

69

ConfidentialMEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MoU) is executed on the 14th day of July, 2010 BETWEEN the Unique Identification Authority of India an office under Planning Commission of India (hereinafter referred to as "UIDAI") of the one part and the Governor of Orissa (hereinafter referred to as "the State Government") of the other part.

Whereas Government of India has set up Unique Identification Authority of India (UIDAI) with the mandate to issue Unique Identification Numbers (UID) to all residents of India which is called the (UID Project);

And whereas, the State Government would like to enhance efficiency in delivery of government benefits and services through accurate identification of beneficiaries and to have uniform standards and processes for verification and identification of beneficiaries;

And whereas, in order to implement the UID project in the State of Orissa the State Government is entering into this MoU with the UIDAI;

And whereas, the State Government has set up State Level Empowered Committee under the Chairmanship of Hon'ble Chief Minister of Orissa and the State UID implementation Committee under the Chairmanship of the Chief Secretary, Orissa to oversee the implementation of the UID project in the State;

Now this Indenture witnesses and the parties hereto hereby agree that-

- (a) Unless the context requires otherwise, **Registrars** means Departments of Agencies of the State Government, who, in normal course of implementation of some of their programs or activities, interact with the residents and are authorized by the State Government to enroll residents into the UID System. Examples of such Registrars are Rural Development Department (for NREGS) or Civil Supplies and Consumer Affairs Department (for TPDS).
- (b) Enrolling Agencies are entities hired by the State Government or Registrars to perform enrolment functions on behalf of the Registrar (s).

675

- 2 -

2. UID Project and the scope of the MoU.

- (a) The UIDAI has the mandate from the Government of India to issue unique identification numbers (UID numbers) to residents of India based on demographic and biometric data of the individual. UIDAI will partner with Government and other agencies leveraging their existing infrastructure in order to implement the UID project. These Agencies will be called the **Registrars of UIDAI**.
- (b) UIDAI will set standards and processes for enrolment to be uniformly followed by all Registrars and Enrolling Agencies. The UIDAI will issue UID numbers after checking that the resident applying for UID number does not already have a record and number in the UID database. In addition to that the UIDAI will provide online, real-time Authentication service. A detailed document on the UID project is attached as Annexure to this MoU.
- (c) The UID project will be implemented in a phased manner; the UIDAI will be conducting proof of concept studies and pilots to test the working of the technology and process of enrolment and would require the co-operation of the State Government and Registrars in this regard.
- (d) The MoU between the UIDAI and the Government of Orissa sets out below, the general and broad-based intentions of both parties for collaboration and as an umbrella understanding for facilitation of subsequent agreements and documents relevant for the implementation of the UID project in the State of Orissa.
- (e) The UIDAI shall prescribe standards, procedures and processes which will be adhered to by the Registrars identified / appointed by the State Government.
- (f) In the interest of clarity and to reduce ambiguity, the UIDAI shall execute additional agreements and documents to capture details about implementation of UID Project with Registrars identified / appointed by the State Government.

694

- 3 -

3. (1) UIDAI shall -

- a. develop and prescribe standards for recording data fields, data verification and biometric fields;
- b. prescribe a process for enrolment of residents; which will include among other things, the process for collection of biometric data;
- c. prescribe the standards and criteria to be fulfilled by an agency to be appointed as a Registrar;
- d. provide / prescribe the software that will be used for the enrolment of people into the UID database in order to issue the UID number;
- e. de-duplicate the database of the residents on the basis of the Demographic and Biometric data and issue UID numbers to only those whose uniqueness of identity has been established and after ensuring that the person has not been enrolled in the UID database before;
- f. issue a letter communicating the UID number directly to the persons who has been allotted UID number after de-duplication. UIDAI will also communicate the UID number electronically with the Registrar in UIDAI prescribed format;
- g. authenticate the identity of a person with a UID number as per the protocols prescribed by the UIDAI;
- h. prescribe protocols for record keeping and maintenance of the information collected for the issuance of a UID number;
- i. prescribe protocols for transmission of the data collected for de-duplication;
- j. prescribe protocols to ensure the confidentiality, privacy and security of data;
- k. prescribe limits for fees that could be charged for issuing a UID number;
- l. prescribe protocols for spreading and communicating the message, content and intent of the UID project. Since the UIDAI logo and brand name are properties of the UIDAI, the UIDAI will prescribe the manner and limits of the use of UIDAI logo, brand name, brand design and other communication and awareness materials;

693

- 4 -

- m. prescribe other protocols, processes and standards and that the UIDAI may deem necessary for the implementation of the UID project;
 - n. conduct periodic audit of the enrolment process and to this end shall have the power to visit and inspect offices of the Registrar and Enrolling Agencies. Such audits are necessary to ensure the integrity of the enrolment process and to ensure uniformity across the country; and
 - o. prescribe mechanisms for resolution of grievances that the residents may have during enrolment and authentication.
- (2) The UIDAI shall also evolve a suitable funding mechanism for enrolment of residents into the UID system.

