

India Evidence Act, 1872

Aadhaar eSign based electronic signatures are fully admissible in court. As per Section 47A of the Indian Evidence Act 1872, the opinion of the issuing Certifying Authority is a relevant fact for the court to make an opinion as to the electronic signature of the person. Same is further supported by following Sections of Evidence Act;

- a. Section 67A: In cases of secure electronic signatures such as Aadhaar eSign, user does not have to prove that the electronic signature affixed on the document indeed belonged to the signatory.
- b. Section 85A: Electronic agreements containing eSign will be presumed to have been finally concluded by affixing the electronic signature of parties.
- c. Section 85B: Under sub-section (1), the integrity of an electronic document which has been signed using a secure electronic signature. It is also presumed that a secure electronic signature is affixed by the signatory with the intention of signing or approving the electronic document.
- d. Section 85C: It is presumed that the information contained in an Electronic Signature Certificate is correct.