

બિડાણ:— સેક્શન અધિકારીશ્રી, કૃષિ અને સહકાર વિભાગ, સચિવાલય, ગાંધીનગરના પત્ર ક્રમાંક: પરચ/
૧૩૨૦૧૫/૧૬૮૨/મ.૩, તા.૨૦/૦૧/૨૦૧૬

વિષય:— Writ Petition (C) No.494/2012- guidance on the interim orders of the
Hon'ble Supreme Court Date 11-08-2015 and 15-10-2015 related
matters.

જા.નં.નકૃયુ/૨જી/લીગલ/ ૨૬૩૯-૮૮ /૨૦૧૬

તા.૧૬/૦૨/૨૦૧૬



ઈ/યા.કુલસચિવ
નવસારી કૃષિ યુનિવર્સિટી
નવસારી

નકલ સવિનય રવાના:—

નવસારી કૃષિ યુનિવર્સિટીના તમામ યુનિટ/ સબ યુનિટ અધિકારીશ્રીઓ તરફ.

૨/— આ સાથે સેક્શન અધિકારીશ્રી, (મ.૩) કૃષિ અને સહકાર વિભાગ, સચિવાલય, ગાંધીનગરના
તા.૨૦/૦૧/૨૦૧૬ના પત્ર અન્વયે જાણ થવા સારું.

તાત્કાલિક

ક્રમાંક :- ૫૨૫/૧૩૨૦૧૫/૧૬૮૨/મ.૩

કૃષિ અને સહકાર વિભાગ

સચિવાલય, ગાંધીનગર.

ફોન નંર ૩૨૫૦૮૪૯-૦૭૯ .

E-Mail:- so-m3-agri@gujarat.gov.in

૨૦ જાન્યુઆરી, ૨૦૧૬

પ્રતિ,

- સર્વે અધિકારીશ્રીઓ, કૃષિ અને સહકાર વિભાગ, સચિવાલય, ગાંધીનગર
- વિભાગ હેઠળના સર્વે ખાતાના વડાઓ, બોર્ડ, નિગમ, કૃષિ યુનિ., કામધેનુ યુનિ.
- સર્વે શાખાઓ, કૃષિ અને સહકાર વિભાગ, સચિવાલય, ગાંધીનગર

વિષય :- Writ Petition (C) No. 494/2012 – guidance on the interim orders of the Hon'ble Supreme Court dated 11-08-2015 and 15-10-2015 related matters

શ્રીમાન,

ઉપરોક્ત વિષય પરત્વે ઉપસચિવશ્રી, સામાન્ય વહીવટ વિભાગના તા.૨૯/૧૨/૨૦૧૫ના પત્રની નકલ તેના બિડાણ સહિત જાણ તેમજ જરૂરી કાર્યવાહી સારૂ મોકલી આપવામાં આવે છે, જે વિદિત થવા વિનંતી છે.

બિડાણઉપર મુજબ :-

આપનો વિશ્વાસુ

(Signature)

સેક્શન અધિકારી

કૃષિ અને સહકાર વિભાગ

Upload on
website

(Signature)
8/2



18 FEB 2016

No: UID/102013/107/ S – UID Cell (Part – 3)
Government of Gujarat
General Administration Department
7, Sardar Bhavan, 4th floor,
Gandhinagar - 382010
Date : 29/12/2015

To,

1. Additional Chief Secretary
Social Justice Dept.,
Block No. 5/9, Sachivalya, Gandhinagar

2. Additional Chief Secretary
Education Dept.,
Block No. 5/9, Sachivalya, Gandhinagar

3. Additional Chief Secretary
Health and Family Welfare Dept.,
Block No. 7/7, Sachivalya, Gandhinagar

4. Principal Secretary
Labour and Employment Dept.,
Block No. 5/6, Sachivalya, Gandhinagar

5. Principal Secretary
Agriculture and Co-operation Department,
5th Block, 1st Floor,
Sachivalya, Gandhinagar

6. Principal Secretary
Women and Child Development Dept.,
Block No. 9/6, Sachivalya, Gandhinagar

7. Principal Secretary
Food, Civil Supplies & Consumer Affairs Dept.,
Block No. 14/5, Sachivalya, Gandhinagar

8. Commissioner of Rural Dev. & Secretary
Rural Development Dept.,
Block No. 16/3, Old Sachivalya, Gandhinagar

9. Secretary
Tribal Development Dept.,
Block No. 8/6, Sachivalya, Gandhinagar

10. Secretary
Department of Science & Technology
Block No. 7/5, Sachivalya, Gandhinagar

11. All District Collectors & All Municipal
Commissioners

Sub : Guidance on the interim orders of the Hon'ble Supreme Court dated 11-08-2015 and 15-10-2015 in W.P. 494 of 2012 and other related matters.

