

DRAFT MEMORANDUM OF UNDERSTANDING
WITH
STATE GOVERNMENTS/UNION TERRITORIES

Memorandum of Understanding between the Unique Identification Authority of India and the Government of _____ for the implementation of the UID project.

This Memorandum of Understanding (MoU) has been executed on the _____ day of _____ between the Unique Identification Authority of India (hereinafter referred to as "UIDAI") and the Government of _____ (hereinafter referred to as "The State Government /Union Territory")

Preamble

Whereas Government of India has set up Unique Identification Authority of India (UIDAI) with the mandate to issue Aadhaar Numbers (hereinafter "AADHAAR") to all residents of India (UID project).

Whereas, The State Government /Union Territory would like to enhance efficiency in delivery of government benefits and services through accurate identification of beneficiaries and to have uniform standards and processes for verification and identification of beneficiaries.

Whereas, in order to implement the UID project in the State of _____, the Government of _____ is entering into this MoU with the UIDAI

Whereas the Government of _____ has set up _____ to oversee the implementation of the UID project in the state. **(INSERT details on the committee or empowered group set up by the State Government/Union Territory)**_____.

Whereas this MoU shall come into effect from _____.

Definitions

Unless the Context requires otherwise;

Registrars are Departments or Agencies of the Central Government/ State Government/Union territory, public sector undertaking and other agencies and organisations, who, in normal course of implementation of some of their programs or activities or operations interact with Residents. Examples of such Registrars are Rural Development Department (for NREGS) or Civil Supplies and Consumer Affairs Department (for TPDS). Insurance companies such as Life Insurance Corporation and Banks.

Enrolling Agencies are entities hired by the Central Government/ State Government/Union territory or Registrars to perform enrolment functions on behalf of the Registrar(s).

UID Project and the scope of the MoU

1. The UIDAI has the mandate from the Government of India to AADHAAR numbers to residents of India based on demographic and biometric data of the individual. UIDAI will partner with Government and other agencies leveraging their existing infrastructure in order to implement the UID project. These Agencies will be called the Registrars of UIDAI.

2. UIDAI will set standards and processes for enrolment to be uniformly followed by all Registrars and Enrolling Agencies. The UIDAI will issue AADHAAR numbers after checking that the resident applying for a AADHAAR number does not already have a record and an AADHAAR number in the UID database. In addition the UIDAI will provide online, real-time Authentication service. A detailed document on the UID project is attached as Annexure to this MoU.
3. The UID project will be implemented in a phased manner; the UIDAI will be conducting proof of concept studies and pilots to test the working of the technology and process of enrolment and would require the co-operation of the State Government/Union territory and Registrars in this regard.
4. This MoU between the UIDAI and the Government of _____ sets out below, the general and broad-based intentions of both Parties for collaboration and as an umbrella understanding for facilitation of subsequent agreements and documents relevant for the implementation of the UID project in the State of _____.
5. The UIDAI shall prescribe standards, procedures and processes which will be adhered to by the Registrars identified / appointed by the State Government/Union territory.
6. In the interest of clarity and to reduce ambiguity, the UIDAI shall execute additional agreements and documents to capture details about implementation of UID Project with Registrars identified/appointed by the State Government/Union territory.
7. UIDAI shall :
 - a. Develop and prescribe standards for recording data fields, data verification and biometric fields.
 - b. Prescribe a process for enrolment of residents; this will include among other things the process for collection of biometric data.
 - c. Prescribe the standards and criteria to be fulfilled by an agency to be appointed as a Registrar.
 - d. Provide/prescribe the software that will be used for the enrolment of people into the UID database in order to issue the UID.
 - e. De-duplicate the database of the residents on the basis of the Demographic and Biometric data and issue AADHAAR numbers to only those whose uniqueness of identity has been established and after ensuring that the person has not enrolled in the UID database before.
 - f. Issue a letter communicating the AADHAAR number directly to the person who has been allotted an AADHAAR number after de-duplication. UIDAI will also communicate the AADHAAR number electronically with the Registrar in UIDAI prescribed format.
 - g. Authenticate the identity of a person with a AADHAAR number as per the protocols prescribed by the UIDAI.

