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Important Circular

AN/1A/1004/Misc/Aadhaar

Date: - 03/02/2016

To,

The Officer I/c
All Sub Offices
All Section in Main Office
All SAOs/AOs in Main office (By Name)

Sub: - Implementing the provisions of the Aadhaar Act 2016.

As we know Aadhaar has been mandated as a primary identification document under Section 57 of Aadhaar Act.

Section-7 of the Aadhaar Act enables use of Aadhaar as condition precedent for services and benefits flowing from Consolidated fund of India, provided no services/benefit is denied for want of Aadhaar.

It is, therefore, directed to immediately undertake exercises for implementing the provision of the Aadhaar Act 2016 and all payments shall be regulated as per the provisions of the Act.

A copy of the guidelines for notifying use of Aadhaar and relevant circulars are enclosed for perusal and compliance please.

The confirmation in this regard may kindly be acknowledge.

Encls:- On PCDA(CC) website.

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(Pritam Dutta)
DCDA (AN)

Copy to-

PS to PCDA	-	For information.
PA to Addl. CDA	-	For information.
PA to DCDA	-	For information.
PA to ACsDA	-	For information.
Officer I/c OA Cell (Local)	-	Uploading to website of PCDA (CC).


(Pritam Dutta)
DCDA (AN)

GUIDELINES FOR NOTIFYING USE OF AADHAAR

1. The Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016 has come into force w.e.f 12th September, 2016 and a notification to this effect has been published in the official gazette.
2. Aadhaar has now been given to more than 107 crore people and is the most widely held identity document in the country. It is also the only identity which is authenticable online from practically anywhere, anytime. In view of the above, Aadhaar can now be used not only as one of the official valid documents for KYC and other identification purposes, but also as a condition precedent and primary identification for the delivery of various services, benefits or subsidies.
3. The use of Aadhaar as a primary identifier will simplify the Government's delivery process bringing in good governance, transparency and efficiency and would enable residents and citizens to get services directly in a convenient and hassle free manner. In addition, use of Aadhaar as primary identifier will also help departments to clean up their databases by removing duplicates and fakes, thereby saving revenue and facilitate Direct Benefit Transfers to the beneficiaries without any intermediaries. When the Ministries use Aadhaar for their services, they can use their own identifiers for their beneficiaries but at the back-end those identifiers should be linked to beneficiaries' Aadhaar numbers. In view of this, necessary action needs to be taken by the departments in respect of the following two categories:
 - (i) The Central Ministries/State Governments which intend to use Aadhaar for delivery of services, benefits and subsidies to individuals as well as groups where money is being spent from the Consolidated Fund of India, Aadhaar can be used as a condition precedent and primary identifier by issuing a notification to this effect under Section 7 of the Aadhaar Act and Regulation 12 of the Aadhaar (Enrolment and Update) Regulations 2016. The Section 7 of the Aadhaar Act provides that:

"The Central Government or, as the case may be, the State Government may, for the purpose of establishing identity of an individual as a condition for receipt of a subsidy, benefit or service for which the expenditure is incurred from, or the receipt therefrom forms part of the Consolidated Fund of India, require that such individual undergo authentication, or furnish proof of possession of Aadhaar number or in

the case of an individual to whom no Aadhaar number has been assigned, such individual makes an application for enrolment:

Provided that if an Aadhaar number is not assigned to an individual, the individual shall be offered alternate and viable means of identification for delivery of the subsidy, benefit or service."

The Regulation 12 of the Aadhaar (Enrolment and Update) Regulations 2016 provides as under:

" Any Central or State department or agency which requires an individual to undergo authentication or furnish proof of possession of Aadhaar number as a condition for receipt of any subsidy, benefit or service pursuant to Section 7 of the Act, shall ensure enrollment of its beneficiaries who are yet to be enrolled, through appropriate measures, including coordination with registrars and setting up enrolment centres at convenient locations or providing enrolment facilities by becoming a registrar itself."

