

Madhya Pradesh Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2019

MADHYA PRADESH

India

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Act 6 of 2019

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Madhya Pradesh Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2019(No. 6 of 2019)Last Updated 14th February, 2020(Received the of the Governor on the 13th March, 2019; assent first published in the "Madhya Pradesh Gazettee (Extra-ordinary)", dated the 15th March, 2019.)An Act to provide for, as a good governance measure, efficient, transparent and targeted delivery of subsidies, benefits and services, the expenditure for which is incurred entirely from the Consolidated Fund of the State, to the individuals residing in the State of Madhya Pradesh using Aadhaar as a sole identifier, and for matters connected therewith or incidental thereto.Be it enacted by the Madhya Pradesh Legislature in the Seventieth year of the Republic of India as follows: -

1. Short title, extent and commencement.

(1)This Act may be called the Madhya Pradesh Aadhaar (Targeted Delivery of Financial Other Subsidies, Benefits and Services) Act, 2019.(2)It extends to the whole of the State of Madhya Pradesh.(3)It shall come into force on the date of its publication in the Madhya Pradesh Gazette.

2. Definitions.

(1)In this Act, unless the context otherwise requires,-(a)"Aadhaar number" means an Identification number issued to an individual under section 3 of the Central Act;(b)"agency of the State Government" means any authority or body established or constituted by any Central Act or State Act in the State of Madhya Pradesh including the local bodies, and any other body owned and controlled by the State Government and includes the bodies whose composition and administration are

predominantly controlled by the State Government;(c)"authentication" means the process by which the Aadhaar number along with demographic information and biometric information of an individual is submitted to the Central Identities Data Repository for its verification and such Repository verifies the correctness, or the lack thereof, on the basis of information available with it;(d)"benefit" means any advantage, gift, reward, relief or payment, in cash or kind, provided to an individual or group of individuals and includes such other benefits as may be notified by the State Government, from time to time;(e)"biometric information" means photograph, finger print, iris scan, or such other biological attributes of an individual specified by the Central Act;(f)"Central Act" means the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 (No. 18 of 2016);(g)"Central Identities Data Repository" means a centralized database in one or more locations containing all Aadhaar number issued to Aadhaar number holders along with the corresponding demographic information and biometric information of such individuals and other information related thereto.(h)"Consolidated Fund of State" means a Consolidated Fund of the State of Madhya Pradesh;(i)"demographic information" includes information relating to the name, date of birth, address and other relevant information of an individual as per the provisions of Central Act, but shall not include race, religion, caste, tribe, ethnicity, language, records of entitlement, income and medical history;(j)"enrollment" means the process to collect demographic and biometric information from individuals by the enrolling agencies for the purpose of issuing Aadhaar number to individual as provided under the Central Act;(k)"Government" or "State Government" means the Government of Madhya Pradesh;(l)"prescribed" means prescribed by rules made under this Act;(m)"service" means any provision, facility, utility or any other assistance provided in any form to an individual or a group of individual and includes such other services as may be notified by the State Government;(n)"subsidy" means any form of aid, support, grant, subvention or appropriation, in cash or kind, to an individual or a group of individuals and includes such other subsidies as may be notified by the State Government, from time to time.(2)Words and expressions used in this Act but not defined hereinabove shall have the same meanings as respectively assigned to them under the Central Act.

3. Proof of Aadhaar Number necessary for receipt of certain subsidies, benefits and service etc.

- The State Government or, as the case may be, any agency of the Government may, for the purpose or establishing identity of an individual as a condition for receipt of a subsidy, benefit or service for which the expenditure is incurred entirely by way of withdrawal from, or the receipt there from forms part of the Consolidated Fund of the State, or any fund set up by any agency of the State Government, required that such individual undergo authentication, or furnish proof of possession of Aadhaar number or, in the case of an individual to whom no Aadhaar number has been assigned, such individual makes an application for enrollment:Provided that till such time an Aadhaar number is not assigned to an individual, the individual shall be offered alternate and viable means of identification for delivery of the subsidy, benefit or service.

4. Notifying schemes by State Government.

- The State Government shall, from time to time notify the list of schemes, subsidies, benefits or services for which such authentication or proof is required as per section 3.

5. Application of Chapter III and VI of Central Act.

- The provision of Chapter III and Chapter VI of the Central Act shall mutatis mutandis apply to authentication under this Act.

6. Provisions of this Act to be in addition to and not in derogation of other laws.

- The provisions of this Act are in addition to and not in derogation of any other law for the time being in force.

7. Protection of action taken in good faith.

- No Suit, prosecution or other legal proceeding shall lie against the State Government or any officer or other employees of the State Government for anything which is in good faith done or intended to be done under this Act or rules made thereunder.

8. Power to make rules.

- The State Government may by notification in the Official Gazette, make rules to carry out the provisions of this Act.(2)In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-(a)specifying manner of use Aadhaar number for the purposes of providing or availing of various subsidies, benefits, services and other purposes for which Aadhaar number may be used;(b)any other matter which is required to be, or may be specified, or in respect of which provision is to be made by rules.(3)Every rule made under this Act shall be laid, as soon as may be, after it is made, before the State Legislative Assembly.

9. Power to remove difficulties.

- If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion arises by an order published in the official Gazette, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purposes of removing the difficulty:Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.(2)Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before the State Legislative Assembly.