THE RAJASTHAN JAN-AADHAAR AUTHORITY ACT, 2020
(Act No. 3 of 2020)

(Received the assent of the Governor on the 27th day of February, 2020)

An

Act

to provide for, as a measure for good governance, efficient, transparent and targeted delivery of public welfare benefits and services to the individual residing in the State of Rajasthan, the expenditure for which is incurred from the Consolidated Fund of the State, using Jan-Aadhaar ID as identifier; constitution of Rajasthan Jan-Aadhaar Authority and for matters connected therewith or incidental thereto.

Be it enacted by the Rajasthan State Legislature in the Seventy-first Year of the Republic of India, as follows:–

CHAPTER-I
Preliminary

1. Short title, extent and commencement.-(1) This Act may be called the Rajasthan Jan-Aadhaar Authority Act, 2020.

(2) It shall extend to the whole of the State of Rajasthan.

(3) It shall be deemed to have come into force on and from 18th December, 2019.

2. Definitions.-(1) In this Act, unless the context otherwise requires,—

(a)―Aadhaar number‖ means an identification number issued to an individual under sub-section (3) of section 3 of the Central Act;

(b)"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 and the Jan-Aadhaar ID to the Jan-Aadhaar Resident Data Repository for its verification and such Repository verifies the correctness, or the lack thereof, on the basis of information available with it;

(c)―Authority‖ means the Rajasthan Jan-Aadhaar Authority established and constituted under section 19;

(d)―biometric information‖ means photograph, finger print, iris scan, or such other biological attributes of an individual specified by the Central Government;

(e)―Central Act‖ means the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 (Central Act No.18 of 2016);

(f)―demographic information‖ includes information relating to the name, date of birth, address, caste, tribe, records of entitlement, income and medical history and other relevant information of an individual;

(g)―enrolment‖ means enrolment of a family under section 6 of this Act; (h)

—family‖ means a group of members related to each other by blood, marriage or adoption and normally residing together and sharing meals; (i)"Fund" means the Fund of the Authority established under section 28; (j) "Government body" means any body owned, controlled or substantially financed by the State Government;

(k) —Head of the family‖ means a woman member of the family of the age of eighteen years or above, declared by the family members in the prescribed manner as head of the family:

Provided that in case a family has no woman member of the age of eighteen years or above at the time of enrolment, any male member of the family of the age of twenty one years or above may be declared to be the head of the family till an eligible woman member of the family takes his place; or in case a family has no male member of the age of twenty one years or above at the time of enrolment, any eldest member of the family of any gender, may be declared as head of the family by the family members. If such head of the family is a male, he can remain so only till an eligible woman member of the family takes his place;

(l) —Identity information‖ in respect of a member of a family includes his Aadhaar number and his demographic information;

(m) —Jan-Aadhaar ID‖ means a unique Jan-Aadhaar ID, for identifying a family issued, under section 6;

(n) —Jan-Aadhaar Platform‖ means an electronic mechanism of interface between the resident and the Government department/government body created under the provisions of this Act;

(o) —Jan-Aadhaar Resident Data Repository‖ means the Jan-Aadhaar Resident Data Repository created under section 9 of this Act;

(p) —Prescribed‖ means prescribed by rules made under this Act;

(q) —public welfare benefits‖ means any advantage, gift, reward, relief, aid, subsidy or any payment, whether in cash or kind, provided by the State Government directly or through a government body to an individual or a family and includes such other benefits as may be notified by the State Government from time to time;

(r) —Records of entitlement‖ means records of public welfare benefits and services under any programme or scheme for which any family or any of its members is entitled to;

(s) "Registrar" means any entity authorised or recognised by the Authority for the purpose of enrolment under this Act;

(t) —Regulations‖ means the regulations made by the Authority under this Act;

(u) —Requesting entity‖ means a Government Department or government body that submits the Jan-Aadhaar ID, identity information and photograph (if required) to the Jan-Aadhaar Resident Data Repository for authentication;

(v) "resident", with all its grammatical variations, means a resident who has resided in a local area of Rajasthan for the past six months or more or a person who intends to reside in that area for the next six months or more; (w) ―Rules‖ means the rules made by the State Government under this Act; (x) ―service‖ means any provision, facility, utility or any other assistance provided in any form to a family or an individual and includes such other services as may be notified by the State Government from time to time; (y) "Verification" means the process of verifying the correctness of the identity information submitted by the Head of the Family or any adult member at the time of enrolment.