Therefore, a notification requiring use of Aadhaar to be issued should include following

- a) The notification should mention the service, benefits or subsidies funded from the Consolidated Fund of India, which will require, as a condition precedent, a beneficiary applicant to undergo Aadhaar Authentication or furnish proof of possession of Aadhaar Number.
- b) The notification should mention that in case the applicant does not have Aadhaar Number, he will be required to make an application for Aadhaar enrolment, if he is entitled to obtain one under Section 3 of the Act and the arrangement made by the concerned Central Ministries/State Governments as the case may be to provide Aadhaar Enrolment facilities to him. Regulation 12 of the said Regulations casts responsibility on the Ministries/State Governments or Agencies under their control to facilitate/provide Aadhaar Enrolment facilities nearby, they are required to become UIDAI Registrars so that they can set up enrolment facilities themselves in consultation with UIDAI.
- c) The notification should also list the alternate Identity documents and verification methodologies to confirm the identity of the beneficiary applicant to whom Aadhaar Number has not been assigned for delivery of services, till such time, Aadhaar Number is assigned.

In this regard, a copy of the circular dated 15.09.2016 of UIDAI for issue of notification under Section 7 of the Aadhaar Act and Regulation 12 of the Aadhaar Regulation 2016 is attached herewith as Annexure-I. A copy of the

circular dated 30.9.2016 of Ministry of Petroleum and Natural Gas (MoPNG) under Section 7 of the Aadhaar Act requiring the Aadhaar number of the residents for getting LPG subsidies is attached herewith as Annexure-II.

(ii) For the services where money is not spent from the Consolidated Fund of India, such as issue of SIM cards, KYC for opening bank accounts, pension accounts, etc., Aadhaar may be used as primary identification document. In order to do so, the concerned Ministry/Department or the agencies in their jurisdiction should amend their own rules, issue circulars, orders or guidelines under their laws thereby prescribing use of Aadhaar. Such use of Aadhaar will be permissible under Section 57 of the Aadhaar Act and would have to conform to data protection and privacy provisions provided in the Act (Section 8 and Chapter VI). The Section 57 of the Aadhaar Act that provides as under:

"Nothing contained in this Act shall prevent the use of Aadhaar number for establishing the identity of an individual for any purpose, whether by the State or any body corporate or person, pursuant to any law, for the time being in force, or any contract to this effect:

Provided that the use of Aadhaar number under this section shall be subject to the procedure and obligations under section 8 and Chapter VI."

4. The Ministries/Departments may immediately undertake an exercise to identify schemes and services falling in the above two categories (under S.7 & S.57 of the Aadhaar Act) including schemes identified by DBT Mission and issue necessary notifications for use of Aadhaar as condition precedent as well as primary identifier in DBT identified schemes and other schemes /services in consultation with CEO, UIDAI to ensure that notifications comply with the requirements of the Aadhaar Act.

5. It, however, may be noted that subsidy and other benefits should not be denied only on the reason that the person does not possess Aadhaar and as envisaged in Section 7 of the Aadhaar Act, temporary enrollment details of Aadhaar or Photo Identify Card, Bank passbook etc., of the person can be considered till Aadhaar number is obtained which may be facilitated by the Ministries/Departments as envisaged in circular dated 15th September 2016 of UIDAI.

डा० अजय भूषण पांडे, मा.प्र.से.
मुख्य कार्यकारी अधिकारी
Dr. Ajay Bhushan Pandey, IAS
Chief Executive Officer



सत्यमेव जयते

भारत सरकार
Government of India
भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India (UIDAI)
तीसरी मंजिल, टॉवर II, जीवन भारती नग्न,
कनॉट सर्कस, नई दिल्ली-110001
3rd Floor, Tower II, Jeevan Bharati Building,
Connaught Circus, New Delhi-110001
No 23011/Gen/2014/Legal-UIDAI

Circular

15th September, 2016

Subject: -Notification for use of Aadhaar under Section 7 of Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 ("Aadhaar Act") for targeted delivery of financial and other subsidies, benefits and services funded from Consolidated Fund of India.

