

I-11011/152/2016-DBT (Pt.)
भारत सरकार /Government of India
मंत्रिमंडल सचिवालय/ Cabinet Secretariat
डी बी टी मिशन/ DBT Mission

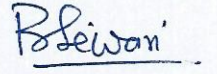
4th Floor, Shivaji Stadium Annexe,
Rajiv Chowk, New Delhi – 110001.

Dated: 28th November 2016.

OFFICE MEMORANDUM

Sub: - Minutes of the meeting held under the Chairmanship of Secretary (C&PG) on 24.11.2016 at 4.30 P.M. on 24.11.2016 in Conference Hall, Lower Basement, Rashtrapati Bhawan, New Delhi to discuss issue of notification under Section 7 and 57 of the Aadhaar Act - reg.

The undersigned is directed to forward herewith minutes of the meeting held under the Chairmanship of Secretary (C&PG) on 24.11.2016 at 4.30 P.M. on 24.11.2016 in Conference Hall, Lower Basement, Rashtrapati Bhawan, New Delhi to discuss issue of notification under Section 7 and 57 of the Aadhaar Act for information and further necessary action.



(R.R. Tiwari)

Director

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To

1. The Secretary, D/o Rural Development
2. The Secretary, D/o Food & Public Distribution
3. The Secretary, M/o Labour & Employment
4. The Secretary, M/o Social Justice & Empowerment
5. The Secretary, M/o Minority Affairs
6. The Secretary, D/o Legal Affairs
7. The Secretary, D/o Legislative Affairs
8. The Secretary, M/o Electronics & Information Technology

Copy to:

1. CEO, UIDAI
2. Secretaries of all Ministries/Departments- for information and further necessary action.

N.O.O.

1. JS to PMO
2. Staff Officer to CS
3. PPS to Secretary (C&PG)

No. I-11011/152/2016-DBT
भारतसरकार/Govt. of India
मंत्रिमंडलसचिवालय/Cabinet Secretariat
प्रत्यक्षलाभअंतरणमिशन/DBT Mission

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Sub: Meeting to discuss issue of notification under Section 7 and 57 of the Aadhaar Act held under the Chairmanship of Secretary (C&PG) on 24.11.2016 at 4.30PM in Conference Room, Lower Basement, Rashtrapati Bhawan.

List of participants in the meeting is **annexed**.

2. Secretary (C&PG) welcomed all the participants and informed that The Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act 2016 (Aadhaar Act) was notified on 25.3.2016 and subsequently Section 7 and 57 of the Aadhaar Act came into effect on 12.9.2016. Section 7 of the Act provides that Central Government or State Government may use Aadhaar as an identifier for delivery of various subsidy / benefit / services to the residents for which the expenditure is incurred from or the receipt therefrom forms part of the Consolidated Fund of India. Section 57 of the Act covers the services, the expenditure of which are not incurred from Consolidated Fund of India but Aadhaar can be used as a primary identification document provided the use of Aadhaar is regulated within the procedure and obligations under the Act. In this regard D.O. letter dated 02.11.2016 addressed to all Secretaries may also be seen (Copy enclosed). Ministry of Petroleum & Natural Gas has already issued notification under Section 7 of the Aadhaar Act for PAHAL on 30.9.2016.

3. JS (DBT) informed that Secretary (C&PG) vide D.O. No. I-11011/152/2016-DBT dated 02.11.2016 requested the Secretaries of all Central Ministries / Departments to identify Schemes / Services in addition to the Schemes identified by the DBT Mission for issue of notification under Section 7 and Section 57 of the Aadhaar Act in consultation with CEO, UIDAI by 30.11.2016. It was further stated that DBT Mission after extensive discussions with various Central Ministries / Departments, has already identified approx. 500 schemes/scheme components which can be brought under DBT. It was also informed that during the discussions with Attorney General on issue of notification, it was stated that the concerned departments have to frame guidelines under the Schemes to enable the notification under Aadhaar Act.

