

A-32014/1/2016/Misc/MF.CGA(A)/Gr B/Part-A/ 7

O/o Controller General of Accounts

Mahalekha Niyantarak Bhawan,

Block E, GPO Complex, INA, Delhi

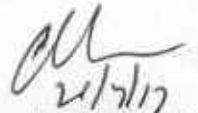
Group B Section

Date: 21<sup>st</sup> April, 2017

**CIRCULAR**

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

Please find enclosed herewith a copy of Office Memorandum. No. A-12034/1/2017-Ad.I dated 31/03/2017 received from Ad.I Section, Ministry of Finance, Department of Expenditure on the subject cited above for information and compliance.



(Chander Prakash)

Sr. Accounts Officer

To

1. All Pr. CCAs/CCAs/CAs.
2. Sr. AO(ITD) for uploading on CGA Official website.

No. A-12034/1/2017-Ad.I  
Government of India (Bharat Sarkar)  
Ministry of Finance (Vitta Mantralaya)  
Department of Expenditure (Vyaya Vibhag)  
(Ad.I Section)  
\*\*\*\*\*

North Block  
New Delhi, the 31st March, 2017.

**OFFICE MEMORANDUM**

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

The undersigned is directed to forward herewith a copy of Ministry of Electronics & Information Technology O.M No.10(36)/2015-EG-II(Vol-V) dated 25.03.2017 on the subject mentioned above for information and compliance.

Encl: As Above

(S. K. Biswas)  
Under Secretary to the Government of India  
Ph: 2309 5695

To

1. All Divisions/Sections in the D/o Expenditure.
2. O/o Chief adviser(Cost)[Sh. Pankaj Gupta, Director(Cost)].
3. DS(EG) in respect of C&AG.
4. O/o CGA [Joint CGA(CDN)].

CDN/2471  
01-04-2017

22  
01/04

10000 (AK)

3/04

Signature valid

Sh. Swijay

Digitally signed by SUSHIL  
KUMAR BISWAS  
Date: 2017.03.31 15:56 IST  
Reason: I am the author of this document.

CDN

75113

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

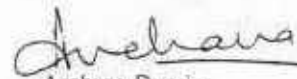
**Subject: Data Sharing - Compliance of the IT Act, 2000 and Aadhaar Act, 2016**

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

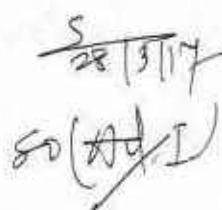
To:

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)

Please circulate to  
all Div<sup>n</sup> / Section / o/o CCA, o/o CAC, o/o CAG.

  
28/3/17

US (Aadhaar)

  
28/3/17

  
28/3/17

MS Ahluw