

GOVERNMENT OF KARNATAKA

Sub: Regarding use of AUA and KUA services from Centre for e-Governance by all the Departments of the State Government of Karnataka.

- Ref:**
1. UIDAI Circular No.11020/205/2017 dated: 25th July 2017.
 2. Circular No. DPAR 77 EGM 2018 Dated: 9th July 2018.
 3. Government order No. DPAR 106 EGM 2018 Dated: 22nd September 2018.
 4. Government order No. DPAR 66 EGM 2020 Dated: 21st April 2020.
 5. Government of India Notification No. F.No. 13(6)/2018-EG-II(Vol-II) Dated:5th August 2020.
 6. Government of India Circular No. 13(6)2018-EG-II (Vol-II) Dated: 18th August 2020.
 7. Government order No. DPAR 66 EGM 2020 Dated: 28th October 2020.
 8. File no: Ceg-18/5/2018(Computer no:64839), from the Chief Executive Officer, Centre for e-Governance.

Proposal:-

- I. As per the Central Aadhaar Act, 2005, The Government of India has allowed the use of Aadhaar for all Government benefit schemes incurred out of the consolidated fund of central and state. In case of any organisation which needs to use Aadhaar other than beneficiary oriented schemes, it can seek Aadhaar only on voluntary basis and that too only with prior approval of Government of India under section 4(4)(b)(ii) of the Aadhaar Act. For the purpose of Authentication, the Requesting Entity (Aadhaar User Agency (AUA)/ KYC User Agency (KUA)/ SUB AUA) can use Aadhaar of an individual. The UIDAI has set up a Central Identities Data Repository (CIDR) and the AUA needs to authenticate the demographic and other Aadhaar related information of an individual who possess the Aadhaar number with CIDR. Based on the request of any agency, routed through Aadhaar Service Agency (ASA), the UIDAI may appoint the Agency as AUA. Presently there are two types of AUAs, namely Local AUA and Global AUA. The Local AUAs should not store Aadhaar but the Global AUAs are allowed to store Aadhaar. Generally, all the Government organisations who have been provided AUA license by UIDAI are given the status of Global AUA. UIDAI vide Circular read at (1) above has issued guidelines on the process of storing of Aadhaar. As per circular read at ref (1), the Aadhaar has to be stored only in the Aadhaar Data Vault and only the reference key can be

stored in the databases. The Aadhaar number and the connected data maintained in the Aadhaar Data Vault shall always be kept encrypted and access to the Aadhaar number is strictly controlled only by authorised systems. The Keys for encryption are to be stored in Hardware Security Module (HSM) devices only. UIDAI has now released the new version of Application Programme Interface (API), which adheres to this new standard of UIDAI. In case of e-KYC Aadhaar number along with UID token is returned to the AUA, however, in case of Demo Auth only UID token is given. All the AUA/ KUA have been informed to immediately implement the new protocol for authentication of Aadhaar.

- II. The authentication process needs to be completed only with the consent of the individual and therefore, the management of consent is very important. Normally for Government schemes consent is collected for one or more schemes and therefore management of consent is very essential. The Aadhaar Data Vault should be designed in a way that, against each Aadhaar, the details of the consent provided with the information of Departments should be clearly defined. Based on the consents the data would be shared/ used by the Departments.
- III. According to the circular read at ref (2), Chief Secretary of Government of Karnataka, has laid out the guidelines on the process to be followed by State departments for inclusion of Aadhaar in Service delivery and advance clearance of proposals by Department of Personnel and Administrative Reforms (e-Governance). To evaluate the proposal of various state Government departments, vide Government Order read at Ref (3), an Aadhaar Expert Committee under the chairmanship of Additional Chief Secretary, Department of Personnel and Administrative Reforms (e-Governance) has been constituted. Further, after the amendment of the Aadhaar Act in the year 2019, followed by circular of UIDAI wherein the issue of section 7 notification has been mandated for use of Aadhaar. The State Government vide Government Order read at Ref (4) has authorised Department of Personnel and Administrative Reforms (e-Governance) to issue section 7 notification, based on the recommendation of the Aadhaar Expert Committee.
- IV. Further, the Government of India vide notification read at ref (5) has framed rules for providing permissions under Section 4(4)(b)(ii) of the Aadhaar Act. These rules are called "The Aadhaar Authentication for Good Governance (Social Welfare, Innovation, Knowledge) Rules, 2020." The Ministry of Electronics and Information Technology, Government of India vide Circular read at Ref (6), has issued guidelines for submission of proposals for use of Aadhaar Authentication under the Aadhaar Authentication for Good Governance (Social Welfare, Innovation, Knowledge) Rules 2020, along with

