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सचिव
इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय
भारत सरकार
Secretary
Ministry of Electronics &
Information Technology (MeitY)
Government of India

D.O. No. NIC/DDG(SBS)/ITACT/2017
Dated: 24th April 2017

Sub: Sensitization on compliance of IT Act, 2000 and Aadhaar Act, 2016 while Data Sharing in the departmental Websites

Dear Chief Secretary,

Kindly refer to the Office Memorandum (OM) No. 10(36)/2015-EG-II (Vol-V) Dated: 25.03.2017 on Data Sharing - Compliance of IT Act, 2000 and Aadhaar Act, 2016. The OM is self-explanatory and aims for maintenance of secrecy with respect to personal identity or information of residents.

2. It has come to notice that there have been instances wherein personal identity or information of residents, along with Aadhaar numbers and demographic information, and other sensitive personal data such as bank details etc. collected by Ministries/ departments, state departments for the administration of welfare schemes etc. have been published online.

3. Publishing identity information i.e. Aadhaar number along with demographic information is in clear contravention of the provisions of the Aadhaar Act, 2016 and constitutes an offence punishable with imprisonment upto 3 years. Further, publishing of financial information including bank details, being sensitive personal data, is also in contravention of provision under IT Act, 2000 with violations liable to pay damages by way of compensation to persons affected.

4. In view of the above, the Web Information Managers (WIMs) of all Ministries/ Departments and State Government departments may kindly sensitize the Ministries/ Departments and State Government departments respectively and also take all precautions while publishing/ sharing data on their websites, ensuring compliance of the IT Act, 2000 and Aadhaar Act, 2016 with immediate effect. Further, they are also requested to review their website contents/ quality as per the standard guidelines of GIGW, IT Act 2000 and Aadhaar Act 2016. It is also advised that any such contents already published or still appearing publicly, may be discontinued with immediate effect.

With regards,

Yours sincerely,

(Aruna Sundararajan)

To

Chief Secretaries of all States/ UTs