

25th January, 2017

Dear Members,

Data Security Council of India would like to bring to your notice that Computer Emergency Response Team of India (CERT-In or ICERT) has issued a communication regarding reporting of cyber security incidents on 4th of January 2017. The order is attached herewith for your reference. It is reiteration of 2013 CERT-In Rules (attached) issued under section 70B of IT Amendment Act 2008, that was issued on 16th January 2014 focusing on entities such as **'Service Providers', 'Intermediaries', 'Data Centers' and 'Body Corporates'**, and qualifying cyber security incidents to be reported by them to CERT-In. Organizations are requested to evaluate their role against the four categories listed above and prepare incident response mechanisms.

The recent communication by CERT-In re-emphasizes Rule 12(1)(a) of the 2013 Rules, but focuses on all Ministries/ Government departments (Central, States, UTs, Municipal Corporations), being referred to as 'addressed entities', and Chief Information Security Officers (CISOs) of the addressed entities have been tasked to report certain qualified 'Cyber Security Incidents' to CERT-In.

Post the notification, some of the member organizations who are service providers providing services to government departments and agencies (Central, States, UTs, Municipal Corporations) under contractual agreement reached out to us seeking clarification on their role and obligation. Usually under standard terms of contract signed between a government department and service provider for services, it is the **responsibility of primary owners to formally notify security incidents to government department and agencies**, and not the service providers who provide services under contractual agreement. We clarified with CERT-In on this matter. CERT-In acknowledged the concern and replied that only primary security owner (as per letter the 'Addressed entities'), and not service providers are required to notify qualified incidents directly to CERT-In. DSCI welcomes this clarification. Organizations should assess if they are the primary owner of security, which provides them authority to report the incidents. For all other work organizations may be doing with your Government clients, it is advisable to formalize the responsibility of reporting incidents.

If you need more details, please feel free to reach out to us or CERT-In on the matter.

Best Regards,



(Rama Vedashree)
CEO