

Insight Brief on

DIGITAL PERSONAL DATA PROTECTION RULES 2025



Draft Rules (Jan 2025)

— **V/s** —

Final Rules (Nov 2025)

Notified Official Rules - Nov 2025

Rule No.	Rule Title/Label	Key Highlight	Schedule/Act Reference	Act Provision Summary	Date of Implementation
Rule 1	Short title and commencement	Commencement	Section 40(1) & (2)	Central Government may make rules to carry out purposes of Act, subject to condition of previous publication.	Varies by sub-rule (see below)
Rule 2	Definitions	<ul style="list-style-type: none"> Terminology User account Verifiable consent 	-	-	13 November 2025 (date of publication)
Rule 3	Notice given by Data Fiduciary to Data Principal	<ul style="list-style-type: none"> Transparency Clear language Itemized disclosure Withdrawal ease 	Section 5 (Notice & Consent)	Every request for consent shall be accompanied/preceded by notice informing Data Principal of: (i) personal data and purpose, (ii) manner to exercise rights, (iii) manner to make complaint to Board.	13 May 2027 (18 months from publication)
Rule 4	Registration and obligations of Consent Manager	<ul style="list-style-type: none"> Consent intermediaries ₹2 crore net worth Interoperability 	Section 10 (Consent Manager) • First Schedule (Parts A & B)	Section 6(7)-(9): Data Principal may give/manage/review/withdraw consent through Consent Manager who shall be registered with Board and accountable to Data Principal.	13 November 2026 (1 year from publication)
Rule 5	Processing of personal data for provision or issue of subsidy, benefit, service, certificate, licence or permit by State and its instrumentalities	<ul style="list-style-type: none"> Government services Public funds State processing 	Section 7(b) (State Processing) • Second Schedule	Data Fiduciary may process personal data for State to provide/issue subsidy, benefit, service, certificate, licence or permit where: (i) Data Principal previously consented, or (ii) data available in notified database, subject to standards	13 May 2027 (18 months from publication)
Rule 6	Reasonable security safeguards	<ul style="list-style-type: none"> Encryption Access control Logs Backups 1-year retention 	Section 8(5) (Security Safeguards)	Data Fiduciary shall protect personal data in its possession/control by taking reasonable security safeguards to prevent personal data breach.	13 May 2027 (18 months from publication)
Rule 7	Intimation of personal data breach	<ul style="list-style-type: none"> Breach notification 72-hour deadline Board intimation 	Section 8(6)-(8) (Data Breach)	In event of personal data breach, Data Fiduciary shall give Board and each affected Data Principal intimation of such breach in prescribed form and manner.	13 May 2027 (18 months from publication)
Rule 8	Time period for specified purpose to be deemed as no longer being served	<ul style="list-style-type: none"> Data erasure 3-year inactivity 48-hour notice 1-year minimum retention 	Section 8(7)-(8) & (11) (Data Retention) • Third Schedule • Seventh Schedule	Data Fiduciary shall erase personal data when Data Principal withdraws consent or when reasonable to assume specified purpose no longer served, whichever earlier. Purpose deemed no longer served if Data Principal doesn't approach Data Fiduciary or exercise rights for prescribed time period.	13 May 2027 (18 months from publication)

