

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Department of GSWS - Mandatory for all citizens of Andhra Pradesh to include in the household database in order to access / avail any citizen services, schemes or benefits of the Government and also the data from the RTGS/GSWS household database is validate for processing any application or delivering any service, scheme or benefit by the Government - Orders - Issued.

DEPARTMENT OF GRAMA SACHIVALAYAMS AND WARD SACHIVALAYAMS

G.O.Ms.No.2

Dated:07.03.2025

Read :

From the Director, GSWS, Vijayawada vide their e-file computer.No.
2632513.

ORDER

In the reference read above, the Director, GSWS, Vijayawada has requested the Government to issue necessary directions to all the Departments for making it mandatory for all citizens of Andhra Pradesh to be included in the household database in order to access any citizen services, schemes, or benefits and also requested that the data from the RTGS/GSWS household database to be validated when processing any application or delivering any service, scheme, or benefit by the Government Departments.

2. The Digital Personal Data Protection Act, 2023, provides a structured framework for collecting, processing and securing personal data while balancing individual privacy rights and state interests. The Act allows for the processing of personal data by the Government under certain conditions, ensuring that individuals are informed of how their data is being used. Section 7(b) of the Act, specifically permits data collections for legitimate purpose such as providing subsidies, benefits and Government services, provided that individuals have either previously consented to such processing or their data is already available in government records. Section 7(b) reads as under:

(b) for the State and any of its instrumentalities to provide or issue to the Data Principal such subsidy, benefit, service, certificate, licence or permits as may be prescribed, where –

(i) she has previously consented to the processing of her personal data by the State or any of its instrumentalities for any subsidy, benefit, service, certificate, license or permit; or

(ii) such personal data is available in digital form in, or in non-digital form and digitised subsequently from, any database, register, book or other document which is maintained by the State or any of its instrumentalities and is notified by the Central Government.

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Subject to standards followed for processing being in accordance with the policy issued by the Central Government or any law for the time being in force for Governance of personal data.

3. The observations of the Hon'ble Supreme Court in the case of K.S. Puttaswamy (**Privacy-9J.) vs Union of India, (2017) 10 SCC1** wherein the right to privacy was recognised as integral part of Article 21 of the Constitution of India therefore making it a fundamental right. The Court however, observed as under :

“ 311. Apart from national security, the state may have Justifiable reasons for the collection and storage of data. In a social welfare state, the government embarks upon programmes which provide benefits to impoverished and marginalised sections of society. There is a vital state interest in ensuring that scarce public resources are not dissipated by the diversion of resources to persons who do not qualify as recipients. Allocation of resources for human development is coupled with legitimate concern that the utilisation of resources should not be siphoned away for extraneous purposes. Data mining with the object of ensuring that resources are properly deployed to legitimate beneficiaries is a valid ground for the state to insist on the collection of authentic data. But, the data which the state has collected has to be utilised for legitimate purposes of the state and ought not to be utilised unauthorisedly for extraneous purposes. This will ensure that the legitimate concerns of the state are duly safeguarded while, at the same time, protecting privacy concerns. Prevention and investigation of crime and protection of the revenue are among the legitimate aims of the state. Digital platforms are a vital tool of ensuring good governance in a social welfare state. Information technology-legitimately deployed is a powerful enabler in the spread of innovation and knowledge.

313. Privacy has been held to be an intrinsic element of the right to life and personal liberty under Article 21 and as a constitutional value which is embodied in the fundamental freedoms embedded in Part III of the Constitution. Like the right to life and liberty, privacy is not absolute. The limitations which operate on the right to life and personal liberty would operate on the right to privacy. Any curtailment or deprivation of that right would have to take place under a regime of law. The procedure established by law must be fair, just and reasonable. The law which provides for the curtailment of the right must also be subject to constitutional safe guards”.

4. Government after careful examination of the matter and in view of the Hon'ble Supreme Court's Judgment in K.S.Puttaswamy's case and also the provisions of the Digital Personal Data Protection Act 2023, hereby order that it shall be mandatory for all citizens of Andhra Pradesh to be included in the household database in order to access / avail any citizen services, schemes, or benefits of the Government. The data from the RTGS/GSWS household database shall be validated when processing any application or delivering any service, scheme, or benefit by the Government.

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5. The Director, GSWS / the CEO, RTGS shall ensure that the data is secured, used for legitimate purposes and not vulnerable to any third-party intrusions nor shared without the sanction of the Competent Authority.
6. The Director, GSWS / the CEO, RTGS shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

BHASKAR KATAMNENI
SECRETARY TO GOVERNMENT (FAC)

To
The Director, GSWS, Vijayawada.
The CEO, RTGS, A.P. Secretariat.
All the Departments
All the District Collectors in the State.
Copy to:
The Law Department.
The O/o the Advocate General, Hon'ble High Court.
The OSD to Chief Secretary to Govt.,
The P.S. to Secretary to Hon'ble Chief Minister
The OSD to Hon'ble Minister for GSWS
Sc/sf

// FORWARDED :: BY :: ORDER //


SECTION OFFICER