

THE AADHAAR (PAYMENT OF FEES FOR PERFORMANCE OF AUTHENTICATION) REGULATIONS, 2023¹

In exercise of the powers conferred by sub-sections (1) and (2) of section 54 read with sub-section (1) of section 8 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 (18 of 2016), and in supersession of the Aadhaar (Pricing of Aadhaar Authentication Services) Regulations, 2021, except as respects things done or omitted to be done before such supersession, the Unique Identification Authority of India hereby makes the following regulations, namely:—

1. Short title and commencement.—(1) These regulations may be called the Aadhaar (Payment of Fees for Performance of Authentication) Regulations, 2023.

(2) They shall come into force on the date² of their publication in the Official Gazette.

2. Definitions.—All words and expressions used in these regulations that are defined in the Act or the rules and other regulations made thereunder, shall have the meanings respectively assigned to them in the Act, rules or other regulations, as the case may be.

3. Fee for authentication.—(1) If upon submission of an Aadhaar number by a KUA or sub-KUA using the e-KYC authentication facility of the Authority, a digitally signed response is returned to such KUA or sub-KUA, which—

(a) contains e-KYC data along with other technical details related to the authentication transaction, where that KUA or sub-KUA is—

(i) a Telecom Service Provider, a fee of one rupee; and

(ii) other than a Telecom Service Provider, a fee of three rupees,

(b) is other than that referred to in clause (a), a fee of fifty paise,

shall be chargeable to that KUA or sub-KUA, as the case may be, and payable to the Authority.

Explanation.—For the purposes of this sub-regulation ³[and sub-regulation (5)], “Telecom Service Provider” shall mean a person who is a Unified Licensee having Access Services authorisation or a Unified Access Services Licensee, under section 4 of the Indian Telegraph Act, 1885 (13 of 1885).

(2) If upon submission of an Aadhaar number by an AUA or sub-AUA using the Yes/No authentication facility of the Authority, a digitally signed response is returned to such AUA or sub-AUA, a fee of fifty paise shall be chargeable to that AUA or sub-AUA, as the case may be, and payable to the Authority.

(3) The fee specified in sub-regulations (1) and (2)—

(a) shall be inclusive of applicable taxes;

1. *Vide* No. HQ-13073/1/2020-AUTH.II-HQ(E), dated 29th September, 2023, published in the Gazette of India, Extra., Pt. III, Sec. 4, No. 675, dated 3rd October, 2023.

2. Came into force on 3-10-2023.

3. Ins. by Notification F. No. HQ-13073/1/2020-AUTH.II (E), dated 31st January, 2024 (w.e.f. 31-1-2024).

- (b) shall, upon completion of every period of twenty-four calendar months from the end of the calendar month in which the Aadhaar (Pricing of Aadhaar Authentication Services) Regulations, 2021 came into force, stand revised in proportion to the ratio of the Consumer Price Index for the calendar month at the end of such period to that for the calendar month in which the said regulations came into force, rounded off to the nearest ten paise:

Provided that the Authority may, by notification, defer such revision by such period as it may specify; and

- (c) shall be not chargeable in respect of use of Authentication facility by or on behalf of the Central Government, any State Government or the Authority.

Explanation.—For the purposes of this sub-regulation ¹[and sub-regulation (5)], “Consumer Price Index” shall mean the Consumer Price Index (Combined) released by the National Statistical Office, Ministry of Statistics and Programme Implementation, Government of India from time to time.

¹[(4) Where a requesting entity has entered into a Memorandum of Understanding or agreement with the Authority for performing authentication with update regarding the status as to whether any Aadhaar number previously submitted has been subsequently omitted or deactivated or re-activated, for any response subsequently received by way of such update in accordance with the regulations made by the Authority in respect of performance of authentication of Aadhaar numbers, a fee of five rupees shall be chargeable to such requesting entity for every such update:

Provided that the Authority may, where such update is in the interests of performance of its functions and exercise of its powers, including the maintenance of information of Aadhaar number holders in CIDR, updating of their current details for continued accuracy in CIDR, processing of information of Aadhaar numbers and inquiry into CIDR, by order, waive such fee, to such extent as such order may specify.

(5) The fee under sub-regulation (4)—

- (a) shall be inclusive of applicable taxes;
- (b) shall, upon completion of every period of twenty-four calendar months from the end of the calendar month in which the Aadhaar (Payment of Fees for Performance of Authentication) Amendment Regulations, 2024 came into force, stand revised in proportion to the ratio of the Consumer Price Index for the calendar month at the end of such period to that for the calendar month in which the said regulations came into force, rounded off to the nearest ten paise:

1. Ins. by Notification F. No. HQ-13073/1/2020-AUTH.II (E), dated 31st January, 2024 (w.e.f. 31-1-2024).

Provided that the Authority may, by notification, defer such revision by such period as it may specify.]

4. Time for payment of fee.—(1) The fee chargeable under regulation 3 shall be payable within a period of thirty days from the date of issuance of an invoice by the Authority in this behalf.

(2) Any delay in payment of the fee chargeable under regulation 3, beyond expiry of the period referred to in sub-regulation (1), shall attract interest at the rate of 1.5 per cent. per month, compounded monthly.

(3) Any KUA, sub-KUA, AUA or sub-AUA referred to in regulation 3, who discontinues the use of the Authentication facility referred to therein shall intimate such discontinuation to the Authority:

Provided that the fee specified in regulation 3 shall continue to be chargeable till the surrender of access to the Authentication facility by the KUA, sub-KUA, AUA or sub-AUA, as the case may be, and the deactivation of such access.

¹[5. Doing of act or thing related to delegated power or function.—

(1) Any act or thing that is to be or may be done by the Authority under these regulations may also be done by any Member or officer of the Authority or any other person to whom the Authority has delegated the related power or function by general or special order in writing, under section 51 of the Act.

(2) The Authority may determine whether or not an act or thing done by a Member, officer or other person under sub-regulation (1) related to a power or function delegated as referred to in the said sub-regulation.]

1. Ins. by Notification F. No. HQ-13073/1/2020-AUTH.II (E), dated 31st January, 2024 (w.e.f. 31-1-2024).