application form to be submitted to the Ministry by the concerned Departments. The State Government vide Government Order read at Ref (7) has defined the process to be followed by the State Government Departments on submission of proposal under Section 4(4)(b)(ii) of the Central Aadhaar Act for usage of Aadhaar on voluntary basis and has appointed Department of Personnel and Administrative Reforms (e-Governance) as the nodal department to forward the proposal to Government of India after the recommendation of Aadhaar Expert Committee. After the approval of Government of India the notification under section 4(4)(b)(ii) will be issued by Department of Personnel and Administrative Reforms (e-Governance).

- V. In Karnataka, the Centre for e-Governance (CeG) being the ASA all the proposals for AUA needs to be routed through the ASA Centre for e-Governance (CeG). The below listed criteria needs to be followed to collect and/ or use Aadhaar by any department of Government of Karnataka:
- a. A department should be a AUA.
 - b. The scheme should be notified under section 7 or section 4(4)(b)(ii) of the Central Aadhaar Act.
 - c. The Consent to be taken of the citizen for usage of his/her Aadhaar details by the Department.
 - d. The Department need to have an IT infrastructure, HSM and data vault.
 - e. The Aadhaar details should be stored in the data vault.
 - f. All the other database tables should only have reference keys.
- VI. Any agency should setup a huge IT infrastructure, as per the UIDAI regulations, for becoming an AUA. This is not viable and economical to have a dedicated infrastructure and its maintenance from each department of Government of Karnataka. Centre for e-Governance has setup a AUA platform where all the IT infrastructure and support would be provided to the departments. Centre for e-Governance has a dedicated HSM for storing the encrypted keys of Aadhaar. As on today, only 4 departments of Government of Karnataka have been provided as global AUA approval by UIDAI including Centre for e-Governance. Currently, 19 departments are using the AUA services from Centre for e-Governance for authentication.
- VII. The challenges for any department choosing to become a Global AUA/ Sub-AUA are listed as below:

- a. Each Department needs to pay INR Rs.25 lakhs, once in two years, to UIDAI to register as a Global AUA. As there is no time frame defined by UIDAI to issue the licenses, there are possibilities of the departments being delayed for getting AUA license approvals.
- b. Each department should have IT expertise on management of AUA platform, HSM and Aadhaar vault. Aadhaar data being sensitive data needs to be stored in HSM in the encrypted form.
- c. The Aadhaar Data Vault should be designed in a way that, against each Aadhaar, the details of the consent provided with the information of departments should be clearly defined. Based on the consents, the data would be shared/ used by the departments. Therefore, designing the vault structure requires high technical competence.
- d. If each department becomes an AUA, they may administratively start interpreting Aadhaar act in their own way which may create administrative issues of coordination on data sharing. Therefore, they may store the Aadhaar data as per their own understanding of Aadhaar Act which would be a violation of Aadhaar regulations.
- e. Aadhaar authentication could be used for the schemes only after it has been notified under section-7 or section- 4(4)(b)(ii) of Aadhaar Act. There are possibilities of departments being ignorant, would use authentication in some schemes without notifying, under section-7/4(4)(b)(ii) of Aadhaar Act, which in turn would be a violation of the act.
- f. There are possibilities of Departments may use inappropriate designs of notification(no notification/ incorrect consent form/ no consent form at all).
- g. There is a possibility of repetition of work by two AUAs which results in duplication of work and ineffective resources utilization.