The use of Aadhaar as identifier for delivery of services/benefits/subsidies simplifies the Government delivery processes, brings in good governance, transparency and efficiency, and enables beneficiaries to get their entitlements directly to them in a convenient and hassle free manner. Aadhaar obviates the need for producing multiple documents to prove identity, etc.

2. The provisions of the Aadhaar Act have come into effect from 12th September 2016 and a notification to this effect has been published in the Official Gazette. To give effect to the provisions of the Act, UIDAI has approved Regulations under the Aadhaar Act which too have been notified in the official Gazette. The copy of the Act, rules and regulations made there under are available at UIDAI web site www.uidai.gov.in.

3. Section 7 of the Act provides:

"The Central Government or, as the case may be, the State Government may, for the purpose of establishing identity of an individual as a condition for receipt of a subsidy, benefit or service for which the expenditure is incurred from, or the receipt there from forms part of, the Consolidated Fund of India, require that such individual undergo authentication, or furnish proof of possession of Aadhaar number or in the case of an individual to whom no Aadhaar number has been assigned, such individual makes an application for enrolment:

Provided that if an Aadhaar number is not assigned to an individual, the individual shall be offered alternate and viable means of identification for delivery of the subsidy, benefit or service".

4. Further, regulation 12 of the Aadhaar (Enrolment and Update) Regulations, 2016 provides:

"Any Central or State department or agency which requires an individual to undergo authentication or furnish proof of possession of Aadhaar number as a condition for receipt of any subsidy, benefit or service pursuant to Section 7 of the Act, shall ensure enrolment of its beneficiaries who are yet to be enrolled, through appropriate measures, including co-ordination with Registrars and setting up enrolment centres at convenient locations or providing enrolment facilities by becoming a Registrar itself".



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मेरा आचार, मेरी पहचान

5. Therefore, Central Ministries / State Governments which plan to use Aadhaar for delivery of services, benefits and subsidies funded from the Consolidated Fund of India are required to issue a notification under Section 7 of the Act. Section 7 of the Act read with Regulation 12 of the Aadhaar (Enrolment and Update) Regulations, 2016 require that the notification must include all of the following three points:

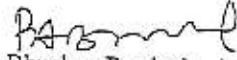
5.1. The notification shall mention the service, benefits or subsidies funded from the Consolidated Fund of India, which will require, as a condition precedent, a beneficiary applicant to undergo Aadhaar Authentication or furnish proof of possession of Aadhaar number.

5.2. The notification shall mention that in case the applicant does not have Aadhaar number, he will be required to make an application for Aadhaar enrolment, if he is entitled to obtain one under the Section 3 of the Act and the arrangement made by the concerned Central Ministries/State Governments as the case may be to provide Aadhaar enrolment facilities to him. Regulation 12 of the said Regulations casts responsibility on the Ministries /State Governments or agencies under their control to facilitate/ provide Aadhaar enrolment facilities at convenient locations. In case, there are no existing enrolment facilities nearby, they are required to become UIDAI registrars so that they can setup enrolment facilities themselves.

UIDAI has already empowered several Central Ministries / State Departments or agencies under their jurisdictions to become its registrar and undertake enrolment of their beneficiaries who are not enrolled for Aadhaar. UIDAI will continue to provide all technical as well as financial assistance for Aadhaar generation @Rs. 40 per Aadhaar and @Rs 27 per Aadhaar generated for children of age less than 5 years through Tablets Computers. In case any Ministry, State Government Department or agencies under its control wants to become Registrar, it may do so immediately by applying under Regulation 21 of the said Regulations and contact Regional Offices of UIDAI for this purpose.

5.3. The notification shall list the alternate identity documents and verification methodologies to confirm the identity of the beneficiary applicant to whom Aadhaar number has not been assigned for delivery of benefits, subsidies or services, till such time Aadhaar number is assigned.