4. Secretary, M/o Social Justice & Empowerment, M/o Labour & Employment, D/o Food & Public Distribution informed that the proposed notification has been drafted and will be sent to UIDAI for consultation. Joint Secretary M/o Social Justice & Empowerment stated that there are three types of schemes implemented by the Department and desired to know whether a single notification for all schemes will be issued or separate notification of each scheme would require. CEO, UIDAI informed that each scheme will require separate notification as each scheme design may be different and implementing agencies at ground level may also be different. Joint Secretary, M/o Minority Affairs also informed that the department is consulting Attorney General on the draft notification.

5. D/o Rural Development informed that the draft notification was prepared in consultation with UIDAI and was sent to D/o Legal Affairs for vetting. However, D/o Legal Affairs advised that Section 7 of the Aadhaar Act does not speak about issue of notification by the Department. JS & LA, D/o Legislative Affairs pointed out the text of Section 7 does not necessarily mandate the issuance of a notification by the Concerned Ministries/Departments.

6. CEO, UIDAI informed that MeitY in its O.M No. 2(10)/2016-EG-II dated 17.11.2016 assigned the power to the Central Ministries to issue notification under Section 7 of the Aadhaar Act in consultation with UIDAI which will also be responsible for getting the draft of the notification vetted by the Ministry of Law. It was also mentioned that the Central Ministries shall designate a Joint Secretary or higher level officer for issuing the notification. CEO, UIDAI informed that a meeting was held with Law Secretary on 8th November, 2016 regarding the requirement of notification u/s 7 of the Aadhaar Act and since the underlying object of Section 7 was delivery of subsidies/benefits/services mainly pertaining to social benefit schemes, notification was the mode by which the public be made aware of the said requirement. It was **agreed upon that each Ministry / Department will have to issue notification under Aadhaar Act since there is public interface under the schemes and there is need to inform beneficiaries about the eligibility condition.** CEO, UIDAI further clarified that a single notification would suffice for the schemes which are inter connected. In respect of independent schemes, separate notification shall be required.

7. After detailed deliberations, the following decisions were taken: -

- i. **UIDAI will be the nodal point facilitating the Ministries/Departments in drafting the notification under Aadhaar Act.**
- ii. **Each Ministries/Departments will draft the notification as per the specific Scheme. UIDAI will share a sample notification with the respective Ministries/Departments.**
- iii. **The Ministries/Departments will send the draft notification to UIDAI which shall get the same vetted from Ministry of Law.**
- iv. **UIDAI will send the duly vetted draft notification to the respective Ministries / Departments emphasising that opinion of M/o Law has been obtained and there is no need to take it separately.**

8. The meeting ended with vote of thanks to the Chair.

Annexure- I

List of Participants

1. Shri Sanjay Kumar Srivastava, Secretary (C&PG), Cabinet Secretariat
2. Ms. G. Latha Krishna Rao, Secretary, D/o Social Justice & Empowerment
3. Shri A.B. Pandey, CEO, UIDAI
4. Dr (Ms.) Reeta Vasishta, Additional Secretary, Legislative Department
5. Shri Peeyush Kumar, Joint Secretary, DBT Mission, Cabinet Secretariat
6. Shri Sudhi Ranjan Mishra, Joint Secretary & Legal Advisor, D/o Legal Affairs
7. Mrs. Rakhee Gupta Bhandari, Joint Secretary, M/o Minority Affairs
8. Ms. Aindri Anurag, Joint Secretary (SCD-B), M/o Social Justice & Empowerment
9. Shri Rajit Punhani, Joint Secretary, M/o Labour & Employment
10. Shri S.K. Dev Verman, Joint Secretary, M/o Minority Affairs
11. Shri Narendra Bhooshan, DDG, UIDAI
12. Shri Ashok Kumar, Assistant Director General, UIDAI
13. Ms. Archana Dureja, Director, MeitY
14. Shri D.K. Gupta, Director, D/o Food & Public Distribution
15. Shri Ajay Kumar Sumbly, Deputy Secretary, D/o Rural Development
16. Shri Naresh Kumar, Under Secretary, DBT Mission, Cabinet Secretariat
17. Ms. Urmimala Chowdhury, Manager, Legal & Policy, UIDAI
18. Ms. Shaivalini Sharma, YP, DBT Mission, Cabinet Secretariat
19. Shri Ritesh Saxena, M/o Rural Development
20. Ms. Arghya Sengupta, Advocate