(2) Words and expressions used in this Act but not defined herein above shall have the same meanings as respectively assigned to them under the Central Act.

CHAPTER-II

Authentication

3. Authentication and Proof of Aadhaar and/or Jan-Aadhaar necessary for receipt of Public Welfare Benefits and services.- The State Government may, for the purpose of establishing identity of an individual as a condition for receipt of public welfare benefits and services for which the expenditure is incurred from the Consolidated Fund of the State, require that such individual undergo authentication, or furnish proof of possession of Aadhaar number and/or Jan-Aadhaar ID or in the case of an individual to whom no Aadhaar number and no Jan-Aadhaar ID has been assigned, such individual makes an application for enrolment:

Provided that till such time an Aadhaar number and/or Jan-Aadhaar ID is not assigned to an individual, the individual shall be offered alternate and viable means of identification for delivery of public welfare benefits and services.

4. Notifying schemes by the State Government.- The State Government shall, from time to time, notify public welfare benefits and services for which such authentication or proof is required as per section 3.

5. Application of Chapter III of Central Act.- The provisions of Chapter III of the Central Act shall *mutatis mutandis* apply to authentication under this Act.

CHAPTER-III

Jan-Aadhaar Card

6. Enrolment for Jan-Aadhaar Card.- (1) Every resident family of the State shall be entitled, through its head or through any eldest or adult member, to obtain Jan-Aadhaar Card by submitting identity information and photograph of all its members in the prescribed manner.

(2) On receipt of the identity information and photograph of the members of the family under sub-section (1), the Authority shall, after verifying the information in such manner, as may be prescribed, enrol the family and assign to the family a unique Jan-Aadhaar ID which shall be a unique random number.

7. Salient features of Jan-Aadhaar ID.- (1) A Jan-Aadhaar ID assigned to a family shall be a unique number and it shall not be re-assigned to any other family.

(2) A Jan-Aadhaar ID shall be a random number and bear no relation to the attributes or identity of the Jan-Aadhaar ID holder.

(3) A Jan-Aadhaar ID, in physical or electronic form subject to authentication and other conditions, as may be prescribed, shall be accepted as proof of identity and proof of address of the family members for the purpose of public welfare benefits and services and may also be accepted as proof of identity and proof of address for any other purpose.

Explanation.- For the purposes of this sub-section, the expression ―electronic form‖ shall have the same meaning as assigned to it in clause (r) of sub-section (1) of section 2 of the Information Technology Act, 2000 (Central Act No. 21 of 2000).

8. Jan-Aadhaar Card.- (1) On enrolment under section 6, the Authority shall issue to the head of the family a Jan-Aadhaar Card in such form, in such manner and on payment of such fees, if any, as may be prescribed.

(2) If any member of the family so desires by an application made in this behalf, he may also be issued an individual Jan-Aadhaar card in such form, in such manner and on payment of such fees, if any, as may be prescribed.

CHAPTER-IV

Jan-Aadhaar Resident Data Repository and Protection of Information

9. Creation of Jan-Aadhaar Resident Data Repository.- (1) The Authority shall create and maintain a database of identity information and photograph of all the Jan-Aadhaar card holders as the Jan-Aadhaar Resident Data Repository in such manner as may be prescribed.

(2) The Authority may engage any agency, as it may deem appropriate, to create and maintain the Jan-Aadhaar Resident Data Repository and to perform any other functions relating to the Jan-Aadhaar Resident Data Repository as may be prescribed.

10. Security and confidentiality of information.- (1) The Authority shall ensure the security and confidentiality of the data in Jan-Aadhaar Resident Data Repository.

(2) Without prejudice to the generality of sub-section (1), the Authority shall-

(a) Adopt and implement appropriate technical and organisational security measures;

(b) ensure that the agencies, consultants, advisors or other persons appointed or engaged for performing any function of the Authority under this Act, have in place appropriate technical and organisational security measures for the information; and

(c) Ensure that the agreements or arrangements entered into with such

agencies, consultants, advisors or other persons, impose obligations equivalent to those imposed on the Authority under this Act, and require such agencies, consultants, advisors or other persons to act only on instructions from the Authority.