Rule 9	Contact information of person to answer questions about processing	•DPO contact •Prominent display •Accessibility	Section 8(9) (Contact Information)	Data Fiduciary shall publish in prescribed manner business contact information of Data Protection Officer (if applicable) or person able to answer Data Principal's questions about processing of her personal data.	13 May 2027 (18 months from publication)
Rule 10	Verifiable consent for processing of personal data of child	•Parental consent •Age verification •Digital Locker	Section 9(1) & (3) (Child Data)	Data Fiduciary shall obtain verifiable consent of parent before processing any personal data of child in prescribed manner. Data Fiduciary shall not undertake tracking/behavioural monitoring of children or targeted advertising directed at children.	13 May 2027 (18 months from publication)
Rule 11	Verifiable consent for processing of personal data of person with disability who has lawful guardian	•Guardian verification •Court appointment •Designated authority	Section 9(1) & (3) (Disability Guardian)	Data Fiduciary shall obtain verifiable consent of lawful guardian before processing any personal data of person with disability who has lawful guardian, in prescribed manner.	13 May 2027 (18 months from publication)
Rule 12	Exemptions from certain obligations applicable to processing of personal data of child	•Child safety •Healthcare •Education •Real-time location tracking	Section 9(4) (Child Data Exemptions) • Fourth Schedule (Parts A & B)	Provisions of sub-sections (1) and (3) of section 9 shall not apply to processing of personal data of child by prescribed classes of Data Fiduciaries or for prescribed purposes, subject to prescribed conditions.	13 May 2027 (18 months from publication)
Rule 13	Additional obligations of Significant Data Fiduciary	•DPIA •Annual audit •Technical measures •Data localization	Section 10(2) (Significant Data Fiduciary)	Significant Data Fiduciary shall: (a) appoint Data Protection Officer, (b) appoint independent data auditor, (c) undertake periodic DPIA, periodic audit and other prescribed measures.	13 May 2027 (18 months from publication)
Rule 14	Rights of Data Principals	•Access •Erasure •Nomination •90-day grievance redressal	Sections 11-14 (Data Principal Rights)	Sections 11-14 provide Data Principal rights to: (11) access information about personal data, (12) correction and erasure, (13) grievance redressal, (14) nominate another individual.	13 May 2027 (18 months from publication)
Rule 15	Transfer of personal data outside the territory of India	•Cross-border transfer •Government restrictions •Foreign state controls	Section 16 (Cross-Border Transfer)	Central Government may notify restriction on transfer of personal data by Data Fiduciary for processing to such country/territory outside India. Nothing shall restrict applicability of any law providing higher degree of protection.	13 May 2027 (18 months from publication)

Rule 16	Exemption from Act for research, archiving or statistical purposes	•Research exemption •Academic freedom •Statistical use	Section 17(2)(b) (Research Exemption) • Second Schedule	Provisions of Act shall not apply to processing of personal data necessary for research, archiving or statistical purposes if personal data not used for decision specific to Data Principal and processing carried on per prescribed standards.	13 May 2027 (18 months from publication)
Rule 17	Appointment of Chairperson and other Members	•Selection committee •Cabinet Secretary •Expert members	Section 19(2) (Board Appointments)	Chairperson and other Members shall be appointed by Central Government in prescribed manner.	13 November 2025 (date of publication)
Rule 18	Salary, allowances and other terms and conditions of service of Chairperson and other Members	•₹4.5L Chairperson •₹4L Members •Benefits	Section 20(1) (Terms & Conditions) • Fifth Schedule	Salary, allowances and other terms and conditions of Chairperson and Members shall be prescribed and shall not be varied to their disadvantage after appointment. They hold office for 2 years and eligible for re-appointment.	13 November 2025 (date of publication)
Rule 19	Procedure for meetings of Board and authentication of its orders, directions and instruments	•Quorum •Voting •6-month inquiry deadline	Section 23(1) & Section 27 (Board Procedure)	Board shall observe prescribed procedure for holding meetings (including by digital means) and authenticating orders/directions/instruments. No act invalid by reason of vacancy, defect in constitution/appointment, or procedural irregularity not affecting merits.	13 November 2025 (date of publication)
Rule 20	Functioning of Board as digital office	•Virtual proceedings •Remote operations •Digital-first	Section 28(1) (Board Functions)	Board shall function as independent body and as far as practicable as digital office, with receipt of complaints, allocation, hearing and pronouncement of decisions being digital by design, adopting prescribed techno-legal measures.	13 November 2025 (date of publication)
Rule 21	Terms and conditions of appointment and service of officers and employees of Board	•Deputation •5-year tenure •Staff benefits	Section 24 (Board Staff) • Sixth Schedule	Board may with previous approval of Central Government appoint officers and employees necessary for efficient discharge of functions, on such prescribed terms and conditions of appointment and service.	13 November 2025 (date of publication)

