



REGULATORY

Understanding the Aadhaar (Sharing of Information) Amendment Regulations, 2025

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Introduction

The Unique Identification Authority of India (UIDAI) has issued the Aadhaar (Sharing of Information) First Amendment Regulations, 2025, with effect from 22 August 2025. The amendment introduces changes concerning the sharing of Aadhaar numbers assigned to young children and the compliance responsibilities of entities in relation to deactivated Aadhaar numbers.

Table of contents

- [Introduction](#)
- [Legal Context](#)
- [Key Amendments](#)
 - [1. Sharing of Child Aadhaar with Birth Registrars](#)
 - [2. Exemption for Deceased Persons' Aadhaar](#)
- [Significance of the Amendment](#)
- [Conclusion](#)

Legal Context

The regulatory framework for Aadhaar is anchored in the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 ("Aadhaar Act"). The Act entrusts the Unique Identification Authority of India (UIDAI) with powers to regulate all aspects of the Aadhaar ecosystem, including enrolment of residents, updating of demographic and biometric information, authentication services, and the rules governing the sharing or use of Aadhaar data.

In furtherance of this mandate, UIDAI notified the Aadhaar (Sharing of Information) Regulations, 2016, which lay down:

- the conditions and purposes for which Aadhaar-related information may be shared,
- the restrictions on disclosure and use of such information, and
- the responsibilities of agencies or entities that are in possession of Aadhaar numbers.

In parallel, the Digital Personal Data Protection Act, 2023 (DPDP Act) has introduced a comprehensive framework for processing personal data in India. The DPDP Act emphasises key principles of consent, purpose limitation, data minimisation, and accountability. These principles are of direct relevance to Aadhaar, given its role as the primary digital identity infrastructure in India.

Against this backdrop, the Aadhaar (Sharing of Information) First Amendment Regulations, 2025 seek to:

- strengthen the accuracy and reliability of Aadhaar records by addressing duplication and deactivation issues, and
- ensure that Aadhaar-related data handling practices remain consistent with emerging data protection standards.

In doing so, the amendment reflects UIDAI's broader policy objective of integrating Aadhaar more closely with civil registration records (births and deaths), while maintaining alignment with India's evolving data protection regime.

Key Amendments

1. Sharing of Child Aadhaar with Birth Registrars

A new provision in Regulation 3 enables UIDAI to share the Aadhaar number of a child below five years, issued solely on the basis of a birth certificate (without biometrics), with the Registrar General of India or the State Chief Registrar.

- Such sharing is subject to the consent of the parent or guardian.
- The measure is aimed at preventing duplicate Aadhaar enrolments using the same birth certificate.

Analysis: This amendment links Aadhaar more closely with civil birth registration and introduces an explicit consent requirement. The change is relevant for systems where children's Aadhaar numbers are used for access to education, healthcare, and welfare benefits.

2. Exemption for Deceased Persons' Aadhaar

An amendment to Regulation 5 clarifies that the responsibilities imposed on entities handling Aadhaar numbers do not apply where the Aadhaar has been deactivated due to the holder's death, in accordance with Regulation 28 of the Aadhaar (Enrolment and Update) Regulations, 2016.

Analysis: This clarification reduces compliance burdens for entities such as banks, insurers, and telecom operators that routinely process Aadhaar numbers. It also supports UIDAI's ongoing effort to integrate Aadhaar with death registries, thereby reducing the risk of continued use of Aadhaar post-death.

Significance of the Amendment

- **Data Integrity:** The changes enhance the reliability of Aadhaar records by addressing duplication risks for children and ensuring deactivation of Aadhaar after death.
- **Consent-Based Framework:** The amendment strengthens the principle of consent in Aadhaar-related data sharing, consistent with the DPDP Act.
- **Sectoral Impact:** Entities in financial services, insurance, telecom, education, and healthcare may need to adjust operational processes in light of the clarified obligations and consent requirements.
- **Future Outlook:** These developments indicate a broader policy direction of linking Aadhaar with civil registration systems (birth and death), which may have wider compliance implications going forward.

Conclusion

The Aadhaar (Sharing of Information) First Amendment Regulations, 2025, though targeted in scope, mark an important step towards improving the accuracy of Aadhaar records and clarifying the responsibilities of entities handling Aadhaar data. The introduction of consent requirements for child Aadhaar sharing and the exemption for deactivated Aadhaar numbers reflect an evolving regulatory approach that integrates Aadhaar more closely with civil registries, while aligning with broader data protection principles.

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