(3) Save as otherwise provided in this Act, the Authority or any of its officers or other employees or any agency that maintains the Jan-Aadhaar Resident Data Repository shall not, whether during his service or thereafter, reveal any information stored in the Jan-Aadhaar Resident Data Repository or authentication record to anyone except in accordance with any law for the time being in force:

Provided that any information of Jan-Aadhaar card holder stored in the Jan-Aadhaar Resident Data Repository may be revealed to such holder on a request made by him in the manner specified in regulations.

(4) The provisions of Chapter VI of the Central Act shall *mutatis mutandis* apply to Protection of Information under this Act.

11. Restriction on sharing information.- (1) No identity information and photograph of Jan-Aadhaar card holder collected under this Act and Jan-Aadhaar ID shall be shared with anyone, for any reason whatsoever, except in accordance with the provisions of this Act.

(2) Jan-Aadhaar ID, identity information and photograph shall not be published, displayed or posted publicly, except for such purposes, as may be prescribed.

(3) Jan-Aadhaar ID, identity information and photograph may be used by the Government for identifying beneficiaries for welfare schemes and disseminating information in case of natural calamities/disasters in accordance with the provisions of this Act.

12. Sharing of information by a requesting entity.- (1) Identity information and photograph available with a requesting entity,-

(a) shall not be used by the requesting entity for any purpose other than that specified for the Jan-Aadhaar ID holder at the time of submitting the request for authentication of identity information; and

(b) Shall not be disclosed further without the prior consent of the Jan-Aadhaar ID holder.

(2) A requesting entity may share the authentication logs of a Jan-Aadhaar ID holder with the Jan-Aadhaar ID holder concerned upon request of the family.

13. Alteration of identity information and photograph.- (1) In case any identity information and photograph of a member of the Jan-Aadhaar card holder family is found incorrect or changes subsequently, the head of the family or any other adult member of the family may request the Authority to alter such identity information or photograph, as the case may be, in the record of the family in the Jan-Aadhaar Resident Data Repository in such manner, as may be prescribed.

(2) The Authority may, *suo motu* or on receipt of any request under sub-section (1), after such inquiry or/and verification as it may deem fit, make such

alteration as may be required in the Jan-Aadhaar Resident Data Repository, and intimate such alteration to the head of the family and the member concerned in the manner as may be prescribed.

(3) No identity information and photograph in the Jan-Aadhaar Resident Data Repository shall be altered except in the manner provided in this Act.

CHAPTER-V

Delivery of Services and direct transfer of benefits

14. Delivery of Services.- (1) The State Government may, for the purpose of establishing identity of a family or any of its members, as a condition for receipt of public welfare benefits and services, notify the list of the services under section 7 of the Central Act to be delivered through Jan-Aadhaar Platform.

(2) The Authority shall endeavour to deliver public welfare benefits and services to the beneficiaries at their doorsteps or at the places nearby to their residences through e-Mitra network or through such other means, as it may deem fit.

(3) The Administration, control and management of the e-Mitra network shall vest in the Authority.

15. Direct transfer of benefit to the beneficiary.- The State Government may, by notification, specify that any public welfare benefit, whenever such benefits are in the nature of cash shall, after authentication, be transferred directly to the bank account of the beneficiary, and in case the public welfare benefits pertain to a family, to the bank account of the head of the family, in such manner, as may be prescribed.

16. Use of Jan-Aadhaar Resident Data Repository for service delivery.-

(1) The State Government, through government department or government body shall deliver all public welfare benefits and services as notified under section 4 and section 14, after authentication, through the Jan-Aadhaar Platform.

(2) Every department shall seed its departmental database of a family or any of its members pertaining to public welfare benefits notified under section 14 with the Jan-Aadhaar ID, bank account number and Aadhaar number in such manner, as may be prescribed.

(3) Once the seeding of the departmental database is completed, the departments shall not create any further database at its own level and shall use identity information and photograph of a family or any of its members available in Jan-Aadhaar Resident Data Repository for transfer of any public welfare benefits and delivery of service in future.

17. Transaction mapper.- Every transaction of public welfare benefits or services notified under section 7 of the Central Act and the public welfare benefits or services notified under section 4 of this Act shall be recorded electronically in such manner, as may be prescribed.

18. Social Audit.- (1)Social audit of the delivery of public welfare benefits shall be conducted at such intervals and in such manner, as may be prescribed in the Gram Sabhas in rural areas and the Ward Committees in urban areas or any other forum specified by the State Government by notification.

