

# **The Aadhaar (Removal of Difficulties) Order, 2016<sup>1</sup>**

Whereas, the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits, and Services) Act, 2016 (the said Act) received the assent of the President on 25th March, 2016 and was published in the Gazette of India on 26th March, 2016;

And whereas, Sections 11 to 20, 22 to 23 and Sections 48 to 59 have come into force and the Unique Identification Authority of India (the Authority) has been established under Section 12 of the Act on 12th July, 2016;

And whereas, the Unique Identification Authority of India (Terms and Conditions of Service of Chairperson and Members) Rules, 2016 have been notified on 12th July, 2016 which require selection of the Chairperson and members through a Search-cum-Selection Committee headed by the Cabinet Secretary;

And whereas, only after completion of the selection process, the Chairperson and members can be appointed under Section 12 of the Act and various regulations which are required to give effect to the provisions of the Act can be framed by the Authority, which is likely to take some time;

And whereas, till such time that the Chairperson and Members are appointed and regulations framed, difficulties may arise in the Authority discharging its powers and functions under Section 23 without having in place the regulations necessary for the same, which may result in residents being unable to receive subsidies, benefits, and services by using the Aadhaar number;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 58(1) of the said Act, the Central Government hereby makes the following order to remove the aforesaid difficulties, namely:—

**1. Short title and commencement.**—(1) This order may be called the Aadhaar (Removal of Difficulties) Order, 2016.

(2) It shall be deemed to have come into force from the 12th of July, 2016, and shall be in force till such time all provisions of the Act come in force and regulations are made which are necessary to give effect to the said provisions, or till the expiry of three months from the date on which this order comes into force, whichever is earlier.

**2. Continuance of procedures to be followed by the Authority.**—

(1) The procedures, processes, practices, guidelines, and circulars issued by the Unique Identification Authority of India established vide Resolution of the Government of India, Planning Commission bearing Notification Number A-43011/02/2009-Admin. I, dated the 28th January, 2009, or issued under the Cabinet Secretariat Notification bearing Notification Number S.O. 2492(E), dated the 12th September, 2015 shall continue to be followed by the Authority established under Section 11 of the said Act till such time this order is in force:

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1. Ministry of Electronics and Information Technology, Order No. S.O. 2923(E), dated September 12, 2016, published in the Gazette of India, Extra., Part II, Section 3(ii), dated 12th September, 2016, pp. 5-9, No. 2223.

Provided that till such time this order is in force, the processes of enrolment shall continue and consents shall be obtained as per the provisions contained in sub-section (2) of Section 3 of the said Act in revised sample forms, incorporating the new formats for consent as given in Schedule 1-A and 1-B.

(2) All actions that may be taken by the Central Government, the Authority, their officers, and staff in accordance with the said procedures, processes, policies, practices and systems shall be deemed to be actions authorised under this Act.

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