THE UNIQUE IDENTIFICATION AUTHORITY OF INDIA (TRANSACTION OF BUSINESS AT MEETINGS OF THE AUTHORITY) REGULATIONS, 2016[1]

[Updated as on 15.2.2024]

In exercise of the powers conferred by clause (h) of sub-section (2) of section 54 read with sub-section (1) of section 19 of the Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016 (18 of 2016), the Unique Identification Authority of India hereby makes the following regulations regulating the transaction of business in the meetings of the Unique Identification Authority of India, namely:—

CHAPTER I
PRELIMINARY

1. Short Title and Commencement.—(1) These Regulations may be called the Unique Identification Authority of India (Transaction of Business at Meetings of the Authority) Regulations, 2016 (1 of 2016).

(2) They shall come into force on the date of their publication in the Official Gazette.

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2. Definitions.—(1) In these regulations, unless the context otherwise requires:

(a) "Act" means the Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016 (18 of 2016);

(b) "Authority" means the Unique Identification Authority of India established under sub-section (1) of Section 11 of the Act;

(c) "Chairperson" means the Chairperson of the Authority appointed under Section 12 of the Act;

(d) "Member" includes the Chairperson and Member of the Authority appointed under section 12;

(e) "Chief Executive Officer" means the Chief Executive Officer, who shall be Member Secretary of the Authority, appointed under sub-section (1) of Section 18 of the Act;

(f) "Meeting" means meeting convened by the Authority as per sub-section (1) of Section 19 of the Act;

(g) "Schedule" means a Schedule appended to these regulations.

(2) Words and expressions used herein but not defined, and defined in the Act, shall have the same meanings assigned to them in the Act.

3. Meetings of the Authority.—(1) There shall be no less than three meetings of the Authority in a financial year on such dates and at such places as the Chairperson may direct and the interval between any two meetings shall not in any case, be longer than five months:

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[1]Published in the Gazette of India, Extraordinary, Part III, Section 4, dated 14.9.2016, *vide* notification No. 13012/64/2016/Legal/UIDAI (No. 1 of 2016), dated 12.9.2016.

Provided that the first meeting of the Authority in a financial year shall be held in the first quarter of that financial year.

(2) The notice of every meeting of the Authority shall be signed by the Chief Executive Officer intimating the time, date and place of the intended meeting.

(3) The notice shall be given to every member, at least 15 days before the date of the meeting by post to the address of every member or through e-mail or courier or Fax to facilitate speedy communication, stating therein the brief agenda of the meeting, setting out the items of business to be considered.

(4) The Chairperson, may, in case of urgency, at any time, call a meeting of the Authority at a lesser notice than fifteen days.

(5) A meeting of the Authority may be called on the requisition in writing, addressed to the Chairperson, and signed by the Chief Executive Office or signed by not less than half of the members, setting out therein the purpose of the meeting to be called and the business to be considered thereat.

(6) On receipt of the requisition of meeting, the Chairperson may direct to cause the meeting to be convened and held within such time as he may direct, but in any case not later than a period of 15 days from the date of receipt of such requisition.

(7) If all the items of business to be transacted at a meeting of the Authority cannot be completed in one sitting, the meeting may be adjourned from time to time:

Provided that at the meeting convened post adjournment only the unfinished items in the Agenda shall be discussed and decision taken thereon.

4. Chairperson of the meetings of the Authority.—(1) The Chairperson shall preside over the meetings of the Authority. In his absence, the senior most among the Members and Member Secretary, in terms of date of appointment to the Authority, shall preside over the meetings of the Authority.

(2) The Chairperson of the meeting may also invite any officer of the Authority or any other person qualified in the matters to be discussed at any meeting to attend any meeting of the Authority, with a view to facilitate meaningful discussions and such invitee may participate in the proceedings of the meeting but shall have no right to vote.

5. Participation of the Chief Executive Officer.—(1) The Chief Executive Officer shall participate in meeting of the Authority as Member Secretary of the Authority.

(2) The Chief Executive Officer may, with permission of Chairperson, take the assistance of any staff of the Authority for the purpose of discharging his duties relating to the meetings of the Authority.

