

Memorandum of Understanding between
The Department of Posts, Ministry of Communications & IT, Govt. of India
And
The Unique Identification Authority of India, Planning Commission, Govt. of India
for the implementation of the UID project

This Memorandum of Understanding (in short, MoU) made this Day of **18th September 2010** by and between the President of India represented by Shri Alok Sharma, General Manager Business Development & Marketing Directorate, Department of Posts, Ministry of Communications & IT, Govt. of India, Dak Bhawan, New Delhi (hereinafter referred to as "Registrar" which expression shall unless repugnant to the context or meaning thereof, include its successor in interest and permitted assigns) of the one part.

and

Shri Ashok Pal Singh, Deputy Director General, Unique Identification Authority of India, Planning Commission, Govt. of India, Jeevan Bharti, Connought Circus, New Delhi (hereinafter referred to as "UIDAI" which expression shall unless repugnant to the context or meaning thereof, include its successor in interest and permitted assigns) of the other part.

I. Preamble

Whereas Government of India has set up Unique Identification Authority of India (hereinafter "UIDAI") with the mandate to issue Unique Identification Numbers (hereinafter "UID") to all residents of India (hereinafter "UID project").

Whereas, Department of Posts would like to identify account holders, policy holders, investors and **residents of India** to have uniform standards and processes for verification and identification of these.

Whereas, in order to implement the UID project, Department of Posts is entering into this MoU with the UIDAI.

Whereas Department of Posts will set up a **Project Monitoring Unit** to oversee the implementation of the UID project among the constituents (account holders, policy holders and investors).

Whereas this MoU shall come into effect from **18th September 2010**

II. Definitions: Unless the context requires otherwise;

a. Registrars are Ministries of the Central Government, departments or agencies of the State Government/Union territory, public sector undertakings and other agencies and organisations, who, in normal course of implementation of some of their programs, activities or operations interact with residents. Examples of such Registrars are **Department of Posts**, Rural

Development Department (for NREGS) or Civil Supplies and Consumer Affairs Department (for TPDS), Insurance Companies, and Banks.

b. Enrolling Agencies are entities hired by Registrars to perform enrolment functions on behalf of the Registrar(s).

III. UID Project and the scope of the MoU

1. The UIDAI has the mandate from the Government of India to issue unique identification numbers (UID) 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 the UIDAI.
2. UIDAI will set standards and processes for enrolment to be uniformly followed by all Registrars and Enrolling Agencies. The UIDAI will issue UIDs after checking that the resident applying for UID does not already have a record and a UID number in the UID database (de-duplication). In addition the UIDAI will provide online, real-time Authentication service.
3. This MoU between the UIDAI and Department of Posts 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 by Department of Posts.
4. 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, subsequent to the pilots the full roll out of the UID project will take place. The Department of Posts will cooperate and actively participate in each of these phases as required by UIDAI.
5. In the interest of clarity and to reduce ambiguity, additional agreements and documents to capture details about implementation of UID Project may be executed between the parties.

6. Role and Responsibility of UIDAI:

- a. UIDAI shall develop and prescribe standards for recording data fields, data verification and biometric fields.
- b. Prescribing a process for enrolment of residents; this will include among other things the process for collection of biometric data.
- c. UIDAI will provide/prescribe the software that will be used for the enrolment of people into the UID database in order to issue the UID number.
- d. De-duplicating 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 enrolled in the UID database before.

- e. Issuing letters communicating the UID number directly to the person who has been allotted UID number after de-duplication. UIDAI will also communicate the UID number electronically with the Registrar in UIDAI prescribed format.
- f. UIDAI will authenticate the identity of a person with a UID number as per the protocols prescribed by the UIDAI.
- g. Prescribing protocols for record keeping and maintenance of the information collected for the issuance of a UID number.
- h. Prescribing protocols for transmission of the data collected for de-duplication.
- i. Prescribing protocols to ensure the confidentiality, privacy and security of data.
- j. Prescribing limits for fees that could be charged for issuing a UID number.
- k. Prescribing 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.
- l. Prescribing other protocols, processes and standards and that the UIDAI may deem necessary for the implementation of the UID project.
- m. To conduct periodic audit of the enrolment process and to this end shall have the authority 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.
- n. Prescribe mechanisms for resolution of grievances that the residents may have during enrolment and authentication.
- o. Make payment to Department of Posts for providing the services of registrar on the rate to be decided between UIDAI and DOP and as per the mechanism to be decided between the two.

7. Role and Responsibility of Department of Posts:

- a. Co-operation and collaboration with the UIDAI in conducting proof of concept (PoC) studies, pilots to test the working of the technology and process of enrolment into the UID database and subsequently full roll out of the UID project.
- b. Will follow the criteria and processes prescribed and conveyed by UIDAI while appointing enrolling agencies for UID project.

- c. Will set up an institutional mechanism to effectively monitor the implementation of the UID project in general and monitor specifically Enrolling Agencies.
 - d. Will provide necessary resources to carry out the enrolment processes as per the phasing required for UID project and as decided by the Department of Posts.
 - e. Will cooperate and collaborate with and provide all necessary assistance and support to the Deputy Director Generals (DDGs) concerned of the UIDAI and other staff members/consultants/advisors of the UIDAI to effectively implement the UID project with Department of Posts.
 - f. Will provide liaison support to the staff and representatives of UIDAI when they visit the Enrolling agencies implementing the UID project.
 - g. Will liaison with the UIDAI to resolve difficulties faced on the ground in the implementation of the UID project.
 - h. Will co-operate with the UIDAI for resolution of grievances, difficulties and conflict regarding matters concerning the UID project.
8. The following is an indicative list of the obligations of Department of Posts as Registrar. These will be elaborated and detailed additional agreements and documents as deemed necessary by UIDAI. Notwithstanding anything contained in this clause, this list can be expanded or elaborated as required to ensure integrity and uniformity of enrolment into the UID database. 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 Enrolment Agency). The Enrolment Agencies will be working on behalf of the Registrars and will be accountable to the Registrars; 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; this 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 IT 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.
- i. Have the option to charge a fee for enrolment into the UID database and issuance of UID number as decided by the Department of Posts, 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 Enrolment 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 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 UIDAI 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 concerning the UID project.

Miscellaneous

- 9. At the time of collecting data for the purpose of the UIDAI, the Registrar may collect data from the resident that is required for the purpose of their business/service operations.

10. In situations where the processes and standards for enrolment set by the UIDAI are not followed or are violated (wilfully 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 Registrar . 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.
11. **Arbitration** : In the event of any dispute or difference between the parties hereto, such dispute or difference shall be resolved amicably by mutual consultation or through the good offices of empowered agencies of the Government. If such resolution is not possible, then, the unresolved dispute or difference shall be referred to arbitration of an Arbitrator to be nominated by Secretary, Department of Legal Affairs ("Law Secretary"). The Arbitration and Conciliation Act 1996 (no. 26 of 1996) shall not be applicable to the arbitration under this clause. The award of the Arbitrator shall be binding upon parties to the dispute. Provided, however, any party aggrieved by and dissatisfied with such award may make a further reference for setting aside or revision of the award to Law Secretary. Upon such reference the dispute shall be decided by the Secretary or the Special Secretary/Additional Secretary when so authorized by the Law Secretary, whose decision shall bind the parties finally and conclusively. The parties shall share equally the cost of arbitration as intimated by the Arbitrator. The Arbitration proceedings shall be held at New Delhi.
12. 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 authorised 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, as of the date set forth above.

For Department of Posts


(Alok Sharma)

General Manager

For UIDAI


(Ashok Pal Singh)

Deputy Director General