



सत्यमेव जयते



Unique Identification Authority of India

Aadhaar Act, 2016- Objective and Features

Provides for as a good governance, efficient, transparent and targeted delivery of subsidies, benefits and services

Vision: To empower residents of India with a unique identity and a digital platform to authenticate anytime, anywhere

Empowering Residents

- Aadhaar is a randomly generated **12 digit Unique Identification number** issued to residents for ease of living.
- Aadhaar number ensures **uniqueness** by connecting a resident's biometric attributes [photograph, 10 fingerprints and 2 iris].
- It is **voluntary** in nature.
- Enrolment and update for Aadhaar number is a **hassle free, inclusive, flexible and a simple** process.
- Aadhaar number provides **online authentication anytime, anywhere across country**.
- **Security and privacy** of information collected is **ensured**. No data sharing is permitted without **consent of the Aadhaar number holder**.



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Enabling distribution of subsidies, benefits & services in a transparent and timely manner

- The Central Govt./State Govt. may require a person to undergo authentication.
- If Aadhaar number is not assigned the individual shall be offered **alternate and viable means of identification** for delivery of the subsidies, benefits and services etc.
- **No denial** of services/benefits/subsidies for want of aadhaar number.



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Aadhaar -not evidence of citizenship / domicile

- Judgment dated 09.01.2019, “Parvati Kumari And Ors. V/s State Of U.P.” - Lucknow Bench of the Hon’ble Allahabad High Court held:
- *“Aadhaar Card is a document providing conclusive connection between the **photograph** of the Aadhaar Card holder, his **fingerprints** and **iris** scan details, with the Aadhaar Number.”*
- *“**Name, address and proof of date of birth**, given by the applicant, **is not authenticated** by UIDAI and, the Aadhaar Card is not a conclusive proof in regard to those entries.”*



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Committed to highest standard of privacy & security

- A requesting entity shall perform authentication only if :
 - It fulfills standards of privacy and security as per the regulations.
 - it is under law framed by parliament [**Section 4(4)(b)(i)**] OR
 - it is for such purpose, as the Central Government in consultation with Authority, may prescribe, in the interest of State. [**Section 4(4)(b)(ii)**]

- In terms of Section 4(4)(b)(ii), the Central Government has notified The Aadhaar Authentication for Good Governance (**Social Welfare, Innovation, Knowledge**) Rules, 2020 and Rule 3 provides for **following purposes** for which **voluntary Aadhaar number authentication** can be permitted:
 - (a) Usage of digital platforms to ensure good governance;
 - (b) Prevention of dissipation of social welfare benefits; and
 - (c) Enablement of innovation and the spread of knowledge.



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▪ The Aadhaar Number holder shall be informed of the **alternate means** of identification and shall **not be denied** of any service for refusal to, or being unable to, undergo authentication. **[Section 4(6)]**

▪ **Mandatory authentication** of an Aadhaar Number holder for provision of any service shall take place if required by a **law made by Parliament**. **[Section 4(7)]**



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Obligations of UIDAI under the Aadhaar Act, 2016

Security and confidentiality of records-Section 28

- Ensuring security of identity information and authentication records stored in the Central Identities Data Repository (CIDR).
- Statutory obligation on UIDAI/ its employees/ any agency that maintains the CIDR- shall not reveal any information stored in CIDR or authentication record to anyone.

Restriction on sharing information-Section 29

- Core biometric information collected or created under the Aadhaar Act shall not be shared with anyone or used for any purpose other than generation of Aadhaar numbers and authentication under the Act.
- Identity information may be shared as per the provisions of the Act or Regulations.



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Disclosure of Information:

Section 33 of the Aadhaar Act, 2016

▪ Pursuant to Order of Judge of High Court:

Disclosure of identity information or authentication records **other than core biometrics** (iris, fingerprints) can only be made, pursuant to an order of a Judge not inferior to that of a High Court, after providing an **opportunity of hearing** to the Authority and the concerned Aadhaar number holder.

▪ In the interest of national security:

Identity information or authentication records can be shared pursuant to a direction of an officer not below the rank of a Secretary to the Government of India, specially authorized in this behalf by an order of the Central Government.



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