- h. Prescribe protocols for record keeping and maintenance of the information collected for the issuance of an AADHAAR number.
 - i. Prescribe protocols for transmission of the data collected for de-duplication.
 - j. Prescribe protocols to ensure the confidentiality, privacy and security of data.
 - k. Prescribe limits for fees that could be charged for issuing an AADHAAR number.
 - l. Prescribe protocols for spreading and communicating the message, content and intent of the UID project. Since the UID logo and brand name are properties of the UIDAI, the UIDAI will prescribe the manner and limits of the use of UIDAI logo, brand name, brand design and other communication and awareness materials.
 - m. Prescribe other protocols, processes and standards and that the UIDAI may deem necessary for the implementation of the UID project.
 - n. Conduct periodic audit of the enrolment process and to this end shall have the power to visit and inspect offices of the Registrar and Enrolling Agencies. Such audits are necessary to ensure the integrity of the enrolment process and to ensure uniformity across the country.
 - o. Prescribe mechanisms for resolution of grievances that the residents may have during enrolment and authentication.
8. The State Government/Union territory shall :
- a. Co-operate and collaborate with the UIDAI in conducting proof of concept (PoC) studies and pilots to test the working of the technology and process of enrolment into the UID database.
 - b. Identify Registrars for the implementation of the UID project (including PoC and pilots). Ensure that the Registrar shall do all that is necessary and required in order to effectively complete the PoC's and pilots.
 - c. Follow the criteria and process for appointment of Registrars and enrolling agencies prescribed by the UIDAI.
 - d. Put in place an institutional mechanism in place to effectively oversee and monitor the implementation of the UID project in general and monitor specifically Registrars and enrolling agents appointed by the Registrar.
 - e. Provide required financial and other resources to the Registrars to carry out the enrolment processes as per the phasing decided by the State Government/Union territory.
 - f. Cooperate and collaborate with and provide all assistance and support to the Deputy Director Generals (DDG) concerned of the UIDAI and other staff members/consultants/advisors of the UIDAI to effectively implement the UID project in the State of _____
 - g. Provide logistic and liaison support to the staff and representatives of UIDAI when they visit the Registrar and Enrolling agencies implementing the UID project.
 - h. Work with the UIDAI to resolve difficulties faced on the ground in the implementation of the UID project.
 - i. Follow the process set out by the UIDAI for resolution of difficulties and conflict regarding matters concerning the UID project.

9. The following is an indicative list of the obligations of the Registrar. Notwithstanding anything contained in this clause, this list can be expanded or elaborated as required to ensure integrity and uniformity of enrolment into the UID database. In order to implement the UID project the Registrars shall:
- a. Either do the enrolment directly or through Enrolment Agencies who shall be identified and appointed by the Registrars (UIDAI may recommend certain criteria to be fulfilled to be an Enrolling Agency). The Enrolment Agencies will be working on behalf of the Registrars and will be accountable to the Registrars; therefore they should follow all the standards, protocols, processes laid down by the UIDAI to implement the UID project. Registrars must ensure compliance by the Enrolling Agencies of the standards, protocols, processes laid down by the UIDAI on a continuous basis.
 - b. Follow the standards for data fields, data verification and biometric fields prescribed by the UIDAI.
 - c. Follow the process for enrolment of residents; this will include among other things the process for collection of biometric data prescribed by the UIDAI.
 - d. Use the software developed by the UIDAI for the enrolment of people into the UID database for the issuance of the AADHAAR number.
 - e. Use only those devices and IT systems whose specifications have been approved by the UIDAI.
 - f. Follow the protocols prescribed by the UIDAI for record keeping and maintenance.
 - g. Follow the process and systems prescribed by the UIDAI for transmission of the data collected for de-duplication.
 - h. Follow the confidentiality, privacy and security protocols prescribed by the UIDAI.
 - i. Have the option to charge a fee for the UID service but the fees charged from residents cannot be higher than the maximum amount prescribed by the UIDAI in this regard.
 - j. Follow protocols prescribed by the UIDAI for spreading and communicating the message, content and intent of the UID project, Since the UID logo and brand name are properties of the UIDAI, the UIDAI will prescribe the manner and limits of the use of UIDAI logo, brand name, brand design and other communication and awareness materials.
 - k. Follow protocols, processes and standards prescribed by the UIDAI for the implementation of the UID project.
 - l. Allow the UIDAI to conduct periodic audit of the enrolment process and to visit and inspect the offices and records of the Registrar and Enrolment Agencies and any other place the UIDAI or its empowered agency may deem necessary for their purpose.
 - m. Submit periodic reports of enrolment to the UIDAI in the form and manner prescribed by the UIDAI
 - n. Provide logistic and liaison support to the staff and agents of UIDAI when they visit the Registrar and Enrolling agencies implementing the UID project.
 - o. Provide information related to the UID project from time to time as requested by the UIDAI.

- p. Work with the UIDAI to resolve difficulties faced on the ground in the implementation of the UID project.
- q. Follow the process set out by the UIDAI for resolution of difficulties and conflict regarding matters concerning the UID project.

Miscellaneous

- 10. In situations where the processes and standards for enrolment set by the UIDAI are not followed or are violated (wilfully or otherwise) by the Registrar and/or an Enrolling agency, the UIDAI shall make reasonable attempts to discuss and attempt to resolve difficulties with the State Government/Union territory . Pursuant to which if the recommendations of the UIDAI are not implemented and the matter settled to the satisfaction of both the parties, the UIDAI shall have the option to de-register the concerned Registrar and / or demand replacement of a concerned Enrolment agency as the case maybe.

- 11. Any provision of this MoU may be amended or waived if, and only if, such amendment or waiver is evidenced by a written instrument signed by duly authorised representatives of the Parties, or, in the case of a waiver, by the Party against whom the waiver is to be effective.

IN WITNESS WHEREOF, the undersigned have executed this MoU, in duplicate, as of the date set forth above.