Rule 22	Appeal to Appellate Tribunal	<ul style="list-style-type: none"> •Digital filing •Appeal fee •Natural justice •Virtual proceedings 	Sections 29-30 (Appeals)	Any person aggrieved by Board's order/direction may appeal to Appellate Tribunal within 60 days in prescribed form/manner with prescribed fee. Appellate Tribunal shall function as far as practicable as digital office with receipt of appeal, hearing and decisions being digital by design.	13 May 2027 (18 months from publication)
Rule 23	Calling for information from Data Fiduciary or intermediary	<ul style="list-style-type: none"> •Government powers •National security •Sovereignty •Non-disclosure 	Section 36 (Government Information) • Seventh Schedule	Central Government may for purposes of Act require Board, any Data Fiduciary or intermediary to furnish such information as it may call for.	13 May 2027 (18 months from publication)

Rule-by-Rule Comparative Analysis

Rule No.	Section	Draft Rules (Jan 2025)	Final Rules (Nov 2025)	Key Differences
Rule 1	Commencement	(2) Rules 3 to 15, rule 21 and rule 22 shall come into force with effect from _____. (3) These rules, except rules 3 to 15 and rules 21 and 22, shall come into force on the date of their publication.	(2) Rules 1, 2 and 17 to 21 shall come into force on date of publication. (3) Rule 4 shall come into force one year after publication. (4) Rules 3, 5 to 16, 22 and 23 shall come into force eighteen months after publication.	Major change: Specific timelines added - 1 year for Consent Managers, 18 months for core provisions. Three-phase rollout vs two-phase in draft.
Rule 2	Definitions	Unless context otherwise requires, all expressions shall have meaning assigned in Act.	(1) Added definitions: (b) "techno-legal measures" (c) "user account" (d) "verifiable consent". (2) Words not defined but defined in Act shall have same meanings.	New: Added 4 specific definitions for terms used throughout rules. More clarity on key concepts.
Rule 3(b)(ii)	Notice - Purpose Description	"The specified purpose of, and an itemised description of the goods or services to be provided or uses to be enabled by, such processing."	"The specified purpose or purposes of, and specific description of the goods or services to be provided or uses to be enabled by, such processing."	Changed "itemised" to "specific"; added "or purposes" (plural); removed "an" before "specific description" - allows for multiple purposes.
Rule 3(c)	Notice - Communication Link	"The particular communication link"	"Give, the particular communication link"	Added "give," at beginning - clarifies action required.
Rule 5	Title	"Processing for provision or issue of subsidy, benefit, service..."	"Processing of personal data for provision or issue of subsidy, benefit, service..."	Added "of personal data" - more explicit.
Rule 5(1)	State Processing	"The State and any of its instrumentalities may process the personal data of a Data Principal under clause (b) of section 7 of the Act to provide or to issue to her any subsidy..."	"Processing the personal data of a Data Principal under this rule shall be done following the standards specified in Second Schedule."	Major change: Completely reworded. Draft explained who can process, notified rules focuses on how to process (standards-based approach).
Rule 5(2)	Standards Reference	"(2) Processing under this rule shall be done following the standards specified in Second Schedule. (3) In this rule and Second Schedule..."	"(2) In this rule and the Second Schedule..."	Sub-rule renumbered. Standards requirement moved to (1), definitions moved to (2).
Rule 6(1)(a)	Security Measures	"Including securing of such personal data through its encryption, obfuscation or masking..."	"Such as securing of personal data through encryption, obfuscation, masking..."	Changed "including" to "such as"; removed "its" and "such" - softer language, examples rather than requirements.
Rule 6(1)(b)	Access Control	"Appropriate measures to control access to the computer resources used by such Data Fiduciary or such a Data Processor."	"Appropriate measures to control access to the computer resources used by such Data Fiduciary or such a Data Processor, wherever applicable."	Added "wherever applicable" provides flexibility.
Rule 6(1)(d)	Business Continuity	"Including by way of data-backups."	"Such as by way of data-backups."	Changed "including" to "such as" - examples rather than mandatory requirement.

Rule 6(1)(f)	Processor Contracts	"Appropriate provision in the contract entered into between such Data Fiduciary and such a Data Processor for taking reasonable security safeguards."	"Appropriate provision in the contract entered into between such Data Fiduciary and such a Data Processor, wherever applicable, for taking reasonable security safeguards."	Added "wherever applicable" - flexibility when no processor used.
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Rule 7(1)	Breach Intimation Timing	"A description of the breach, including its nature, extent and the timing and location of its occurrence."	"A description of the breach, including its nature, extent and the timing of its occurrence."	Deleted: "and location" removed - location not required in intimation to Data Principal.
Rule 7(2)	Breach Intimation to Board	"Within seventy-two hours of becoming aware of the same."	"Within seventy-two hours of becoming aware of the breach."	Changed "the same" to "the breach" - clearer reference.
Rule 7(3)	Definition Placement	Included full definition of "user account".	Removed - definition moved to Rule 2.	Definition centralized in definitions section.