(4) Obligations of the State Government. The State Government shall -

- (a) co-operate and collaborate with the UIDAI in conducting proof of concept (PoC) studies and pilots to test the working of the technology and process of enrolment into the UID database;
- (b) identify Registrars for the implementation of the UID project (including PoC and pilots) and ensure that the Registrar shall do all that is necessary and required in order to effectively complete the PoC and pilots;
- (c) follow the criteria and process for appointment of Registrars and enrolling agencies prescribed by the UIDAI;
- (d) put in place an institutional mechanism to effectively oversee and monitor the implementation of the UID project in general and monitor specifically Registrars and enrolling agents appointed by the Registrar;
- (e) provide required financial and other resources to the Registrars to carry out the enrolment processes as per the phasing decided by the State Government;
- (f) cooperate and collaborate with and provide all assistance and support to the Deputy Director Generals (DDG) concerned of the UIDAI and other staff members/consultants/advisors of the UIDAI to effectively implement the UID project in the State of Orissa;

692

- 5 -

- (g) provide logistic and liaison support to the staff and representatives of UIDAI when they visit the Registrar and Enrolling agencies implementing the UID project;
- (h) work with the UIDAI to resolve difficulties faced on the ground in the implementation of the UID project; and
- (i) follow the process set out by the UIDAI for resolution of difficulties and conflict regarding matters concerning the UID project.

5. **Obligations of the Registrars.**

(1) In order to implement the UID project the Registrars shall-

- a. either do the enrolment directly or through Enrolment Agencies who shall be identified and appointed by the Registrars (UIDAI may recommend certain criteria to be fulfilled to be an Enrolling Agency). The Enrolling Agencies will be working on behalf of the Registrars and will be accountable to the Registrars and therefore, they should follow all the standards, protocols, processes laid down by the UIDAI to implement the UID project. Registrars must ensure compliance by the Enrolling Agencies of the standards, protocols, processes laid down by the UIDAI on a continuous basis;
- b. follow the standards for data fields, data verification and biometric fields prescribed by the UIDAI;
- c. follow the process for enrolment of residents; which will include among other things the process for collection of biometric data prescribed by the UIDAI;
- d. use the software developed by the UIDAI for the enrolment of people into the UID database for the issuance of the UID number;
- e. use only those devices and Information Technology systems whose specifications have been approved by the UIDAI;
- f. follow the protocols prescribed by the UIDAI for record keeping and maintenance;
- g. follow the process and systems prescribed by the UIDAI for transmission of the data collected for de-duplication;
- h. follow the confidentiality, privacy and security protocols prescribed by the UIDAI;

(69)

- 6 -

- i. have the option to charge a fee for the UID service but the fees charged from residents cannot be higher than the maximum amount prescribed by the UIDAI in this regard;
 - j. follow protocols prescribed by the UIDAI for spreading and communicating the message, content and intent of the UID project, Since the UID logo and brand name are properties of the UIDAI, the UIDAI will prescribe the manner and limits of the use of UIDAI logo, brand name, brand design and other communication and awareness materials;
 - k. follow protocols, processes and standards prescribed by the UIDAI for the implementation of the UID project;
 - l. allow the UIDAI to conduct periodic audit of the enrolment process and to visit and inspect the offices and records of the Registrar and Enrolling Agencies and any other place the UIDAI or its empowered agency may deem necessary for their purpose;
 - m. submit periodic reports of enrolment to the UIDAI in the form and manner prescribed by the UIDAI;
 - n. provide logistic and liaison support to the staff and agents of UIDAI when they visit the Registrar and Enrolling Agencies implementing the UID project;
 - o. provide information related to the UID project to the UID, from time to time, as requested by the UIDAI;
 - p. work with the UIDAI to resolve difficulties faced on the ground in the implementation of the UID project;
 - q. follow the process set out by the UIDAI for resolution of difficulties and conflict regarding matters of the UID project;
- (2) The Registrars can collect any data in addition to what is prescribed by the UIDAI for the purpose of rendering any service based on UID number.
- (3) In addition to the obligations mentioned in sub-clause (1) the Registrar may have more obligations as may be required to ensure integrity and uniformity of enrolment into the UID database.

690

- 7 -

6. Miscellaneous.

In situations where the processes and standards for enrolment set by the UIDAI are not followed or are violated (willfully or otherwise) by the Registrar and / or an Enrolling Agency, the UIDAI shall make reasonable attempts to discuss and attempt to resolve difficulties with the State Government pursuant to which if the recommendations of the UIDAI are not implemented and the matter settled to the satisfaction of both the parties, the UIDAI shall have the option to de-register the concerned Registrar and / or demand replacement of a concerned Enrolment agency, as the case maybe.

7. Any provision of this MoU may be amended or waived if, and only if, such amendment or waiver is evidenced by a written instrument signed by duly authorized representatives of the Parties, or in the case of a waiver, by the Party against whom the waiver is to be effective.

IN WITNESS WHEREOF, the undersigned have executed this MoU, in duplicate, on the date set forth above.

Signed by




(V.S. Bhaskar, IAS)
Deputy Director General,
Regional Office, Hyderabad,
UIDAI, Planning Commission,
Government of India.

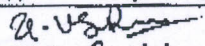
On behalf of UIDAI

In presence of the witnesses

1. Name:

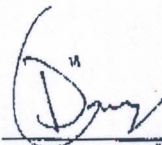

(CK. DEVARATHNA KUMAR)

Address: ADG, UIDAI, HYDERABAD.

2. Name: 
A.V. Subba Rao

Address: D.D., UIDAI, Hyderabad

Signed by



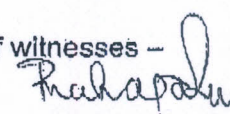
(D.N. Gupta, IAS)

Commissioner-cum-
Secretary to Government
Department of I.T.
Government, Department of
Information Technology
Government of Orissa.

Officer acting in the premises for
and behalf of the Government of
Orissa

In presence of witnesses -

1. Name:


P. Mahapatra

Address: Undersecretary Govt. IT Dept Govt. Orissa

2. Name: B. Hembram, section officer

Address: deptt of IT
Govt. of Orissa