhaar related data amongst various Govt. entities. Accordingly, OMs dated 27.10.2021, 06.12.2021 and 10.12.2021 have been issued by UIDAI providing necessary clarifications in this regard.

2. Though these OMs have addressed broader issues related to sharing of Aadhaar related data between various Central/ State Government entities UIDAI has been receiving references seeking further clarifications on specific issues pertaining to the enquiring departments which have since been duly provided to the concerned departments from time to time. It has been felt that the clarifications would be equally relevant to other departments. Therefore, the queries and clarifications thereto have been compiled and given in the table below for the convenience of user government departments:

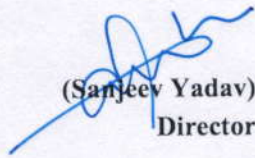
Sl. No.	Query	Clarification
1	Vide UIDAI OM dated 27.10.2021, it has been clarified that different Ministries and Departments of the Government of India, can be treated as a single entity, i.e. the "Central Government" for effective formulation of various government schemes and selection of beneficiaries. Can different departments of State Government be treated as a single entity on similar lines?	As per the provisions of Article 166(3) of the Constitution of India, different departments of a State Government can be treated as a single entity, i.e. the "State Government" for effective formulation of various government schemes and selection of beneficiaries. However, a separate consent of the beneficiary must be taken by the implementing State Govt. department at the time of final delivery of subsidy, benefit and service. Further, attention is invited to Para 5 of the UIDAI OM dated 27.10.2021 which shall be applicable to various departments of a particular State Govt. also.

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2	What is the information that can be shared amongst different departments of Central Govt. or State Govt., as the case may be?	Identity information including demographic information (name, date of birth, gender & address of residence) and photograph of beneficiaries, along with full Aadhaar number can be shared amongst different departments of Central Govt. or State Government, as the case may be, considering that these are to be treated as a single entity.
3	What is the information that can be shared between Centre and State Governments and States <i>inter-se</i> ?	Identity information including demographic information (name, date of birth, gender & address of residence) and photograph of beneficiaries, along with partially masked Aadhaar can be shared between Centre and State Governments and States <i>inter-se</i> . However, in case the consent as per Annexure to OM dated 06.12.2021 has been taken, full Aadhaar number can be shared between Centre and State or States <i>inter-se</i> .
4	While sharing of data between two departments for the purpose of formulation of a scheme and selection of beneficiaries thereto, which department should take consent of the beneficiaries?	The department which had originally collected the data should preferably take the consent of resident. However, such original department might get requests from different departments at different points of time and it will be functionally difficult to get consent of the resident repeatedly. Therefore, in such cases the borrowing department may seek consent.
5	What should be the mechanism for sharing of Aadhaar and related data between Central Govt. and State Govts. in case the requirement is for the same purpose for which Aadhaar was collected?	<p>It is understood that in many cases, while implementing Central Govt. schemes, the data is collected by the State Govts. In such a scenario, full Aadhaar number can be shared if the State Govt. had collected the data which is now in possession of a Central Govt. Ministry/ Department. For example, the data collected in a particular state for a specified purpose like Pradhan Mantri-Fasal Bima Yojana (PM FBY), full Aadhaar number can be shared by Ministry of Agriculture with that State Govt. for that purpose.</p> <p>However, if the concerned State Govt. wants to utilize same data for some other purpose/ scheme, a separate consent must be taken from the residents by that State Govt.</p>
6	What should be the mechanism for sharing of Aadhaar and related data between Central and State Governments in case the requirement is for different purpose for which Aadhaar was collected?	In such a case, only partially masked Aadhaar number along with related demographic details can be shared for formulation of schemes. For example, if a State Govt. seeks PM-FBY data from the Ministry of Agriculture, Govt. of India for implementation of another scheme, then only partially masked Aadhaar number can be shared by Govt. of India with that State Govt.

7	Whether Aadhaar and related data pertaining to schemes/ purposes notified under section 4(4)(b)(ii) of the Aadhaar Act read with the Aadhaar Authentication for Good Governance (Social Welfare, Innovation, Knowledge) Rules, 2020 can be shared by Central or State Government departments, as the case may be, amongst themselves and also between Central Government and State Governments?	<p>Aadhaar and related data can be shared amongst different departments of Central Govt. or State Govt., as the case may be, considering that these are to be treated as a single entity.</p> <p>Further, demographic information (name, date of birth, gender & address of residence) and photograph of beneficiaries, along with partially masked Aadhaar can be shared between Centre and State Governments and States <i>inter-se</i>. However, in case the consent as per Annexure to OM dated 06.12.2021 has been taken, full Aadhaar number can be shared between Centre and State or States <i>inter-se</i>.</p>
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3. This issues under approval of the Competent Authority.


(Sanjeev Yadav)
Director

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- (i) The Ministries/ Departments of Govt. of India
- (ii) The Chief Secretaries of States

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Ministry of Electronics & Information Technology,
Govt. of India.