Rule 8(1)	Data Erasure Timing	"Shall erase such personal data, unless its retention is necessary for compliance with any law for the time being in force, if, for the corresponding time period specified in the said Schedule, the Data Principal neither approaches..."	"Shall erase such personal data, unless its retention is necessary for compliance with any law for the time being in force, or, for the corresponding time period specified in the Third Schedule, if the Data Principal neither approaches..."	Changed "if, for" to "or, for" - more clear sentence structure.
Rule 8(3)	New Sub-rule	Did not exist.	"(3) Without prejudice to sub-rules (1) and (2), a Data Fiduciary shall retain, in respect of any processing of personal data undertaken by it or on its behalf by a Data Processor, such personal data, associated traffic data and other logs of the processing for a minimum period of one year from the date of such processing, for the purposes as specified in the Seventh Schedule..."	Entirely new: Mandatory 1-year minimum retention requirement added for all processing with detailed illustration cases. Major compliance requirement added.
Rule 8	Illustration	Not included.	"Illustration. Case 1: X purchases e-book... Case 2: X engages cloud service provider..."	New: Two detailed case examples added to clarify retention obligations.
Rule 8(3) old	Definition	"(3) In this rule, 'user account' means..."	Removed - moved to Rule 2.	Definition centralized.

Rule 10	Title	"Verifiable consent for processing of personal data of child or of person with disability who has lawful guardian."	"Verifiable consent for processing of personal data of child."	Split: Disability provisions moved to separate Rule 11. Child and disability consent now separate rules.
Rule 10(1)(b)	Age Verification	"Voluntarily provided details of identity and age or a virtual token mapped to the same, which is issued by an entity entrusted by law or the Central Government or a State Government..."	"Details of identity and age, voluntarily provided— (i) by the individual; or (ii) through a virtual token mapped to such details, which is issued by an authorised entity."	Restructured: More clear breakdown of how details can be provided (directly or via token). Introduced "authorised entity" concept.

Rule 10(2)	Disability Consent	"(2) A Data Fiduciary, while obtaining verifiable consent from an individual identifying herself as the lawful guardian of a person with disability..."	Moved to new Rule 11.	Separated into distinct rule for clarity.
Rule 10(2)(b)	Authorised Entity	Did not exist.	New definition of "authorised entity" with sub-clauses (i) and (ii).	New term: Consolidates various entities that can issue identity verification.
Rule 10 Illustration	Case Presentation	"Case 1: C informs DF that she is a child and declares P as her parent... Case 2: C informs DF that she is a child and declares P as her parent... Case 3: P identifies herself... Case 4: P identifies herself..."	"Case 1: C informs DF that she is a child and declares P as her parent... Case 2: C informs DF that she is a child and declares P as her parent... Case 3: P is opening an account for C... Case 4: P is opening an account for C..."	Clarified: Cases now explicitly state whether child or parent is initiating. More realistic scenarios.

Rule 11	New Rule	Provisions were in Rule 10(2).	Entire new rule for "Verifiable consent for processing of personal data of person with disability who has lawful guardian."	Major restructure: Separated disability consent into standalone rule with own definitions.
Rule 11(2)(d)(ii)	Disability Definition	"An individual who is suffering from any of the conditions relating to autism, cerebral palsy, mental retardation or a combination of any two or more of such conditions."	"An individual who is suffering from any of the conditions relating to autism, cerebral palsy, mental retardation or a combination of any two or more of such conditions and includes an individual suffering from severe multiple disability and who, despite being provided adequate and appropriate support, is unable to take legally binding decisions."	Expanded: Added requirement that person must be unable to take legally binding decisions despite support.