VIII. Centre for e-Governance being a ASA for Government of Karnataka, and also a AUA, has the required infrastructure and technical competency for managing and maintaining the infrastructure as per the requirement of the UIDAI. Therefore, based on the above facts and also as Government of Karnataka is being a Single entity, it is proposed to have a single AUA and KUA licenses (of Centre for e-Governance) which would be utilized by all the departments of Government of Karnataka.

The above proposal has been examined and hence the following Order.

Government Order No. DPAR 59 PRJ 2021,
Bangalore, Dated: 02-08-2021

1. The Government is pleased to accord permission to use the single AUA and KUA licenses of Centre for e-Governance by all the State Government departments/ organisations.
2. The departments of the State Government would submit the proposal to Department of Personnel and Administrative Reforms (e-Governance) for issue of approvals under section 7 of Aadhaar act or section 4(4)(b)(ii) notification. The Department of Personnel and Administrative Reforms (e-Governance), with appropriate approvals will issue the respective order(s).
3. After the issue of appropriate notification by Department of Personnel and Administrative Reforms (e-Governance), the Department would request Centre for e-Governance for issue of license key(s) for Aadhaar Authentication.
4. The Centre for e-Governance in consultation with Law Department would prepare an agreement between Centre for e-Governance and Department, which would be signed by both, Centre for e-Governance and the HOD of the Department. The agreement should comprise the roles and responsibility of AUA and the Department. Post signing of the agreement by the Departments, Centre for e-Governance through its AUA platform would create Department wise license keys and provide to allow the use of AUA/ KUA license keys.
5. The Centre for e-Governance has created frame work called "Aadhaar as a service" in coordination with NIC. The "Aadhaar as a service" will ensure that the Aadhaar details shared as part of the authentication process is stored in the Aadhaar vault as per the UIDAI Circular No.11020/205/2017 dated: 25thJuly 2017. The Department wise AUA/KUA license keys will not be issued directly to the Departments, instead it would be entered in "Aadhaar as a service" platform. The integration code generated through this service will be shared with the Department, which will be used for authentication.
6. In case the Departments choose to use the AUA /KUA license keys, the Centre for e-Governance could share the licenses keys only post approval of the Aadhaar Expert Committee.

7. Though the Departments/Organisations of Government of Karnataka would be using AUA/ KUA licenses of Centre for e-Governance for Aadhaar authentication purposes, each Departments/ Organisations using these licenses would be held responsible for its own acts, and liable for any penalties and/or punishment imposed by UIDAI for violation of Aadhaar act.

(ಈ ಆದೇಶವನ್ನು ಕನ್ನಡದಲ್ಲಿಯೂ ಹೊರಡಿಸಲಾಗುತ್ತಿದೆ)

By order and in the name of the
Governor of Karnataka

ಎಂ.ಎನ್. ಶ್ರೀವತ್ಸಾ
(M.N.Srivatsa)

Under Secretary to Government,
Department of Personnel and Administrative
Reforms (e-Governance)

To:

The Compiler, Karnataka Gazette to publish in the Gazette and to supply 50 copies to the Under Secretary to Government, Department of Personnel and Administrative Reforms (e-Governance), Room No: 136, M.S. Building, Bangalore.

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2. The Chief Secretary to Government, Vidhana Soudha, Bangalore.
3. The Additional Chief Secretary to Government and Development Commissioner, Vidhana Soudha, Bangalore.
4. The Additional Chief Secretary to Government, Vidhana Soudha, Bangalore.
5. The Additional Chief Secretary/Principal Secretary /Secretary to Government, Vidhana Soudha/ Vikasa Soudha/ M.S Building/Bangalore.
6. All the Heads of Department-through the concerned Departments Additional Chief Secretary/Principal Secretary /Secretary to Government.
7. The Chief Executive Officer, Unique Identification Authority of India (UIDAI), Aadhaar Head Quarters, Bangla Sahib Road behind kali mandir, Gole Market, New Delhi-110001.
8. The Chief Executive Officer, Centre for e-Governance, M.S.Building, Bangalore.
9. The State Informatics Officer, National Informatics Centre, Bangalore.
10. The Deputy Director General, Unique Identification Authority of India (UIDAI), Regional Office, Bangalore.
11. Department Website.
12. Section Guard File