

THE AADHAAR (TARGETED DELIVERY OF FINANCIAL AND OTHER SUBSIDIES,
BENEFITS AND SERVICES) ACT, 2016

ARRANGEMENT OF SECTIONS

Last updated: 27-8-2021

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THE AADHAAR (TARGETED DELIVERY OF FINANCIAL AND OTHER SUBSIDIES,
BENEFITS AND SERVICES) ACT, 2016

ACT NO. 18 OF 2016

[25th March, 2016.]

An Act to provide for, as a good governance, efficient, transparent, and targeted delivery of subsidies, benefits and services, the expenditure for which is incurred from the Consolidated Fund of India, ¹[or the Consolidated Fund of the State] to individuals residing in India through assigning of unique identity numbers to such individuals and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.

(2) It shall extend to the whole of India ^{2***} and save as otherwise provided in this Act, it shall also apply to any offence or contravention thereunder committed outside India by any person.

(3) It shall come into force on such date³ as the Central Government may, by notification in the Official Gazette, appoint; and different dates may, be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.

2. Definitions.—In this Act, unless the context otherwise requires,—

⁴[(a) “Aadhaar number” means an identification number issued to an individual under sub-section (3) of section 3, and includes any alternative virtual identity generated under sub-section (4) of that section;]

⁵[(aa) “Aadhaar ecosystem” includes enrolling agencies, Registrars, requesting entities, offline verification-seeking entities and any other entity or group of entities as may be specified by regulations;]

(b) “Aadhaar number holder” means an individual who has been issued an Aadhaar number under this Act;

⁴[(ba) “Adjudicating Officer” means an Adjudicating Officer appointed under sub-section (1) of section 33B;

(bb) “Appellate Tribunal” means the Appellate Tribunal referred to in sub-section (1) of section 33C;]

(c) “authentication” means the process by which the Aadhaar number alongwith demographic information or biometric information of an individual is submitted to the Central Identities Data Repository for its verification and such Repository verifies the correctness, or the lack thereof, on the basis of information available with it;

1. Ins. by Act 14 of 2019, s. 2 (w.e.f. 25-7-2019).

2. The words “except the State of Jammu and Kashmir” omitted by Act 34 of 2019, s. 95 and the Fifth Schedule (w.e.f. 31-10-2019).

3. 12th September, 2016 — Sections 1 to 10, 24 to 47, *vide* notification No. S.O. 2927 (E), dated 12th September, 2016 *see* Gazette of India Extraordinary, Part II, s. 3 (ii).

12th July, 2016— Sections 11 to 20, 22 and 23, 48 to 59, *vide* notification No. S.O. 2357 (E), dated 12 the July 2016, *see* Gazette of India, Extraordinary, Part II, s. 3 (ii).

25th July, 2019 — Sections 1 to 30, *vide* notification No. S.O. 2649 (E), dated 25th July, 2019 *see* Gazette of India, Extraordinary, Part II, s. 3 (ii).

4. Subs. by Act 14 of 2019, s. 3, for clause (a) (w.e.f. 25-7-2019).

5. Ins. by s. 3, *ibid*, (w.e.f. 25-7-2019).

(d) “authentication record” means the record of the time of authentication and identity of the requesting entity and the response provided by the Authority thereto;

(e) “Authority” means the Unique Identification Authority of India established under sub-section (1) of section 11;

(f) “benefit” means any advantage, gift, reward, relief, or payment, in cash or kind, provided to an individual or a group of individuals and includes such other benefits as may be notified by the Central Government;

(g) “biometric information” means photograph, finger print, Iris scan, or such other biological attributes of an individual as may be specified by regulations;

(h) “Central Identities Data Repository” means a centralised database in one or more locations containing all Aadhaar numbers issued to Aadhaar number holders along with the corresponding demographic information and biometric information of such individuals and other information related thereto;

(i) “Chairperson” means the Chairperson of the Authority appointed under section 12;

¹[(ia) “child” means a person who has not completed eighteen years of age;]

(j) “core biometric information” means finger print, Iris scan, or such other biological attribute of an individual as may be specified by regulations;

(k) “demographic information” includes information relating to the name, date of birth, address and other relevant information of an individual, as may be specified by regulations for the purpose of issuing an Aadhaar number, but shall not include race, religion, caste, tribe, ethnicity, language, records of entitlement, income or medical history;

(l) “enrolling agency” means an agency appointed by the Authority or a Registrar, as the case may be, for collecting demographic and biometric information of individuals under this Act;

(m) “enrolment” means the process, as may be specified by regulations, to collect demographic and biometric information from individuals by the enrolling agencies for the purpose of issuing Aadhaar numbers to such individuals under this Act;

(n) “identity information” in respect of an individual, includes his Aadhaar number, his biometric information and his demographic information;

(o) “Member” includes the Chairperson and Member of the Authority appointed under section 12;

(p) “notification” means a notification published in the Official Gazette and the expression “notified” with its cognate meanings and grammatical variations shall be construed accordingly;

¹ [(pa) “offline verification” means the process of verifying the identity of the Aadhaar number holder without authentication, through such offline modes as may be specified by regulations;

(pb) “offline verification-seeking entity” means any entity desirous of undertaking offline verification of an Aadhaar number holder;]

(q) “prescribed” means prescribed by rules made by the Central Government under this Act;

(r) “records of entitlement” means records of benefits, subsidies or services provided to, or availed by, any individual under any programme;

(s) “Registrar” means any entity authorised or recognised by the Authority for the purpose of enrolling individuals under this Act;

(t) “regulations” means the regulations made by the Authority under this Act;

1. Ins. by Act 14 of 2019, s. 3 (w.e.f. 25-7-2019).