

## Digital Personal Data Protection Act (DPDPA) 2023 – Key Requirements

### 1. Scope & Applicability

- Applies to digital personal data.
- Covers entities outside India offering goods/services to individuals in India.
- Excludes non-digitized data unless digitized later.

### 2. Lawful Basis for Processing

- Verifiable consent is mandatory.
- Some legitimate uses allowed (legal requirements, emergencies).

### 3. Privacy Notice

- Must provide clear, itemised notice.
- Explain purpose, retention, rights, grievance options.
- Must support 22 Indian languages + English.

### 4. Data Minimization & Purpose Limitation

- Collect only what is necessary.
- Use data only for stated purposes.

### 5. Accuracy & Retention

- Keep data accurate and updated.
- Delete data when purpose is fulfilled.

### 6. Security Measures

- Implement safeguards for data protection.
- Maintain breach detection and response systems.

### 7. Data Processor Contracts

- Mandatory contracts with data processors.

- Ensure deletion of data when no longer needed.
- Stop processing upon withdrawal of consent.

## 8. Rights of Data Principals

- Right to access, correct, delete personal data.
- Right to withdraw consent.
- Right to grievance redressal.
- Option to use consent managers.

## 9. Children's Data

- Parental consent required for minors.
- Harmful tracking/monitoring/advertising prohibited.

## 10. Significant Data Fiduciaries (SDF)

- Identified based on risk, volume, sensitivity.
- Must appoint DPO, conduct DPIA, and perform audits.

## 11. Cross-Border Data Transfers

- Allowed but restricted based on government notifications.

## 12. Data Breach Notification

- Must notify Data Protection Board and affected individuals.

## 13. Penalties

- Up to INR 250 crore for security failures.
- Up to INR 200 crore for breach notification failure.
- Additional penalties for children's data violations.

## 14. Governance

- Data Protection Board handles investigations, penalties, and directives.

## 15. Exemptions

- Certain government functions and research/statistical uses may be exempt, with conditions.