(2) Particulars of the delivery of public welfare benefits shall invariably be uploaded on the Jan-Soochana Portal of the State.

Explanation.- For the purpose of this section, the expression "Gram Sabha" and "Ward Committee" shall have same meaning as assigned to them respectively in the Rajasthan Panchayati Raj Act, 1994 (Act No.23 of 1994) and the Rajasthan Municipalities Act, 2009 (Act No.18 of 2009).

CHAPTER-VI

Rajasthan Jan-Aadhaar Authority

19. Establishment and Constitution of the Authority.- (1) The State Government shall, as soon as may be, after commencement of this Act, by notification, establish and constitute an Authority to be called as the Rajasthan Jan-Aadhaar Authority to exercise powers and discharge functions of the Authority under this Act or the rules or regulations made thereunder.

(2) The Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract and may, by the said name, sue or be sued.

(3) The headquarters of the Authority shall be at Jaipur.

(4) The Authority may, with the prior approval of the State Government, establish its offices at other places in the State.

(5) The Authority shall consist of a Chairperson and such number of official and non-official members, as the State Government may appoint.

(6) The Chief Secretary of the State shall be the Chairperson of the Authority

20. Powers and functions of the Authority.- The Authority shall exercise the following powers and discharge the following functions, namely:- (a)to specify, by regulations, the terms and conditions for appointment of Registrars and enrolling agencies and revocation of appointments thereof; (b)to expand existing electronic infrastructure for delivery of public welfare benefits and other services to the beneficiaries; (c)to create, monitor and maintain Jan-Aadhaar Resident Data Repository; (d)to frame policy for the use of the Jan-Aadhaar Resident Data Repository; (e)to recommend to the State Government for adding new services to the Jan-Aadhaar Platform; (f)to take appropriate steps for financial inclusion of the residents of the State in collaboration with the line agencies; (g)to monitor the implementation of its recommendations; (h)to coordinate between different Government departments and government bodies; (i)to monitor public welfare benefits and services provided through Jan-Aadhaar Platform; (j)to frame and amend the regulations; (k)to appoint committees or task forces or groups or sub-committees as may be necessary to assist the Authority in discharging its functions; (l)to invite experts as and when required to its meetings; (m)to acquire by purchase, exchange, lease, hire or otherwise any property movable or immovable as may be necessary or convenient for carrying on the activities of the Authority; (n)to accept aid, Corporate Social Responsibility or any other assistance; (o)to borrow money from Government, Banks, Financial Institutions with prior approval of the State Government; (p) to design a common mechanism for synchronising and integrating different databases available in the State and at the national level with Jan-Aadhaar Resident Data Repository; (q)to design the precise and comprehensive Jan-

Aadhaar Resident Data Repository by de-duplicating the family and individual databases stored in different formats; (r)to maintain dashboards and generate analytical reports- periodically and on-demand by the State Government; (s)to coordinate with the technical teams of line departments;

(t)to create opportunities for the Institutional Finance (loaning) for weaker section of the society by engaging various financial institutions (National Bank for Agriculture and Rural Development etc.);

(u) to coordinate with the banks for creation of Banking Correspondent Network;

(v) to appoint Banking Correspondent and manage Banking Correspondent Network;

(w) to augment infrastructure for propagation of digital payments and Aadhaar Enabled Payments;

(x) to provide cash withdrawal and transactional facilities in unbanked areas;

(y) to coordinate with the banks through State Level Bankers Committee and to expand banking coverage;

(z) to expand credit and insurance schemes;

(za) to establish ATMs in revenue villages;

(zb) to regulate the e-Mitra network through framing regulations under the Authority;

(zc) to maintain and augment e-Mitra network;

(zd) to refurbish the present network of e-Mitra by strengthening the kiosks with more automation and mechanisation;

(ze) to develop e-Mitra as physical delivery Repository for e-Commerce services;

(zf) to ensure delivery of certificates etc. at the doorstep by the e-Mitra through incentivising the e-Mitra for delivery;

(zg) to establish and maintain the e-Mitra Plus Kiosk network;

(zh) to train e-Mitra kiosk operators with the help of officials from banks, line departments and e-commerce experts; and

(zi) to exercise such other powers and discharge such other functions as may be necessary, incidental or conducive, for carrying out the purposes of this Act.

21. Term of office and other conditions of service of the non-official member.- (1) A non-official member of the Authority shall hold office for a term of three years from the date on which he enters upon his office or during the pleasure of the State Government, whichever is earlier.