6. Quorum.—(1) The quorum for any meeting of the Authority shall be two and no business shall be transacted at any meeting of the Authority unless the quorum is present throughout the meeting.

(2) If the quorum is not present at any meeting of the Authority, the Chairperson or in his absence, the Chief Executive Officer or the senior most Member presiding over the meeting, shall adjourn the meeting to such other date, time and place as may be specified by him not being later than thirty days:

Provided that if at such adjourned meeting quorum is not present, then, notwithstanding anything contained in sub-regulation (1), the Members present at the said adjourned meeting, shall constitute a quorum for such meeting to take up discussion and to dispose of only the items of business set out in the agenda for the initial meeting.

7. Agenda.—(1) The Chief Executive Officer shall be responsible for preparation of the agenda for each meeting of the Authority and circulation thereof to all the Members of the Authority at least a period of seven days before the date of each meeting:

Provided that the Chief Executive Officer shall prepare the agenda of meeting in consultation with the Chairperson:

Provided further that Chief Executive Officer may, in consultation with the Chairperson, amend or delete or add new item in the Agenda of business subsequent to its issue.

(2) Any business not included in the agenda shall not be transacted at a meeting of the Authority except with the permission of the Chairperson or other Member presiding over the meeting.

(3) With the permission of the Chairperson or other Member presiding over the meeting, urgent questions may be added to the Agenda at any time before the conclusion of the meeting, or any item on the Agenda may be deleted or carried over to a subsequent meeting.

8. Decision of meetings of the Authority.—(1) If a Member has an interest in any item of business to be transacted at a meeting, he shall not participate or vote on such item and in such case, the decision on such item shall be taken by majority of the votes of other Members attending the meeting.

(2) The Chairperson or the other Member presiding over the meeting shall endeavour at all times to arrive at decisions or recommendations through a consensus among Members and voting shall be resorted to if attempts to arrive at a consensus fail. In the event of equality of votes, the Chairperson, or, in his absence, the presiding Member, shall have a casting vote.

(3) Votes on every item of business to be transacted at a meeting of the Authority shall be taken by a show of hands.

(4) All decisions of the Authority shall be signed by the Member-Secretary of the Authority.

(5) Decisions taken at every meeting of the Authority shall be published on the website of Authority unless the Chairperson determines otherwise on grounds of ensuring confidentiality.

9. Closure of debates.—(1) The Chairperson or the Member presiding over the meeting may move for the closure of the debate or any item of business discussed at a meeting when he considers that all members have had the opportunity to express their views on any business

discussed at the meeting and the decision of the Chairperson or the Member presiding shall be final.

10. Minutes of meeting of the Authority.—(1) The Chief Executive Officer shall cause the draft minutes of each meeting of the Authority to be prepared within a period of two weeks of conclusion of each meeting and submit the same to the Chairperson or other Member who presided over the meeting, for his approval:

Provided that if for any reasons the Chief Executive Officer is unable to attend any meeting of the Authority, the Chairperson may, for this temporary purpose direct any other officer of the Authority, to prepare minutes of the meeting.

(2) The draft minutes of each meeting of the Authority approved by the Chairperson or the other Member who presided over that meeting shall be forwarded to each member not later than a period of two weeks from such approval, for adoption at the next meeting:

Provided that the decision of the Chairperson on the changes, if any, to be made in the draft minutes, shall be final.

(3) The minutes of each meeting of the Authority shall contain a fair and correct summary of the proceedings thereat and the names of Members who did not participate in the discussion of, or vote on, any item of business transacted at the meeting.

(4) The Chairperson or other Member who presided over the meeting may decide the inclusion or non-inclusion of any matter in the minutes, if in his opinion, the same is not relevant or material to the proceedings or defamatory of any person.

(5) At every meeting of the Authority, the draft minutes of the previous meeting approved by the Chairperson or the other Member who presided over that previous meeting shall be placed before the meeting for confirmation and adoption, with or without amendments or modifications, and upon confirmation and adoption in that meeting, be signed by the Chairperson or other Member presiding over the meeting, as confirmation of correctness of the record of the proceedings of the previous meeting and be kept as a record of the Authority.