Ref : DEiTY's Office Memorandum No. 10(36)/2015 – EG – II (Part – IV) dated 1st December 2015

Respected Sir,

Please refer to the Department of Electronics & Information Technology (E – Governance Division)'s Office Memorandum dated 1st December 2015 on above mentioned subject.

2. With reference to Hon'ble Supreme Court's orders dated 11/08/2015 and 15/10/2015 in Writ Petition (Civil) No. 494/2012, UIDAI had sought the advice and opinion of the Attorney General (AG) on the usage of Aadhaar by Central/State Governments. The advice / clarification received from the Attorney General is enclosed herewith.

3. In view of the above, you are requested to ensure the strict adherence to the said Office Memorandum (OM) dated 1st December 2015. You are further requested to issue the instruction to

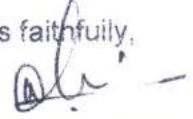
P. S. AGRI.
31/12/15

31/12
01/2016 (31/12/15)
urgent
RA
12/16

the Head of the Departments and other implementing authorities for adherence to the aforesaid OM.

Thanking you,

Yours faithfully,



(Narendra Nandani)
Under Secretary (UID)
General Administration Department

Copy To:

1. Shri Prashant Singh
Assistant Director General
UIDAI Regional Office,
7th Floor, MTNL Telephone Exchange,
G.D.Somani Marg, Cuffe Parade,
Mumbai – 400005
2. Additional Collector, GSIDS, Gandhinagar

Copy for Information:

1. DS to the Chief Secretary of Gujarat State
Sachivalya, Gandhinagar
2. PS to the Principal Secretary (Planning)
Block 7th, 4th Floor
General Administration Department,
Sachivalya, Gandhinagar

509/4

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File No. 10(36)/2015-EG-II(Part-IV)
Government of India
Department of Electronics & Information Technology
(E-Governance Division)



Electronics Niketan
6, CGO Complex
New Delhi-110003
Dated: 01 Dec 2015

OFFICE MEMORANDUM

Sub: Guidance on the interim orders of the Hon'ble Supreme Court dated 11-08-2015 and 15.10.2015 in W.P. 494 of 2012 and other related matters.

I am directed to refer to the orders of the Hon'ble Supreme Court dated 11/08/2015 and 15/10/2015 in W.P. 494 of 2012. UIDAI had sought the advice and opinion of the Attorney General (AG) on the usage of Aadhaar by Central/State Governments. The advice/ clarification received from Attorney General is as under:-

C.S.
PS
CFCS & CAD

Query

a) Whether in light of the above interim orders, a resident can use his own Aadhaar voluntarily for the purpose for the purpose of his identification and authentication and if so, whether the authorities can accept the said Aadhaar as the resident's proof of identity. For example, if a person uses his Aadhaar card as proof of identity in an airport or to authenticate his identity as part of a government application, can the airport authorities/relevant government authorities accept Aadhaar as the person's proof of identity or ask him to produce some other ID.

Response of AG

Yes, Voluntary use for purposes of identification by an Aadhaar cardholder, say at the airport, is valid and it not necessary to ask for production of some other ID.

PS

C.S.

S.P. - 5

JS (UE))

Query

b) Whether, in light of the fact that the Hon'ble Supreme Court has allowed use of Aadhaar in the Prime Minister's Jan Dhan Yojna (PMJDY) Scheme, an umbrella scheme, which prescribes for channelling all Government benefits through beneficiaries' Jan Dhan Accounts, can the Government implement Direct Benefit Transfer schemes of Government of India if they are channelled through PMJDY accounts.

Response of AG

Channelizing Govt. benefits i.e. DBT Schemes through PMJDY would be in line with the order of the Supreme Court dt. 15.10.2015.

Query

c) For implementation of the welfare programmes, various government agencies and departments have requested UIDAI for biometric information of the individuals who had given their consent for sharing their data at the time of Aadhaar enrolment or subsequently. In light of the interim orders stated above, whether biometrics of such individuals can be shared with the requesting entities.

Response of AG

No. Sharing of biometric data is prohibited.

Query

d) Various government agencies/departments have requested for access to the Aadhaar database to locate the details of the person whose Aadhaar number is not known by matching the demographic details. In light of the above-mentioned interim orders, whether enabling access to the Aadhaar database, in such cases, would be permissible.

Response of AC

No. There is a complete prohibition.

Query

e) Whether, Government departments and agencies can continue seeding Aadhaar on voluntary basis into their beneficiary database.

Response of AC

Yes, please refer to answer (a).

This issues with the approval of Secretary DeitY.


(Archana Dureja)
Scientist 'F'/Director
Tel. No. 24362528

To,
Secretaries of all GOI Ministries/Departments
Chief Secretaries of all States