

No. PER (AR)E(5)-3-2011-Misc
Government of Himachal Pradesh
Administrative Reforms Organization

From

The Secretary (AR) to the
Government of Himachal Pradesh.

To

1. All Administrative Secretaries to the
Govt of Himachal Pradesh.

2. All Head of Departments
Himachal Pradesh

3. All Deputy Commissioners
Himachal Pradesh

Dated Shimla-171002, the

30th March, 2017

Subject:- Data sharing-compliance of the IT Act, 2000 and Aadhaar Act, 2016

Sir/Madam,

I am directed to enclose herewith a email dated March 27. 2017 received from Sh Ajay Singh Chahal, SIO NIC HP on the subject cited above and to request you to take further necessary action in this regard.

57
5/4/17

Yours faithfully,

Good

Addl. Secretary (AR) to the
Govt. of Himachal Pradesh
Telephone No.-0177-2622187

Endst. No. Ft. IT/Vol - XIII/ _____ Dated Shimla-1, the 126 APR 2017 /

Copy alongwith its enclosures is forwarded to:-

1. All PCCFs/APCCFs/CCFs in HP.
2. All CCFs/CFs (T) & (WL) in HP

for information and further necessary action.

Go
Principal Chief Conservator of Forests (HoFF),
Himachal Pradesh, Shimla.

Dy. No.:- 53927079
29/03/17

383

Subject

FW: [Sio-list] Fwd: Data Sharing-Compliance of the IT ACT , 2000 and Aadhaar Act, 2016

From

Ajay Singh Chahal <sio-hp@nic.in>

Date

Monday, March 27, 2017 6:31 pm

Circulate pl.

To
Sanjay

28/3/17

AS (AR)
Cc

Manoj
28/3/17

arsecy-hp@nic.in , bobbynirru@gmail.com , drrajeevmehta@yahoo.com ,
dhanwantridinesh@gmail.com , adracs-adm-hp@nic.in , chanderm21@gmail.com , election-
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misofficer.dest@gmail.com , jetc.it@mailhptax.gov.in , opsharma416@gmail.com ,
sharmajc64@gmail.com , raajesh.upadhyay@gmail.com , cpjishtu@gmail.com ,
anu.nagar@yahoo.co.in , srthakurgad@gmail.com , pmis.health@gmail.com , himurja-hp@nic.in ,
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hp@nic.in , tcp-hp@nic.in , sta-hp@nic.in , ddtre-shi-hp@nic.in , rameshchandjassl@gmail.com ,
ud-hp@nic.in , wcd-hp@nic.in , palmungeri@rediffmail.com
sanjaysharma@nic.in , group3-hp@nic.in , dio-hp@lsmgr.nic.in

SOMAD
Dear Sir/Madam,

Kindly see the enclosed OM for compliance please on your respective websites.

Thanks & Regards,

28/3/17

Ajay Singh Chahal
SIO NIC HP

lit

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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

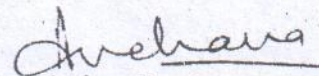
Subject: Data Sharing - Compliance of the IT Act, 2000 and Aadhaar Act, 2016

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)