

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 1589**

TO BE ANSWERED ON THE 07TH DECEMBER, 2021/ AGRAHAYANA 16, 1943 (SAKA)

NATIONAL AUTOMATED FACIAL RECOGNITION SYSTEM

**1589. SHRI MANISH TEWARI:
SHRI KESINENI SRINIVAS:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government can delineate the legal architecture or the law that allows or authorizes the use of National Automated Facial Recognition System (NAFRS);

(b) whether the Government can provide information of the agencies that are authorized and proposed to be authorized to use this facial recognition database;

(c) the guidelines for the use of the NAFRS, if any; and

(d) the details of the safeguards and redressal mechanisms available for wrongly implicated victims who are put to legal rigors because of the NAFRS?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS

(SHRI AJAY KUMAR MISHRA)

(a) to (d): 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. The responsibilities to maintain law and order, protection of life and property of the citizens including investigation and prosecution of crime rest with the respective State Governments. The State Governments are competent to deal with such offences under the extant provisions of laws. This is an established practice in police investigation to maintain photographs as part of criminal records and use them in investigation for which States/ Union Territories have their own guidelines/ procedures.

Further, the use of electronic record and information, manner of collection and storage of personal data including facial recognition, are regulated by the Information Technology Act, 2000, and Rules framed thereunder.