6. This circular has been placed on UIDAI website www.uidai.gov.in


(Ajay Bhushan Pandey) 15/9/2014
Chief Executive Officer

To
All Ministries/Departments
All State Governments

P-20019/53/2014-LPG
Government of India
Ministry of Petroleum & Natural Gas

Shastri Bhawan, New Delhi
Dated: 3rd September, 2016

C I R C U L A R

Notification under Section-7 of Aadhaar Act, 2016

Subject: - Notification for requirement of Aadhaar under Section 7 of Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 ("Aadhaar Act") for LPG subsidy.

1. The use of Aadhaar as identifier for delivery of services/benefits/subsidies simplifies the Government delivery processes, brings in transparency and efficiency, and enables beneficiaries to get their entitlements directly to them in a convenient and hassle free manner. Aadhaar obviates the need for producing multiple documents to prove one's identity. The provisions of the Aadhaar Act and Regulations under the Act have come into effect from 14th September 2016 and notifications to this effect have been published in the Official Gazette. UIDAI has issued a circular no. 23011/Gen/2014/Legal-UIDAI dated September 15, 2016 giving guidelines for issue of notification under Section 7 for use of Aadhaar (attached).

The LPG subsidy is an expenditure incurred from consolidated fund of India. Accordingly, Ministry of Petroleum, Government of India in exercise of its powers under Section 7 of the Aadhaar Act, hereby notifies the following :

- 1.1 Individual desirous of availing LPG subsidies are hereby required to furnish proof of possession of Aadhaar or undergo Aadhaar authentication.
- 1.2 An individual desirous of availing LPG Subsidies who is not yet enrolled for Aadhaar is hereby required to make application for Aadhaar enrolment by 30th Nov 2016 in case he is entitled to obtain Aadhaar as per section 3 of Aadhaar Act. Such individuals may visit any Aadhaar enrolment center (list available at www.uidai.gov.in) to get enrolled for Aadhaar. As per the Regulation 12 of the Aadhaar (Enrolment and Update) Regulations, 2016, OMCs are required to offer enrolment facilities for the beneficiaries who are not yet enrolled for Aadhaar. Therefore, in case there are no Aadhaar enrolment centers located within Block/Tehsil/Taluka, Oil Marketing Companies - may provide enrolment facilities at convenient locations in coordination with the existing Registrars of UIDAI or may provide Aadhaar enrolment facilities by becoming UIDAI Registrar.

- 1.3 Till the time Aadhaar is assigned to the individual, LPG subsidy shall be given to the individual based on the following alternate and viable means of identification:
- Bank photo passbook, and
 - Aadhaar enrolment ID slip if he has enrolled, otherwise his voter ID card or Ration card or Kisan Photo Passbook or passport or driver license along with copy of his request made for Aadhaar enrolment, as specified in para 2.2 below and
 - Undertaking in the attached format that he is not availing LPG subsidy under some other consumer number of any Oil Marketing Company

The above documents shall be checked by an officer specifically designated by the OMCs.

2. In order to provide convenient and hassle free LPG subsidy to beneficiaries, Oil Marketing Companies through their field networks shall make all the required arrangements including following:
- 2.1 Wide publicity through media and individual notices through LPG dealers shall be given to applicants/ beneficiaries to make them aware of the requirement of Aadhaar to receive the LPG subsidy. In case they are not enrolled, they may be advised to get themselves enrolled at the nearest enrolment centers available in their Block/Tehsil/Taluka by 30th Nov 2016. The list of locally available enrolment centres should be made available to them.
 - 2.2 In case, beneficiaries are not able to enroll due to non-availability of enrolment centres in the Block/Tehsil/Taluka, the OMCs are required to create enrolment facilities at convenient locations. The applicants/ beneficiaries can be requested to register their request for enrolment by giving their names with other details such as consumer number, address, mobile number on their web portal. Such requests can also be registered with the LPG dealers/distributors.
3. This notification shall take effect immediately in all States except Assam, Meghalaya and Jammu & Kashmir.

Encl: As above

K.M. Mahesh 20/11/2016

(K.M. Mahesh)

Deputy Secretary to the Government of India

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To

The Director (Marketing), IOC/BPCL/HPCL, Mumbai