

3-year jail for leaking Aadhaar data

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Apprehending leak of personal identity of individuals, including Aadhaar number and other sensitive information, the Ministry of Electronics and Information Technology has warned that leaking of data in public domain is a clear contravention of provisions of the Aadhaar Act, 2016 and is punishable with imprisonment of up to three years. The Ministry has directed other Ministries and States to discontinue any such content with immediate effect.

“There have been instances wherein personal identity or information of residents, including Aadhaar number

and demographic information and other sensitive personal data such as bank account details etc. collected by various Ministries/Departments... has been reportedly published online and is accessible through an easy online search,” Archana Dureja, a scientist in the Ministry of Electronics and Information Technology, wrote on March 25, 2017 to all Secretaries, Chief Secretaries of all States and Union Territories.

This is for the first time that the Government has officially confirmed that personal identity of individuals, including Aadhaar number demographic information and other sensitive information such as bank account details could be

leaked to the public domain.

The act of publishing identity information such as Aadhaar number along with demographic information such as name, date of birth, address is a clear contravention of the provisions of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act 2016, more specifically section 29 (2) , section 29 (3) and 29 94) and constitutes an offence under section 37, 40 7 41 punishable with imprisonment up to three years,” the letter said.

It further stated the offending parties are liable to pay damages by way of compensation to persons affected. The Ministry has directed

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Interestingly, just days ago, former Indian cricket team captain Mahendra Singh Dhoni’s wife Sakshi Dhoni wrote on social media how her husband’s Aadhaar details were made public. After that the Government blacklisted Ranchi-based Aadhaar enrolment agency for 10 years that had inadvertently leaked details of Dhoni.

But questions are being raised on selection of domestic and international players for the game-changing yet tricky unique identification programme that involves security and privacy concerns.

Ironically, the same Ministry had issued a statement on March 5, assuring that personal data of individuals held by Aadhaar is fully safe and secure.

More than 111 crore people have Aadhaar in India, covering more than 99% of the adult population. According to official data, more than 4.47 crore people have opened bank accounts using Aadhaar e-KYC. Aadhaar has helped the government transfer LPG subsidy under the PAHAL scheme, MGNREGS payments, scholarships and pensions directly into the accounts of beneficiaries eliminating diversion and leakage of funds by middlemen.