

F.No.116-05/2017-SB
Government of India
Ministry of communication & IT
(F S Division)

Postal upland
CERO

Dak Bhawan New Delhi-110001
Dated: 13.04.2017.

To,
All Head of Circles/Regions
Addl. Director General, APS, New Delhi

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

An Office Memorandum no.10(36)/2015-EG-II(Vol-V) dated 25.03.2017 received from Government of India Ministry of Electronics & Information Technology e-Governance Group Electronics Niketan, 6, CGO Complex, Lodhi Road New Delhi, duly endorsed by Government of India Ministry of Electronics & Information Technology Electronics Niketan, 6, CGO Complex, Lodhi Road New Delhi vide no. 10(36)/2015-EG-II(Vol-V) dated 25.03.2017, on the subject cited above.

I am directed by the competent authority to request to circulate the copy of the above OM to all concerned for information & necessary action.

This issues with the approval of competent authority.

Encl:- As above

9/13/04/11
(K.R.Patel)

Asstt. Director(SB-II)

Copy for information & necessary action to:-

1. Member(Planning)/ Member(Personnel)/ Member (Operations)/ Member(Banking)/ Member (Technology)/ Member(P.L.I.)
2. DDG(FS)/DDG(VIG.)/JS&FA/DDG(PAF)/DDG(RB)/DDG(Estt.)/DDG(PG&Inspections) /DDG(PCO).
3. Director(FS)/Director(CBS), Dak Bhawan.
4. Director of Audit (P&T), Delhi. Resident of Audit Officer, Room No.517-B, Dak Bhawan, New Delhi.
5. All Directors/Dy. Directors of Accounts, Postal.
6. Director, Postal Staff College, Ghaziabad.
7. All Directors, Postal Training Centres.
8. Director PTC Mysore for uploading the SB Order on India Post Web Site.
9. A.D.(Tech), SDC Chennai, O/o CPMG T.N.Circle, Chennai.
10. AD/Inspections/PF/Vigilance
11. All Accounts Officers ICO(SB)
12. All recognized unions
13. MOF (DEA), NS-II, North Block, New Delhi.
14. Director, NSI CGO Complex, A Wing, 4th Floor, Seminary Hills, Nagpur-440006
15. PS to Member(T)
16. PPS to Secretary(Posts)

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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

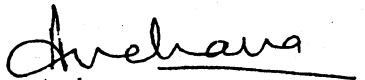
Subject: Data Sharing - Compliance of the IT Act, 2000 and Aadhaar Act, 2016

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.

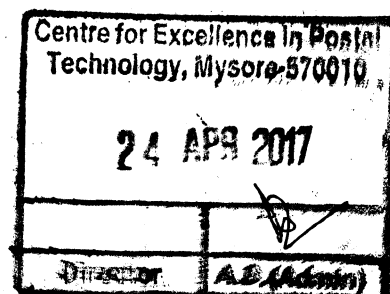
Further, publishing of financial information including bank account details, being sensitive personal data, is also in contravention of provisions under the Information Technology Act, 2000 and the Rules framed thereunder, more specifically Rule 3 & Rule 6 of the Information Technology (Reasonable Security 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)



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

Secretary (Posts)
Dy. No. 1231-6
Te. 07/4

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DDG/(PS)
DDG/(RB)

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.

418
07/4/17
Jennig
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

Pls. discuss the implications for us

DIR (PS)

7/4

