

JCR-10
13-9-15

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SREN/L-12629
09/4/15

1) DS
2) this in A. may upload
3) for circulation among all
4) Distinct copy to 3
5) copy to 3
6) to me ad
7) other officers.
8/4/15

7P.

MOST IMMEDIATE
COURT MATTER

No.I-11011/112/2013-DBT-PF
Government of India
Ministry of Finance
Department of Expenditure
Direct Benefit Transfer

Shaded
9/4/2015
JCR

4th Floor, Shivaji Stadium Annexe
Rajiv Chowk, New Delhi - 110 001

Dated the 24th March, 2015.

OFFICE MEMORANDUM

Sub: WP (C) No.494/2012 - Justice K.S. Puttaswamy (Retd.) vs. UOI - Adherence of Supreme Court's Order dated 23.9.2013.

The undersigned is directed to refer to Cabinet Secretariat's I.D.No.213/2/5/2012-CA.IV dated 20th March, 2015 (copy enclosed) and copy of letter No.CS-4491/15 dated 16th March, 2015 (copy enclosed) of Solicitor General of India conveying the observations of the Hon'ble Supreme Court for strict compliance/adherence of the Order dated 23.9.2013. The Hon'ble Court in the above matter has directed on 16.3.2015 that the Order that was passed by the Court on 23.9.2013 should be adhered to by all the authorities, i.e. Union of India, all States and all other authorities within the meaning of the Constitution of India. The operative portion of the Order dated 23.9.2013 is reproduced below to ensure the compliance/adherence by all concerned:-

"In the meanwhile, no person should suffer for not getting the Aadhaar card inspite of the fact that some authority had issued a circular making it mandatory and when any person applies to get the Aadhaar Card voluntarily, it may be checked whether that person is entitled for it under the law and it should not be given to any illegal immigrant."

2. For getting subsidy benefit and benefits under Government social welfare schemes, no one should be denied any benefits for want of Aadhaar number. However for containing corruption, improved delivery of benefits to the eligible beneficiaries and reducing cost of management of schemes, beneficiaries be advised, motivated and suggested to obtain Aadhaar number for seeding the same in beneficiary data base of schemes.

Sh. Anand
Anand

(Nidhi Khare)
24/3/15

Joint Secretary (DBT)
Tele.# 23343860 Ext.333

To

1/10

SS (SCD-B)

- 1. Secretaries to all Ministries/Departments of the Government of India.
- 2. Chief Secretaries of all States/Administrators of the UTs.

Copy to:

Secretary (Expenditure), Department of Expenditure, North Block, New Delhi.

6/4

SS (SCD-B)

Joint Secretary (SCD-A) & SSB
E-off No. 41017
दिनांक/Date 6/4/15

संयुक्त सचिव (एस सी डी-बी)
Joint Secretary (SCD-B)
E-off No. 41017
दिनांक/Date 6/4/15

S/S
35 (10 A)

Dir (MP)

Dir (MP)

CABINET SECRETARIAT
RASHTRAPATI BHAWAN

Subject: WP (C) No. 494/2012- Justice K.S. Puttaswamy (Retd.) V. UOI –
adherence of Supreme Court's order dated 23.9.2013.

Please find enclosed herewith a copy of letter No. nil dated 16th march,
2015 of Solicitor General of India conveying the observations of Hon'ble
Supreme Court for strict compliance/adherence of the order dated 23.9.2013.

2. D/o Expenditure, along with UIDAI and DBT Mission, is requested to
take necessary action in the matter.

Sd/-
(S. Ahladini Panda)
Director
Tel: 23792357

D/o Expenditure (Shri Ratan P. Watal, Secretary)
Cabinet Secretariat's I.D. No. 213/2/5/2012-CA.IV dated 20th March, 2015

Copy, along with a copy of the reference cited, to:

1. Shri L.C. Goyal, Home Secretary.
2. Shri P.K. Malhotra, Secretary, D/o Legal Affairs.
3. Shri D.K. Mittal, Mission Director, DBT Mission, 4th Floor, Shivaji Stadium.
4. Shri V.S. Madan, DG & Mission Director, UIDAI.

Ahlanda
(S. Ahladini Panda)
Director

Copy, along with a copy of the reference cited, for kind information to:

Shri Nripendra Misra, Principal Secretary to Prime Minister.

Sd/-
(S. Ahladini Panda)
Director

रंजीत कुमार

1-सॉलिसिटर भारत

RANJIT KUMAR

Solicitor General of India



सत्यमेव जयते

Office/Chamber:

27, Law Officers' Chambers,

Supreme Court of India

Tel. : (+91) (11) 23381636, Fax : 23070238

E-mail : sgofficerk@gmail.com

CS-4491/15
17/3/1516th March 2015

Sub: WP (C) No.494/2012 – Justice K.S. Puttaswamy (Retd) v. UOI [Court 6, Item 301]

Dear Shri Seth,

The abovementioned batch of matters relating to the validity of the issuance of Adhaar cards which has to be heard by a Bench of three Hon'ble Judges was taken for hearing on 16.03.2015. It has been directed by order passed today that it be heard in the second week of July 2015.

In the meantime, the Court has directed today that the order that was passed by the Court on 23.09.2013 should be adhered to by all authorities i.e., the Union of India, all the States and all other authorities within the meaning of the Constitution of India. The operative portion of the order dated 23.09.2013 is quoted hereinbelow for your ready reference:-

"In the meanwhile, no person should suffer for not getting the Adhaar card inspite of the fact that some authority had issued a circular making it mandatory and when any person applies to get the Adhaar Card voluntarily, it may be checked whether that person is entitled for it under the law and it should not be given to any illegal immigrant."

This was necessitated on account of the fact that some of the Petitioners brought it to the notice of the Court that some of the States/authorities were violating the said order and were insisting that Adhaar cards would be necessary for availing of some of the Government services or benefits.

Since it was observed by the Hon'ble Court that I should convey the strict compliance/adherence of the order dated 23.09.2013, I am writing this letter to you so that this order is fully adhered to. You are requested to please make sure of adherence of this order.

With regards,

Yours sincerely,

(Ranjit Kumar)

Shri Ajit Seth,
Cabinet Secretary,
Cabinet Secretariat,
Rashtrapati Bhavan,
New Delhi

Residence-cum-Office

A-47, Kailash Colony, New Delhi-110048

Tel: (+91) (11) 29234106 / 08 / 09

Fax: (+91) (11) 29244110; Mobile: (+91) 9212000892

Email: ranjitkumarofficial@gmail.com