



**File No. N-11027/27/2015-HFA-I/FTS-13187**

Government of India  
Ministry of Housing & Urban Poverty Alleviation  
HFA Mission Directorate [HFA-I Division]

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Nirman Bhawan, New Delhi  
Dated the 29<sup>th</sup> March, 2017

To

All Pr. Secretaries / Secretaries of concerned States/UTs  
[As per list attached]

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

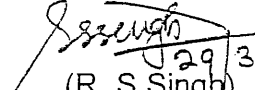
Sir/Madam,

I am directed to forward herewith a copy of O.M. No. 11(36)/2015-EG-II (Vol-V) dated 25.03.2017 regarding data sharing under IT Act, 2000 and Aadhaar Act, 2016 for information and strict compliance under Pradhan Mantri Awas Yojana (Urban) Mission.

2. This is issues with the approval of competent authority.

Encl: a/a.

Yours faithfully,

  
(R. S Singh)

Director (HFA-1)

Tele: 011-2306 2279

**Copy for similar action:**

- (i) The CMD, Housing and Urban Development Corporation, HUDCO Bhawan, Core-7-A, India Habitat Centre, New Delhi.
- (ii) Chairman & Managing Director, Hindustan Prefab Limited (HPL), Jangpura, Near Rajdoot Hotel, New Delhi, Delhi 110014.
- (iii) Managing Director & Chief Executive Officer, National Housing Bank, Core 5-A, India Habitat Centre, Lodhi Road, New Delhi-110003.
- (iv) The Executive Director, Building Material and Technology Promotion Council (BMTPC), India Habitat Centre, Coe5-A, New Delhi.
- (v) Ms. Soumi Banerjee, AVP & Head (Program Management), CSC e-Governance Services India Limited, Electronics Niketan, New Delhi – 03.
- (vi) Sr. Technical Director / Technical Director, NIC, MoHUPA.
- (vii) Director, NRSC, Near Rajiv Gandhi Statue, Main Rd, Ashok Nagar, Balanagar, Hyderabad, Telangana 500625, India

**Copy to:**

Director (HFA-5), DS (HFA-2/3), DS (HFA-4), ~~DC (MIS)~~, MIS Expert for reference, record and compliance.

No. 10(36)/2015-EG-II (Vol-V)  
Government of India  
Ministry of Electronics & Information Technology  
e-Governance Group  
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Electronics Niketan,  
6, CGO Complex,  
Lodhi Road  
New Delhi - 110003  
Dated: 25.03.2017

Office Memorandum

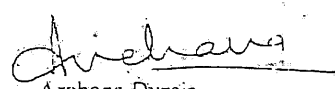
Subject: Data Sharing - Compliance of the IT Act, 2000 and Aadhaar Act, 2016

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'  
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- 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)