

INSOLVENCY AND BANKRUPTCY BOARD OF INDIA

New Delhi, the 26th July, 2021

AMENDMENT TO THE GUIDELINES FOR TECHNICAL STANDARDS FOR THE PERFORMANCE OF CORE SERVICES AND OTHER SERVICES UNDER THE INSOLVENCY AND BANKRUPTCY BOARD OF INDIA (INFORMATION UTILITIES) REGULATIONS, 2017

In exercise of the powers conferred by section 196 of the Insolvency and Bankruptcy Code, 2016 (31 of 2016), the Insolvency and Bankruptcy Board of India hereby makes the following amendments to the Guidelines for Technical Standards for the Performance of core services and other services under the Insolvency and Bankruptcy Board of India (Information Utilities) Regulations, 2017, namely:-

1. These amendments shall be called the Guidelines for Technical Standards for the Performance of Core Services and Other Services (Amendment), 2021 under the Insolvency and Bankruptcy Board of India (Information Utilities) Regulations, 2017.

2. In the Guidelines for Technical Standards for the Performance of Core Services and Other Services under the Insolvency and Bankruptcy Board of India (Information Utilities) Regulations, 2017 (hereinafter referred to as the principal guidelines), in clause 1.2, after the abbreviation “OTP”, and before the abbreviation “ROC” the abbreviation “OVD - Officially Valid Documents” shall be inserted.

3. In the principal guidelines, for clause 1.3, the following clause shall be substituted, namely:-

“1.3 Definitions.

(i) 'Identity Details' means C-KYC number in the C-KYC database maintained by CERSAI or identification number of any OVD of a person who is resident of India.

(ii) 'OVD' includes Permanent Account Number (PAN) Card, Passport, Driving License, Voter's Identity Card issued by Election Commission of India and Aadhaar letter/card or the e-Aadhaar (an electronically generated letter from the website of UIDAI), as the case may be.”

4. In the principal guidelines, in clause 2.1;

(i) item (B) shall be omitted,

(ii) after sub-clause 1(b), following shall be inserted, namely,-

“ Explanation.- For the purpose of de-duplication the IU may use the C-KYC database.”

(iii) for sub-clause 5, following sub-clause shall be substituted, namely,-

“5. (i) Registration process shall be completed with PAN (legal entity) and PAN or CKYC number (individual), in the absence of PAN or C-KYC number any other ID shall be used.

(ii) A Unique Identification Number (UIN) by the IU shall be assigned to all the registered users in accordance with these Guidelines.

(iii) An ID once used in the registration process, will be taken on record and the same shall be used for all future access to IU services.”

5. In the principal guidelines, in clause 2.2,

(i) under the heading “Technical Standards on Regulation 13(2) (d)” for sub-clause 1, the following sub- clause shall be substituted:-

“1. Aadhaar number shall not be used as an UIN. The UIN shall be assigned for different categories of users in the following manner:-

(a) PAN or CKYC number for an individual and in the absence of PAN or C-KYC number, any other ID number shall be UIN;

(b) PAN number for all legal entities; and

(c) For a government department or any other agency that does not have PAN or an individual or a legal entity or a foreign entity that has not been issued an ID, IU may issue UIN based on an alternative number assigned by any other authority, wherever available. Where such alternative identifier is not available, UIN shall be issued by the IU, starting with IU code (1 character), indicator for type of person (1 character), followed by 8 alphanumeric characters.”

For example, non-resident/foreign individuals: NIABC0002Z (N for IU code, I for Individual)

For overseas entity: NLXYZ0009P (N for IU code, L for legal entity)

(ii) sub-clause 4 shall be omitted.

6. In the principal guidelines, in clause 2.3, under the heading “Technical Standards on Regulation 13(2) (e)” for sub-clause (3) , the following sub- clause shall be substituted:-

“(3) Submission of supporting documents: Documents can be submitted at any time, not necessarily along with Form C data submission. Such documents should support multiple formats including PDF and scanned image files. All document submissions must be made under digital signature of the submitter, with digital stamping where required:

a. Each supporting document for debt shall have a unique identifier reference;

b. Each supporting document for security shall have security identifier reference; and

c. While accepting and storing digital documents, IU may facilitate digital stamping of the document, in accordance with relevant rules in this respect.”

7. In the principal guidelines, in clause 2.4, under the heading “Technical Standards on Regulation 13(2) (g) & 13(2) (h)” in sub-clause 9, for item (c), the following shall be substituted: -

“**Expired:** If the specified time limit of 15 days from successful delivery of intimation is exceeded or an updated submission of the same UDI is received, whichever is later.”