Rule 12	Numbering	Was Rule 11.	Now Rule 12.	Renumbered due to split of child/disability consent rules.
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Rule 13(3)	SDF Obligations - Algorithmic	"A Significant Data Fiduciary shall observe due diligence to verify that algorithmic software deployed by it for hosting, display, uploading..."	"A Significant Data Fiduciary shall observe due diligence to verify that technical measures including algorithmic software adopted by it for hosting, display, uploading..."	Changed "deployed" to "adopted"; added "technical measures including" - broader scope beyond just algorithmic software.
Rule 13(4)	Data Localization	"A Significant Data Fiduciary shall undertake measures to ensure that personal data specified by the Central Government on the basis of the recommendations of a committee constituted by it is processed..."	Same text.	No change in core requirement.

Rule 13(5)	Committee Definition	Did not exist.	"(5) In this rule, 'committee' means a committee constituted by the Central Government for the purpose of this rule, which shall include officials from the Ministry of Electronics and Technology and may include officials from other Ministries or Department of the Central Government."	New: Clarifies composition of committee that recommends data for localization.
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Rule 14	Numbering	Was Rule 13.	Now Rule 14.	Renumbered.
Rule 14(1)	Rights Exercise	"The Data Fiduciary and, where applicable, the Consent Manager, shall publish on its website or app, or both."	"The Data Fiduciary and, where applicable, the Consent Manager, shall prominently publish on its website or app, or both."	Added "prominently" - emphasizes visibility requirement.
Rule 14(2)	Rights Request	"To exercise the rights of the Data Principal under the Act to access information about personal data and its erasure, she may make a request to the Data Fiduciary..."	"To exercise the rights of the Data Principal under the Act, she may make a request to the Data Fiduciary..."	Simplified: Removed specific mention of "access information about personal data and its erasure" - now covers all rights generically.
Rule 14(3)	Grievance Timeline	"Every Data Fiduciary and Consent Manager shall publish on its website or app, or both, as the case may be, the period under its grievance redressal system for responding to the grievances of Data Principals."	"Every Data Fiduciary and Consent Manager shall prominently publish on its website or app, or both, as the case may be, within a reasonable period not exceeding ninety days under its grievance redressal system for responding to the grievances of Data Principals."	Major change: Added "prominently"; specified maximum 90-day period for grievance redressal (was unspecified in draft).
Rule 14(5)	Identifier Definition	"Includes a customer identification file number, customer acquisition form number, application reference number, enrolment ID or licence number."	"Includes a customer identification file number, customer acquisition form number, application reference number, enrolment ID, email address, mobile number or licence number."	Added: "email address, mobile number" as examples of identifiers.

Rule 15	CBDT	"Processing of personal data outside India."	"Transfer of personal data outside the territory of India."	Changed "Processing" to "Transfer"; added "the territory of" for precision.
Rule 15	Scope	"Transfer to any country or territory outside India of personal data processed by a Data Fiduciary— (a) within the territory of India; or (b) outside the territory of India in connection with any activity related to offering of goods or services to Data Principals within the territory of India."	"Any personal data processed by a Data Fiduciary under the Act may be transferred outside the territory of India subject to the restriction..."	Simplified: Removed detailed explanation of what data can be transferred. More concise, assumes all data processed under Act can be transferred subject to restrictions.

Rule 16	Numbering	Was Rule 15.	Now Rule 16.	Renumbered.
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Rule 17(4)	Committee Validity	"(4) No act or proceeding of the Search-cum-Selection Committee specified in sub-rules (1) of this rule shall be called in question..."	"(4) No act or proceeding of the Search-cum-Selection Committee specified in sub-rules (1) and (2) of this rule shall be called in question..."	Added "and (2)" - covers both Chairperson and Member selection committees.
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Rule 18	Numbering	Was Rule 17.	Now Rule 18.	Renumbered.
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Rule 19	Numbering	Was Rule 18.	Now Rule 19.	Renumbered.
Rule 19(8)	Authentication	"The Chairperson or any Member of the Board, or any individual authorised by it by a general or special order in writing, may, under her signature, authenticate its order, direction or instrument."	"The Chairperson or any Member of the Board, or any individual authorised by it, by a general or special order in writing, may, under her signature, authenticate its order, direction or instrument."	Punctuation: Added comma after "by it" for clarity.