11. Power of the Chief Executive Officer to take urgent action.—The Chief Executive Officer may take such action as may be necessary in case of an emergency situation warranting immediate action by the Authority and when it is not feasible to call a meeting of the Authority, and for the reasons be recorded in writing:

Provided that any such action or decision, as the case may be, shall be communicated to all the Members within a period of seven days:

Provided further that any such action shall be placed in the next meeting of the Authority for its ratification.

12. Decision by circulation.—(1) Any item of business or issue which requires decision of the Authority, if the Chairperson so directs, may be referred to Members by circulation of the matter as a resolution.

(2) A resolution shall be deemed to have been passed by the Members when such a resolution circulated in the draft, together with necessary material, if any, to all the Members to their official email ids and the resolution is approved by the majority of the Members:

Provided that the replies of all Members shall be obtained within a period not more than three clear days.

(3) Any resolution circulated under sub-regulation (1) and approved by the majority of such of those Members entitled to vote thereon, shall have such effect and be binding as if such resolution were decided by the majority of the members at a meeting.

(4) Based upon the votes and comments received on the draft resolution circulated under sub-regulation (1), the Chairperson may

(a) declare the decision adopted; or

(b) declare the decision not adopted; or

(c) in case of neutrality of votes, postpone draft resolution for the next meeting of the Authority.

(5) Any resolution passed through circulation, shall be placed at the next meeting of the Authority for its ratification.

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13. Record of Business.—(1) The Chief Executive Officer shall attend the meetings of the Authority, maintain the record of proceedings of all items of the business transacted there at.

(2) Every decision and direction of the Authority shall be recorded in writing and be kept as a record.

14. Independence and Confidentiality.—(1) Members of the Authority shall make a commitment to attend and participate in its meetings.

(2) Every Member shall submit at each meeting of the Authority a Specific Declaration of Interest in Schedule I, which might be considered prejudicial to their independence in relation to any of the items on the agenda.

(3) Any Member or any other participant in a meeting, who believes that his interests may undermine his independence, shall inform the Chairperson in writing who thereon shall take a decision on his participation in the discussions at the meetings or the work of the Authority.

(4) Members of the Authority and invitees shall sign an initial Declaration at the first meeting of the Authority for maintaining the confidentiality of the business transacted at meetings of the Authority in Schedule II.

15. Secretariat.—Chief Executive Officer shall ensure appropriate administrative support to enable the Authority to carry out its work.

16. Reimbursement of expenses.—Special invitees to any meeting of the Authority shall be entitled to a payment of two thousand rupees for attending each meeting and the reimbursement of actual travel and subsistence expenses.

17. Removal of difficulty.—In the matter of implementation of these regulations or matters relating to interpretation thereof, if any doubt or difficulty arises, the same shall be placed before the Authority and the decision of the Authority thereon shall be final.

SCHEDULE-I
[*See* Regulation 14 (2)]

SPECIFIC DECLARATION OF INTERESTS

Name: _____

Profession: _____

Meeting of the Unique Identification Authority of India

Meeting dates	
Venue	

S. No.	**Agenda Items**	**Whether the member has a conflict of interest. (YES/NO)** **If yes, please provide details to enable the chair to take a decision.**

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Declaration: I declare that the information provided above is true and complete.

Done at: _____on this _____day of _____.

Signature: _____

SCHEDULE-II
[*See* Regulation 14 (4)]

DECLARATION CONCERNING CONFIDENTIALITY

Name: _____

Position:

[ ] Member of the Unique Identification Authority of India

[ ] Other expert (external)

on _____

I hereby declare that I am aware of my obligation to respect confidentiality. I know that I am obliged not to divulge information acquired as a result of my activities in Unique Identification Authority of India, if the information is subject to a request for confidentiality and I hereby undertake not to divulge any such confidential information. I shall also respect the confidential nature of the opinions expressed by other Members or other experts during discussions in meetings or provided in written form.

Done at:_____ on this _____ day of _____.

Signature: _____

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