UIDAI Hqrs. Building
Bangla Sahib Road, N.D.-01
Dated: 05/05/2020

Circular

Sub:- Standard Operating Procedure (SOP) for suspension of enrolment Operators under Regulation 26 of Aadhaar (Enrolment & Update) Regulations,2016 (as amended) rear with circular No. 4(4)/57/249/2014/E&U/Vol-II dated 01/07/2019.

An Aadhaar number, in physical or electronic form is subject to authentication and other conditions, as specified by Regulation is accepted as proof of identity of the Aadhaar holder for identification purpose. The quality of data collected during enrolment holds the key for its acceptance as PoI. Thus, Aadhaar enrolment processes, protocol and standards and also front–end and back-end tools are designed to ensure that the collection of data is accurate, complete and properly verified. Instances of improper data quality, errors in demographic data, fraudulent enrolments by circumventing enrolment processes etc. require immediate action against delinquent operators, including their suspension.

2.   UIDAI receives feedback/grievances/complaints from residents regarding charging for enrolment and overcharging for updations etc. Accordingly, disincentives are imposed to serve as a deterrent and to provide an opportunity for improvement.

3. The provisions regarding liability of various entities in the enrolment ecosystem as per Regulation 26 of Aadhaar (E&U) Regulations, 2016 (as amended)are as follows:

Liability of Registrars, enrolling agencies and other service providers and action in case of default :-

"(1) The Registrars, enrolling agencies, and other service providers, and supervisors, operators or any other persons or agencies employed by them shall adhere to all regulations, processes, standards, guidelines, and orders issued by Authority from time to time, and the code of conduct provided in Schedule V.

(2) The Authority shall monitor the enrolment activities of the Registrars, enrolling agencies and the operators, supervisors and other personnel associated with enrolment.

(3) Without prejudice to any other action which may be taken under the Act, for violation of any regulation, process, standard, guideline or order, by a Registrar or Enrolment Agency or any service provider or any other person, the Authority may immediately suspend the activities of such a Registrar or Enrolment Agency or service provider or concerned person, and after holding due enquiry, it may take steps for imposition of financial disincentives on such a Registrar or Enrolment Agency or service provider or any other person and for cancellation of the credentials, codes and permissions issued to them pursuant to the Act or these

regulations, or any other steps as may be specifically provided for in the terms of engagement with the Authority."

3.   It has been observed that some Enrolment Operators have challenged suspension of their credentials under Regulation 26 without holding due enquiry or giving them any opportunity of being heard, in contravention of principles of natural justice. It is clarified that the policy to deal with such instances is already in place, latest version was released on 1st July, 2019. Broadly an operator is suspended from Aadhaar system in following instances :-

(1) Specific complaints / grievances from residents.
(2) Recommendations of Reconciliation Committees (RC) of ROs.
(3) Process violations and
(4) Indulging in corruption and confirmed via Out Bound Dialer (OBD Survey

4.   In light of the above, the following procedure for suspension of an Enrolment Operator may be followed:

(a) As per Regulation 26 of Aadhaar (Enrolment & Update) Regulations, 2016 (as amended) the ROs shall immediately suspend the credentials of erring Operator(s).

(b) The ROs shall immediately issue a Show Cause Notice to the Registrar/ Enrolment Agency (EA) giving details of their Operator(s) suspended by it and seek reply of such Operator(s) for consideration by Reconciliation Committee (RC). A copy of the Show Cause Notice shall also be served to the suspended Operator by Registrar/EA.

(c) The ROs shall intimate all the Registrars/EA under their jurisdiction the date of upcoming RC meeting alongwith the agenda which must also include suspension of operators. RO shall intimate the date of said RC meeting to the Registrars/EAs atleast 5 days prior of the meeting.

(d) The RCs shall allow the EA and the suspended Operator(s) to submit their reply to the Show Cause Notice *through Registrar* in a time bound manner to enable it to pass a detailed reasoned decision with regard to:

(i) exoneration of the Operator if RC is satisfied with the reply of the Show Cause Notice and reinstatement of the suspended Operator: or

(ii) retraining of the suspended Operator, followed by his reinstatement; or.

(iii) continuation of suspension (period to be mentioned) or financial disincentives, or both in case the RC is not satisfied with the written reply of the concerned EA and/or suspended Operator.

5.   This has approval of CEO UIDAI.

(Dy. Director)

To

(i)   All UIDAI Registrars and EAs
(ii)   Regional Offices and Tech Center of UIDAI
(iii)   ASK SPs M/s Smart Chip Pvt Ltd and M/s Karvy DMS Ltd.
(iv)   Legal Division, UIDAI Hqrs
(v)   Guard File.