Rule 20	Numbering & Content	Was Rule 19 - "The Board shall function as a digital office which, without prejudice to its power to summon and enforce the attendance of any person and examine her on oath, may adopt techno-legal measures..."	Now Rule 20 - "The Board shall function as a digital office, without prejudice to its power to summon and enforce the attendance of any person and examine her on oath, may adopt techno-legal measures..."	Renumbered; Changed "which" to comma - grammatical improvement.
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Rule 21	Numbering & Title	Was Rule 20.	Now Rule 21 - same content.	Renumbered.
Rule 21(1)	Staff Appointment	"The Board may, with previous approval of the Central Government and in such manner as the Central Government may by general or special order specify, appoint such officers..."	"The Board may, with previous approval of the Central Government, appoint such officers..."	Simplified: Removed "and in such manner as the Central Government may by general or special order specify" - less prescriptive process.

Rule 22	Numbering	Was Rule 21.	Now Rule 22.	Renumbered.
Rule 22(1)	Appeal Filing	"An appeal, including any related documents, by a person aggrieved by an order or direction of the Board, shall be filed in digital form, following such procedure as may be specified by the Appellate Tribunal on its website."	"Any person aggrieved by an order or direction of the Board, may prefer an appeal before the Appellate Tribunal, it shall be filed in digital form as the Appellate Tribunal may decide."	Simplified: Removed "including any related documents"; changed "following such procedure as may be specified by the Appellate Tribunal on its website" to simpler "as the Appellate Tribunal may decide" - more flexibility.
Rule 22(2)	Appeal Fee	"An appeal filed with the Appellate Tribunal shall be accompanied by fee of like amount as is applicable in respect of an appeal filed under the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), unless reduced or waived by the Chairperson of the Appellate Tribunal at her discretion, and the same shall be payable digitally using the Unified Payments Interface or such other payment system authorised by the Reserve Bank of India as the Appellate Tribunal may specify on its website."	"An appeal filed with the Appellate Tribunal shall be accompanied by fee of like amount as is applicable in respect of an appeal filed under the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), unless reduced or waived by the Chairperson of the Appellate Tribunal at her discretion, and the same shall be payable digitally using the Unified Payments Interface or such other payment system authorised by the Reserve Bank of India."	Removed "as the Appellate Tribunal may specify on its website" - simplified payment process.

Rule 23	Numbering	Was Rule 22.	Now Rule 23.	Renumbered.
Rule 23(1)	Information Request	"The Central Government may, for such purposes of the Act as are specified in Seventh Schedule, acting through the corresponding authorised person specified in the said Schedule, require any Data Fiduciary or intermediary to furnish such information as may be called for, specify the time period within which the same shall be furnished and, where disclosure in this regard is likely to prejudicially affect..."	"The Central Government may, for such purposes of the Act as are specified in Seventh Schedule, acting through the corresponding authorised person specified in the said Schedule, require any Data Fiduciary or intermediary to furnish such information as may be called for, within the specified period as may be given in such."	Changed: "specify the time period within which the same shall be furnished" changed to "within the specified period as may be given in such" - more flexible wording.
Rule 23(1) continued	Non-Disclosure	"and, where disclosure in this regard is likely to prejudicially affect the sovereignty and integrity of India or security of the State, require the Data Fiduciary or intermediary to not disclose the same except with the previous permission in writing of the authorised person."	Moved to sub-rule (2).	Non-disclosure provision separated into own sub-rule for clarity.
Rule 23(2)	New Sub-rule	Provision was in Rule 22(1).	"(2) Where the disclosure of furnishing of information as referred to in sub-rule (1) is likely to prejudicially affect the sovereignty and integrity of India or security of the State, the Central Government may require the Data Fiduciary or intermediary to not disclose such furnishing to affected Data Principal or any other person except with the previous permission, in writing, of the authorised person."	Restructured: Non-disclosure moved to separate sub-rule; added "to affected Data Principal or any other person" - clarifies scope of non-disclosure.
Rule 23(2)-(3)	Fulfillment Statement	"(2) Provision of information called for under this rule shall be by way of fulfilment of obligation under section 36 of the Act."	Deleted.	Removed unnecessary clarification - implied in rule.
Rule 23(3)	New Definition	Did not exist.	"(3) For the purposes of this rule, the expression 'intermediary' shall have the same meaning as assigned to it in the Information Technology Act, 2000 (21 of 2000)."	New: Added definition of intermediary for this rule.