(2) The allowances payable to, and other terms and conditions of service of the non-official member shall be such as may be prescribed.

(3) The non-official member may resign his office by giving notice in writing to the State Government and on such resignation being accepted by the State Government, such non-official member shall be deemed to have vacated his office.

22. Meetings of the Authority.- (1) The Authority shall meet at least once in a year at such place and such time as its Chairperson may decide and shall observe such rules of procedure, including quorum at such meetings, in regard to the transaction of the business at its meetings, as may be laid down by regulations.

(2) The Chairperson, or, if for any reason he is unable to attend any meeting of the Authority, any other member chosen by the members present at the meeting, shall preside over the meeting.

(3) All questions which come up before any meeting of the Authority shall be decided by a majority of the votes of the members present and voting, and, in the event of an equality of votes, the Chairperson, or in his absence, the person presiding, shall have and exercise a second or casting vote.

23. Constitution of the Executive Committee.- (1)The State Government shall, by notification, constitute an Executive Committee of the Authority.

(2) The Executive Committee shall exercise such powers and perform such duties as may be delegated to it by the Authority from time to time.

(3) The Executive Committee shall meet at least once in three months at such place and such time, as its Chairperson may decide and shall observe such rules of procedure, including quorum at such meetings, in regard to the transaction of the business at its meetings, as may be laid down by regulations.

(4) The Chairperson or, if for any reason he is unable to attend any meeting of the Executive Committee, any other member chosen by the members present at the meeting shall preside over the meeting.

(5) All questions which come up before any meeting of the Executive Committee shall be decided by a majority of the votes of the members present and voting, and, in the event of an equality of votes, the Chairperson, or in his absence, the person presiding, shall have and exercise a second or casting vote.

24. Authentication of orders of the Authority and Executive Committee.- All orders, decisions and other instruments of the Authority and the Executive Committee shall be authenticated by the signatures of the Chairperson of the Authority or, as the case may be, the Executive Committee or any other member or any officer of the Authority or, as the case may be, the Executive Committee authorized by it in this behalf.

25. Appointment of the Director General.- There shall be appointed by the State Government an officer not below the rank of the Secretary to the Government to be the Director General of the Authority. He shall, subject to the general control of the Authority, exercise the following powers, perform the following functions and discharge the following duties, namely:-

(a) to supervise and control all officers and servants of the Authority; (b) to work out modalities of delivery of the public welfare benefits and other services and ensure their effective monitoring and

implementation;

(c)to manage the properties, records and funds of the Authority;

(d)to maintain true and proper accounts of the Authority including checking and auditing in respect thereof periodically;

(e)to prepare annual income and expenditure accounts and balance sheet of the Authority;

(f)to maintain up-to-date and complete statistical information, including progress made in the implementation of various programmes from time to time;

(g)to process project proposals for financial assistance and issue utilization certificates thereof;

(h)to convene meetings, seminars and workshops connected with the main objectives of the Authority and preparation of reports and follow-up action thereon;

(i)to produce video, documentary films, publicity material, literature and publications to inform general public about the various aspects of the Authority; and

(j)to perform such other functions as may be delegated to him by the Authority.

26. Appointment of officers and employees.- (1) The Authority may, with the prior approval of the State Government, create such number and category of posts of officers and other employees in the Authority as it may consider necessary to carry out its functions under this Act and may make appointment thereto.

(2) The salary and allowances and other terms and conditions of service of the officers and employees of the Authority shall be such as may be determined by the Authority by regulations with the prior approval of the State Government and shall be paid out from the Fund.

CHAPTER-VII

Grants, Accounts, Audit and Annual Report

27. Grants by the State Government to the Authority.-The State Government shall, after due appropriation made by the State Legislature by law in this behalf, pay to the Authority by way of grants such sum of money as the State Government may think fit for being utilise for the purposes of this Act.

28. Fund of the Authority.-(1) There shall be established a fund known as the Rajasthan Jan-Aadhaar Authority Fund for the purposes of this Act.

(2) In addition to the sum of money paid by the State Government under section 27, the following shall be credited to the Fund, namely:-

(a) aids and loans raised by the Authority with the prior approval of the Finance Department;

(b) any sum of money received by the Authority by way of fees;

(c) any other sum of money received by the Authority with the prior approval of the Finance Department.

