

Suggestions to the Draft Amendment to the Aadhaar (Sharing of Information) Regulations, 2016

S.No.	Regulation	Existing Provision	Proposed Amendment to the said Regulation	Suggestion
1.	Regulation 3(2) and 3(3)	<p>(2) The demographic information and photograph of an individual collected by the Authority under the Act may be shared by the Authority with a requesting entity in response to an authentication request for e-KYC data pertaining to such individual, upon the requesting entity obtaining consent from the Aadhaar number holder for the authentication process, in accordance with the provisions of the Act and the Aadhaar (Authentication) Regulations, 2016.</p> <p>(3) The Authority shall share authentication records of the Aadhaar number holder with him in accordance with regulation 28 of the Aadhaar (Authentication) Regulations, 2016.</p>	<p>“(2) The demographic information and photograph of an individual collected by the Authority under the Act may be shared by the Authority with a requesting entity in response to an authentication request for e-KYC data pertaining to such individual, upon the requesting entity obtaining consent from the Aadhaar number holder for the authentication process, in accordance with the provisions of the Act and the Aadhaar (Authentication and Offline Verification) Regulations, 2021.</p> <p>(3) The Authority shall share authentication records of the Aadhaar number holder with him in accordance with regulation 28 of the Aadhaar (Authentication and Offline Verification) Regulations, 2021.”</p>	
2.	Regulation 3: Insertion of new sub-regulation 3(5)	-	“(5) In order to maintain continued accuracy of data, the Authority may verify the details of the supporting documents, as specified in regulation 10(5) for enrolment data or for verification of update data, as specified in regulation 19A of the Aadhaar (Enrolment and Update) Regulations,	

			2016, with respective document issuing authorities, in a manner, as may be specified by the Authority from time to time.”	
3.	Regulation 4	<p>(1) Core biometric information collected or captured by a requesting entity from the Aadhaar number holder at the time of authentication shall not be stored except for buffered authentication as specified in the Aadhaar (Authentication) Regulations, 2016, and shall not be shared with anyone for any reason whatsoever.</p> <p>(2) The identity information available with a requesting entity: (a) shall not be used by the requesting entity for any purpose other than that specified to the Aadhaar number holder at the time of submitting identity information for authentication; and (b) shall not be disclosed further without the prior consent of the Aadhaar number holder.</p> <p>(3) A requesting entity may share the authentication logs of an Aadhaar number holder with the concerned Aadhaar number holder upon his request or for</p>	<p>“(1) Core biometric information collected or captured by a requesting entity from the Aadhaar number holder at the time of authentication shall not be stored except for buffered authentication as specified in the Aadhaar (Authentication and Offline Verification) Regulations, 2021, and shall not be shared with anyone for any reason whatsoever.</p> <p>(2) The identity information available with a requesting entity or offline verification seeking entity: (a) shall not be used by the requesting entity for any purpose other than that specified to the Aadhaar number holder at the time of submitting identity information for authentication; and (b) shall not be disclosed, for any purpose other than purposes informed in writing to the individual, at the time of submitting any information for authentication : Provided that, the purposes under clauses (a) and (b) shall be in clear and precise language understandable to the individual.</p> <p>(3) A requesting entity may share the</p>	

		grievance redressal and resolution of disputes or with the Authority for audit purposes, as specified in regulation 18 of the Aadhaar (Authentication) Regulations, 2016.	authentication logs of an Aadhaar number holder with the concerned Aadhaar number holder upon his request or for grievance redressal and resolution of disputes as specified in regulation 18 of the Aadhaar (Authentication and Offline Verification) Regulations, 2021 or with the Authority for audit purposes, as per regulation 21 of the Aadhaar (Authentication and Offline Verification) Regulations, 2021.	
4.	Regulation 5(3)	(3) Such individual, agency or entity shall not share the Aadhaar number with any person without the consent of the Aadhaar number holder	“(3) Such individual, agency or entity shall not disclose the Aadhaar number with any person, for any purpose other than purposes informed in writing to the Aadhaar number holder, at the time of submitting any information for offline verification. Provided that, the above said purposes shall be in clear and precise language understandable to the individual.”	
5.	Regulation 6(3)	Without prejudice to sub-regulations (1) and (2), no entity, including a requesting entity, which is in possession of the Aadhaar number of an Aadhaar number holder, shall make public any database or record containing the Aadhaar numbers of individuals, unless the Aadhaar numbers have been redacted or blacked out through appropriate means, both in print	“(3) Without prejudice to sub-regulations (1) and (2), no entity, including a requesting entity, which is in possession of the Aadhaar number of an Aadhaar number holder, shall make public any database or record containing the Aadhaar numbers of individuals, unless (i) the consent of the concerned Aadhaar number holder, for the specified purpose, has been duly taken; or (ii) the Aadhaar numbers have been redacted or	

		and electronic form.	blacked out through appropriate means, both in print and electronic form.”	
6.	Regulation 6 Insertion of new sub-regulation 6(6)	-	“(6) The Aadhaar number, photograph and demographic information of the Aadhaar number holder, may be shared amongst various ministries or departments of (i) Government of India or (ii) the state government, for the specified purpose of determining eligibility for administering Section 7 schemes, and/or for the purpose of performing authentication under Section 4(4) (b) and Section 4(7) of the Act. Provided that, the consent of the Aadhaar number holder is obtained and the specified purposes be informed to the Aadhaar number holder in clear and precise language understandable to the individual.”	