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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 2nd March, 2019/*Phalguna* 11, 1940 (*Saka*)

THE AADHAAR AND OTHER LAWS (AMENDMENT) ORDINANCE, 2019
NO 9 OF 2019

Promulgated by the President in the Seventieth Year of the Republic of India.

An Ordinance to amend the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 and further to amend the Indian Telegraph Act, 1885 and the Prevention of Money-laundering Act, 2002.

WHEREAS the Aadhaar and Other Laws (Amendment) Bill, 2019 was passed by the House of the People on the 4th day of January, 2019 and is pending in the Council of States;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

PART I
PRELIMINARY

Short title and commencement.

1.(*1*) This Ordinance may be called the Aadhaar and Other Laws (Amendment) Ordinance, 2019.

(*2*) It shall come into force at once.

(*6*) If, for identification of a person, authentication under clause (*a*) of sub-section (*3*) is used, neither his core biometric information nor the Aadhaar number of the person shall be stored.

(*7*) Nothing contained in sub-sections (*3*), (*4*) and (*5*) shall prevent the Central Government from specifying further safeguards and conditions for compliance by any person who is granted a license under the first proviso to sub-section (*1*) in respect of identification of person to whom it provides its services.

Explanation.—The expressions "Aadhaar number" and "core biometric information" shall have the same meanings as are respectively assigned to them in clauses (*a*) and (*j*) of section 2 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.'.

18 of 2016.

PART IV

AMENDMENT TO THE PREVENTION OF MONEY-LAUNDERING ACT, 2002

15 of 2002.

25. In chapter IV of the Prevention of Money-laundering Act, 2002 (hereafter in this Part, referred to as the principal Act), before section 12, the following section shall be inserted, namely:— Insertion of new section 11A.

'11A. (*1*) Every Reporting Entity shall verify the identity of its clients and the beneficial owner, by— Verification of Identity by Reporting Entity.

(*a*) authentication under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 if the reporting entity is a banking company; or

18 of 2016.

(*b*) offline verification under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016; or

18 of 2016.

(*c*) use of passport issued under section 4 of the Passports Act, 1967; or

15 of 1967.

(*d*) use of any other officially valid document or modes of identification as may be notified by the Central Government in this behalf:

Provided that the Central Government may, if satisfied that a reporting entity other than banking company, complies with such standards of privacy and security under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, and it is necessary and expedient to do so, by notification, permit such entity to perform authentication under clause (*a*):

18 of 2016.

Provided further that no notification under the first proviso shall be issued without consultation with the Unique Identification Authority of India established under sub-section (*1*) of section 11 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 and the appropriate regulator.

18 of 2016.

(*2*) If any reporting entity performs authentication under clause (*a*) of sub-section (*1*), to verify the identity of its client or the beneficial owner it shall make the other modes of identification under clauses (*b*), (*c*) and (*d*) of sub-section (*1*) also available to such client or the beneficial owner.

(*3*) The use of modes of identification under sub-section (*1*) shall be a voluntary choice of every client or beneficial owner who is sought to be identified and no client or beneficial owner shall be denied services for not having an Aadhaar number.

(*4*) If, for identification of a client or beneficial owner, authentication or offline verification under clause (*a*) or clause (*b*) of sub-section (*1*) is used, neither his core biometric information nor his Aadhaar number shall be stored.

(*5*) Nothing in this section shall prevent the Central Government from notifying additional safeguards on any reporting entity in respect of verification of the identity of its client or beneficial owner.

Explanation.— The expressions "Aadhaar number" and "core biometric information" shall have the same meanings as are respectively assigned to them in clauses (*a*) and (*j*) of section 2 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.'. 18 of 2016.

Amendment of section 12.

26. In section 12 of the principal Act, in sub-section (*1*), clauses (*c*) and (*d*) shall be omitted.

Amendment of section 73.

27. In section 73 of the principal Act, in sub-section (*2*), clauses (*j*) and (*jj*) shall be omitted.

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

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