(3) The Fund shall be utilised by the Authority to meet out the expenses incurred in carrying out the purposes of this Act including payment of allowances to the non-official members of the Authority, payment of salaries and allowances to the officers and staff of the Authority.

29. Budget of the Authority.- (1)The Authority shall prepare in each financial year, in such form and at such time as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the Authority and forward the same for the approval of the State Government.

(2) The Authority shall not incur any expenditure otherwise than in accordance with the budget provisions as approved by the State Government.

30. Annual report.- The Authority shall prepare, in such form and at such time as may be prescribed, its annual report, giving a full account of its activities during the previous financial year and its plans for the forthcoming year, and submit a copy thereof to the State Government. Every annual report shall also contain a review of the performance of the Authority in respect of the plans contained in the preceding annual report.

31. Accounts and audit.- (1) The accounts of the Authority shall be maintained in such form and manner as may be prescribed and shall be audited by the Director of Local Fund Audit Department or by such other person or body as the State Government may determine from time to time.

(2) The Authority shall furnish to the State Government before such date as may be prescribed a copy of its audited accounts together with the auditor's report thereon.

32. Annual report and auditor's report to be laid before the House of the State Legislature.- The State Government shall cause the annual report of the Authority and the auditor's report to be laid, as soon as may be, after they are received, before the House of the State Legislature.

CHAPTER-VIII

Offences and Penalties

33. **Penalty for non-compliance of provisions relating to security and confidentiality of information.-** Whoever shares or publishes the identity information and photograph of a Jan-Aadhaar card holder in contravention of the section 10 shall be punishable with fine which may extend to ten thousand rupees and shall be liable to compensate the person who is adversely affected by such contravention.

34. Penalty for unauthorised use by requesting entity.- Whoever, being a requesting entity, uses the identity information of an individual in contravention of section 12 shall be punishable with fine which may extend to ten thousand rupees

and shall be liable to compensate the person who is adversely affected by such contravention.

35. Offences by companies.- (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section-

(*a*) ―company‖ means any body corporate and includes a firm or other association of individuals; and

(*b*) ―director‖ in relation to a firm, means a partner in the firm.

CHAPTER-IX

Miscellaneous

36. Members, officers, etc., to be public servants.- The Chairperson and members of the Authority and the Executive Committee and officers and other employees of the Authority and the Executive Committee shall be deemed, while acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act No. 45 of 1860).

37. Power of State Government to issue directions.- (1) Without prejudice to the foregoing provisions of this Act, the Authority shall, in exercise of its powers or the performance of its functions under this Act, be bound by such directions on questions of policy, as the State Government may give, in writing to it, from time to time.

(2) The decision of the State Government, whether a question is one of policy or not, shall be final.

38. Delegation of powers and functions.- The Authority may, by general or special order in writing, delegate to the Executive Committee, any member or officer of the Authority or any other person, subject to such conditions, if any, as

may be specified in the order, such of its powers and functions under this Act, except the power under section 40, as it may deem necessary.

39. Protection of action taken in good faith.- No suit, prosecution or other legal proceeding shall lie against the State Government or the Authority or the Executive Committee or the Chairperson or any member of the Authority or the Executive Committee or any officer or other employee of the Authority or the Executive Committee for anything which is in good faith done or intended to be done under this Act or the rule or regulation made thereunder.

40. Power of State Government to make rules.- The State Government may, by notification, make rules to carry out the provisions of this Act.

41. Power of Authority to make regulations.- The Authority may, by notification, make regulations consistent with this Act and the rules made thereunder to provide for the matters which are required by this Act to be provided by regulation.

42. Rules and regulations to be laid before the House of the State Legislature.- Every rule and regulation made under this Act shall be laid, as soon as may be after it is so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days which may be comprised in one session or in two or more successive sessions and if before the expiry of the session in which it is so laid or of the sessions immediately following, the House of the State Legislature makes any modification in the rule or regulation or resolves that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

43. Application of other laws not barred.- The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.

44. Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before the House of the State Legislature.

45. Repeal and Savings.- (1) The Rajasthan Jan-Aadhaar Authority Ordinance, 2019 (Ordinance No. 4 of 2019) is hereby repealed.

(2) Notwithstanding such repeal, all things done, actions taken or orders made under the said Ordinance shall be deemed to have been done, taken or made under this Act.

विनोदकुमारभारिानी,