

01.11.2023

Sl. 15
Ct.No. 5
K.B/Amalranjan

WPA 25773 of 2023

The National Investigation Agency

Vs

Union of India & Ors.

Mr. Bhaskar Prosad Banerjee

Mr. Parashar Baidya

...for the petitioner

Mr. Sukanta Chakraborty

Mr. Shaunak ghosh

...for the respondent nos. 1, 2 & 3

The petitioner has prayed for some particulars, which are in the custody of the UIDAI, Regional Office at Ranchi. The said Authority, being UIDAI has not acceded to the request on the ground of some provisions in the concerned Act. However, it is made clear that in the said denial of UIDAI which is at page 25 (Annexure P-4) i.e., letter dated 28.03.2023 that any disclosure of information “other than core biometric information” including identity information or authentication records can be made pursuant to an order of a court not inferior to that of a Judge of a High Court after giving opportunity of hearing to both UIDAI and the concerned Authority no. 2.

This provision is made in Section 33 of the Aadhaar Act.

The petitioner submits that while respondent nos. 4, 5 and 6 are in judicial custody and have been served with a copy of this writ application they have not come forward to defend the case and the respondent nos. 7, 8, 9 and 10 are absconding.

In such circumstances, the National Investigating Agency (NIA for short) prays for supplying of such data as contained in their letter dated 11th March, 2023 written to the Deputy Director General (Link Charge), UIDAI Regional Office, Ranchi, which is at pages 22, 23 and 24 of the writ application.

Now exercising power under Section 33 of the Aadhaar Act, I direct the respondent no. 3, the Deputy Director General (Link Charge), UIDAI Regional Office, Ranchi to supply all the data required by NIA within a period of 2 weeks from the date of this order.

The data are required for criminal matters pending before the learned CBI Judge, 3rd Court, Bichar Bhawan at Calcutta.

Therefore, for the interest of the country, such data are to be shared with NIA by the time as has been communicated above.

With the above observations and directions, the writ application is allowed.

Liberty is granted to all parties to act in terms of the copy of this order downloaded from the official website of this court.

Urgent certified photo copy of this order, if applied for, be given to learned advocates for the parties upon compliance of all requisite formalities.

(Abhijit Gangopadhyay,J.)