

F.No. 27012/8/2015-LRD
Government of India
Ministry of Rural Development
Department of Land Resources
(Land Reforms Division)

'G' Wing,
NBO Building,
Nirman Bhawan,
New Delhi 110011
Dated 7th December, 2015

To,

Principal Secretary- In-charge Registration Department,
All States/Administrators- all UTs

Subject: Acceptance of consent based Aadhaar authentication services offered by UIDAI as a valid method of collecting the information mentioned in section 32-A of the Registration Act, 1908.


Sir,

With reference to the meetings held under the Chairmanship of Secretary, Department of Land Resources on 04th November, 2015 and 17th November, 2015, the Department of Land Resources would like to thank all the attendees for their presence and valuable inputs on the use of consent-based Aadhaar authentication services to facilitate the identification process under the Registration Act, 1908.

As was evident from the discussion and pilot programmes underway, the adoption of these services brings with it fivefold advantages: (a) over 93 crore Aadhaar numbers have been generated in the country so far and it is one of the easiest forms of proof of identity available to executants; (b) consent based Aadhaar authentication services provide a cost-effective and fully-auditable method of fulfilling the requirements under section 32-A of the Registration Act, 1908; (c) it eliminates the inconvenience to the potential registrant of dipping his fingers in ink to provide ink based fingerprints on hardcopy which are also far more difficult to verify (d) in a consent-based Aadhaar authentication, the government itself acts as a witness to identify the registrant, thereby doing away with the need for additional witnesses; (e) the use of this service in the future can enable the introduction of digitally signed documents which may be stored securely in digital lockers.


In this context, State Governments/Inspector General of Registration in the States may examine the option of modifying the procedure followed by them for registration of documents, to incorporate the consent-based Aadhaar authentication services of the UIDAI while collecting fingerprints and photographs under section 32-A of the Registration Act, 1908. A copy of the Model draft rules in this regard are attached herewith, which could be considered and adopted with such modification as required and adopted in accordance with the Registration Act, 1908 as amended from time to time in its application to States/UTs.

Encl: As above


(H S Meena) 7/12/2015
Joint Secretary
Telefax 011-23062351

Copy for information and necessary action to-

- (1) Inspector General of Registration, all States/UTs,
- (2) Director General, NIC, A Block, CGO Complex, Lodhi Road, New Delhi 110003
- (3) Director General, UIDAI, 9th Floor, Tower-1, Jeevan Bharti Building, Cannaught Circus, New Delhi 110001


(H S Meena) 7/12/2015
Joint Secretary.
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**OFFICE OF THE INSPECTOR GENERAL OF REGISTRATION,
STATE OF _____**

**No. / /2015
Dated December, 2015
NOTIFICATION**

In exercise of the powers conferred under clause (j) of sub-section (1) of section 69 read with section 32-A of the Registration Act, 1908 (16 of 1908), the Inspector General of Registration, State of _____ with the prior approval of the State Government as required under clause (2) of section 69 of this Act, make the following rules, namely;-

1. Short title, extent and commencement.- (1) These rules may be called the Registration (Identity Verification in the Registration of Documents) Rules, 2015.

(2) The rules shall come into force as in Sub-Registrar offices as notified by the Inspector General of Registration. Different dates may be appointed for different Sub-Registrar offices.

2. Definitions- (1) "Act" means the Registration Act, 1908 (16 of 1908);

(2) 'Aadhaar Number' means a 12-digit unique identification number generated and issued to an individual by the Unique Identification Authority of India (UIDAI) after de-duplication of demographic and biometric information pertaining to that individual.

(3) 'Consent-based Aadhaar Authentication Service' means electronic authentication carried out by Unique Identification Authority of India (UIDAI), or agencies appointed by it, after matching the biometric information of an individual at his request or with his consent, with the information maintained by UIDAI in its own central servers, and includes a 'Yes/No' response, or a response containing the demographic information and photograph of that individual.

(4) "UIDAI" means the Unique Identification Authority of India";

3. Validity of Consent-based Aadhaar Authentication Service.- Any person presenting any document at the proper registration office for registration under section 32 of the Act may utilize the Consent-based Aadhaar Authentication Service to fulfill requirements under section 32-A of the Act, in accordance with these rules.

4. **Procedure.-** Where the option of using Consent-based Aadhaar Authentication Service is utilized, the following procedure shall be adopted;-

(a) the explicit consent of such person for the use of the Consent-based Aadhaar Authentication Service shall be obtained;

(b) Upon the granting of consent, the 12 digit Aadhar number, alongwith the fingerprints scan of the person shall be entered into the UID system;

(c) Upon authentication, the UIDAI system shall automatically return the Consent-based Aadhaar Authentication data of the user;

(d) A physical copy of the information generated through Consent-based Aadhaar Authentication Service alongwith the unique transaction code for that authentication shall be affixed on the document to be registered and also stored in the appropriate electronic format.

5. **Procedure in case of registration of documents of transfer of ownership of immovable property.-** Where the document to be registered relates to the transfer of ownership of immovable property, the above procedure shall be followed for each executant mentioned in the document *and the witnesses*.

6. **Fulfillment requirement of identification of executant.-** In accordance with section 32-A of the Act read with section 4 and 6 of Chapter II Digital Signature and Electronic Signature, of the Information Technology Act, 2000 (21 of 2000) as amended from time to time, the information generated through Consent-based Aadhaar Authentication Service, the purpose of section 32-A read with clause (b) of sub-section (3) of section 34 shall be deemed to fulfill the requirement of identification of the executant under the said section.

7. In case, the fingerprints of the executants do not match, matching with iris should be taken.

(Name)

Inspector General of Registration,
State of _____

No. / / dated same as above-

Copy to (1) Principal Secretary, Stamp and Registration Department,
Government of _____,

(2) Copy in Hindi and English and (local language), Government Press, _____

(3) Guard File, _____

(4) Legislative Department, Government of _____, Secretariat, _____

(Name)

Inspector General of Registration,
State of _____