

Aadhar Act, 2016

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In News

The Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act intends to provide for **targeted delivery of subsidies and services to individuals residing in India** by assigning them unique identity numbers, called Aadhaar numbers.

Key Provisions of Aadhar Act

- **Eligibility: Every resident** shall be entitled to obtain an Aadhaar number. A resident is a person who has resided in India for 182 days, in the one year preceding the date of application for enrolment for Aadhaar.
- **Information to be submitted:** To obtain an Aadhaar number, an individual has to submit:
 - . **biometric** (photograph, finger print, iris scan)
 - . **demographic** (name, date of birth, address) information.
- **Use of Aadhar:**
 - . To **verify the identity of a person receiving a subsidy or a service**, the government may require them to have an Aadhaar number. If a person does not have an Aadhaar number, the government will require them to apply for it, and in the meanwhile, provide an alternative means of identification.
 - . Any public or private entity can accept the Aadhaar number as a **proof of identity** of the Aadhaar number holder.
 - . Aadhaar number **cannot be a proof of citizenship** or domicile.
- The **key functions of the Unique Identification Authority (UID)** include

. specifying demographic and biometric information to be collected during enrolment

. **assigning** Aadhaar numbers to individuals

. **authenticating** Aadhaar numbers

. **specifying the usage** of Aadhaar numbers for delivery of subsidies and services.

- **Authentication:** The UID authority will authenticate the Aadhaar number of an individual, if an entity makes such a request. The requesting entity has to obtain the **consent of an individual** before collecting his information.

- **Response to authentication query:** The UID authority shall respond to an authentication query with a positive, negative or other appropriate response. However, it is **not permitted to share an individual's fingerprint, iris scan and other biological attributes.**

- Cases when information may be revealed: In two cases, information may be revealed:

. In the **interest of national security**, a Joint Secretary in the central government may issue a direction for revealing, (i) Aadhaar number (ii) biometric information (iii) demographic information (iv) photograph. Such a decision will be reviewed by an Oversight Committee (comprising Cabinet Secretary, Secretaries of Legal Affairs and Electronics and Information Technology) and will be valid for six months.

. **On the order of a court**, (i) an individual's Aadhaar number (ii) photograph (iii) demographic information may be revealed.

- **Offences and penalties:**

. A person may be punished with imprisonment upto three years and minimum fine of Rs 10 lakh for **unauthorised access to the centralized data-base, including revealing any information**

stored in it.

. If a **requesting entity and an enrolling agency fail to comply with rules**, they shall be punished with imprisonment upto one year or a fine upto Rs 10,000 or Rs one lakh (in case of a company), or with both.