

**MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY****NOTIFICATION**New Delhi, the 8<sup>th</sup> February, 2017

**G.S.R. 111(E).** — In exercise of the powers conferred by sub-section (1) of section 87 of the Information Technology Act, 2000 (21 of 2000), the Central Government hereby makes the following rules to amend the Information Technology (Preservation and Retention of Information by Intermediaries Providing Digital Locker Facilities) Rules, 2016, namely :—

1. (1) These rules may be called the Information Technology (Preservation and Retention of Information by Intermediaries Providing Digital Locker Facilities) Amendment Rules, 2017.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Information Technology (Preservation and Retention of Information by Intermediaries Providing Digital Locker Facilities) Rules, 2016,-

(a) in the opening paragraph, for the word, brackets and letter “clause (wa)”, the word, brackets and letter “clause (x)” shall be substituted;

(b) in rule 2, in sub-rule (1), in clause (q), for the word “License”, the word “Licence” shall be *substituted*;

(c) after rule 9, the following rule shall be *inserted*, namely:—

**“9A. Issuing certificates or documents in Digital Locker System and accepting certificates or documents shared from Digital Locker Account at par with Physical Documents.—**(1) Issuers may start issuing and Requesters may start accepting digitally (or electronically) signed certificates or documents shared from subscribers’ Digital Locker accounts at par with the physical documents in accordance with the provisions of the Act and rules made thereunder.

(2) When such certificate or document mentioned in sub-rule (1) has been issued or pushed in the Digital Locker System by an issuer and subsequently accessed or accepted by a requester through the URI, it shall be deemed to have been shared by the issuer directly in electronic form.

**Explanation.—** For the purpose of sub-rule (2), it is hereby clarified that if the links of the issued certificates or documents take the requester to the single source of truth, such as issuer repositories, automatic verification happens.”;

(d) for rule 12, the following rule shall be substituted, namely:-

**“Appointment of grievance officer by the Digital Locker service provider for dispute resolution.—** (1) Every Digital Locker service provider shall publish on its website the name of grievance officer and his contact details as well as mechanism by which any users or aggrieved person who suffers as a result of -

(a) access or usage of Digital Locker or Digital Locker system by any unauthorised person; or

(b) violation of licensing terms; or

(c) any other complaints not covered under clauses (a) and (b) above,

may notify their complaints against such access or usage or violation of licensing terms or any other complaints to such grievance officer.

(2) The grievance officer shall redress the complaints within one month from the date of receipt of complaint.

(3) Any aggrieved person may appeal to the Digital Locker Authority against the order of the Grievance Officer within a period of fifteen days from the date of receipt of such order.”;

(e) in rule 17, (i) in sub-rule (2), after the words “The Digital Locker service provider shall conduct”, the words “yearly audit of” shall be *inserted*;

(ii) in clause (a), the words “half yearly audit of” shall be *omitted*;

(iii) in clause (b), the words “a quarterly audit of” shall be *omitted*.

[F.No. 3(29)/2016-EG-II]  
AJAY KUMAR, Addl. Secy.

**Note.—**The principal rules were published vide number G.S.R. 711(E), in the Gazette of India, Extraordinary, Part II, Section 3 – Sub-section (i), dated the 21<sup>st</sup> July, 2016.