

The Digital Personal Data Protection Act, 2023

A Detailed Reading of the Act, Sections, and
Compliance Structure

Part 1 - Review of Chapters

Detailed Tutorials

<https://www.youtube.com/@dpdpamentor>



About the Act

The following Act of Parliament received the **assent of the President** on the **11th August, 2023** and is hereby published for general information:—

THE DIGITAL PERSONAL DATA PROTECTION ACT, 2023

An Act to provide for the **processing of digital personal data** in a manner that recognises both the **right of individuals to protect their personal data** and the need to **process such personal data for lawful purposes** and for matters connected therewith or incidental thereto.

Chapters of the Act

9 Chapters



CHAPTER I – PRELIMINARY

Introduction and Definitions



CHAPTER II – OBLIGATIONS OF DATA FIDUCIARY

Duties of Data Controllers



CHAPTER III – RIGHTS AND DUTIES OF DATA PRINCIPAL

Entitlements & Responsibilities



CHAPTER IV – SPECIAL PROVISIONS

Specific Situations



CHAPTER V – DATA PROTECTION BOARD OF INDIA

Regulatory Authority



CHAPTER VI – POWERS, FUNCTIONS AND PROCEDURE TO BE FOLLOWED

Board Processes



CHAPTER VII – APPEAL AND ALTERNATE DISPUTE RESOLUTION

Appeals & Mediation



CHAPTER VIII – PENALTIES AND ADJUDICATION

Fines & Enforcement



CHAPTER IX – MISCELLANEOUS

General Provisions

Chapter 1 - Preliminary



**CHAPTER 1-
PRELIMINARY**

Introduction and Definitions



**TOTAL
SECTIONS**

3



**TOTAL
DEFINITIONS**

28



**KEY ENTITIES
DEFINED**

5



**SCOPE
COVERAGE**

2



EXEMPTIONS

2

**Section 1:
Title &
Timing**

**Section 2:
Key
Definitions**

**Section 3:
Scope
(Who &
What)**

Chapter 2 - Obligations of Data Fiduciary

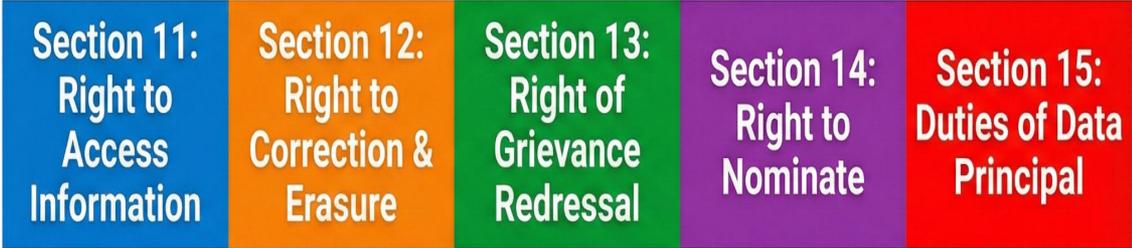
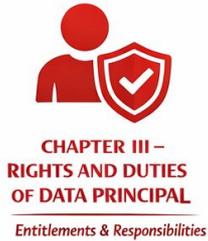


**CHAPTER II –
OBLIGATIONS OF
DATA FIDUCIARY**
Duties of Data Controllers

 TOTAL SECTIONS 7	 GROUNDS FOR PROCESSING 2	 LEGITIMATE USE SCENARIOS 9
 AGE THRESHOLD 18 YEARS	 SDF ADDITIONAL ROLES 2	 SDF COMPLIANCE CHECKS 2

Section 4: Grounds for Processing	Section 5 & 6: Notice & Consent	Section 7: Legitimate Uses	Section 8: General Obligations	Section 9: Children's Data	Section 10: Significant Data Fiduciaries (SDF)
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Chapter 3 - Rights and Duties of Data Principal



Chapter 4 - Special Provisions



**Section 16: Processing
Outside India**

Section 17: Exemptions

Chapter 5 - Data Protection Board of India



CHAPTER V –
DATA PROTECTION BOARD OF INDIA
Regulatory Authority

TOTAL SECTIONS 9	TENURE OF MEMBERS 2 YEARS	RE-APPOINTMENT ELIGIBLE
COOLING-OFF PERIOD 1 YEAR	DISQUALIFICATION GROUNDS 5	LEGAL STATUS PUBLIC SERVANTS

Section 18: Establishment	Section 19: Composition	Section 20: Terms	Section 21: Disqualification	Section 22: Resignation	Section 23: Proceedings	Section 24: Employees	Section 25: Public servants	Section 26: Powers of chairperson
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Chapter 6 - Powers, Functions And Procedures to be followed by Board


**CHAPTER VI –
POWERS, FUNCTIONS
AND PROCEDURE
to Be Followed**
Board Processes



Chapter 7 - Appeal and Alternate Dispute Resolution



 **TOTAL SECTIONS - 4**

 **FILING WINDOW (TDSAT) - 60 DAYS**

 **TARGET DISPOSAL TIME 6 MONTHS**

**Section 29:
Appeal to
Appellate
Tribunal**

**Section 30:
Orders by
Appellate
Tribunal**

**Section 31:
Alternate
Dispute
Resolution**

**Section 32:
Voluntary
Undertaking**

Chapter 8 - Penalties and Adjudication



CHAPTER VIII –
PENALTIES AND ADJUDICATION
Fines & Enforcement



TOTAL
SECTIONS

2



PENALTIES
AS PER
SCHEDULE



ADJUDICATION
FACTORS

7



FUND
DESTINATION

1

Section 33: Penalties

Section 34:
Crediting Sums

Chapter 9 - Miscellaneous



CHAPTER IX –
MISCELLANEOUS
General Provisions



TOTAL
SECTIONS
10



REMOVAL OF
DIFFICULTIES
3 YEARS



ACTS
AMENDED
3



PENALTY
CAP LIMIT
2x (DOUBLE)



PARLIAMENTARY
REVIEW
30 DAYS



IMMUNITY
SCOPE
GOOD FAITH

Section
35:
Good
Faith

Section
36:
Call for
Info

Section
37:
Issue
Directions

Section
38:
Consistency

Section
39:
Bar of
Jurisdiction

Section
40:
Power to
Make
Rules

Section
41:
Laying
before
Parliament

Section
42:
Amend
Schedule

Section
43:
Remove
Difficulties

Section
44:
Amend
ments

Summary

The Act is **compliance-heavy for businesses** (requiring robust security and grievance redressal systems) but **simplified for users** (aiming for plain language notices). It signals a shift from "**privacy as a fundamental right**" to "**data as a regulated asset**" managed through fiduciary trust.

The DPDP Act, 2023 is a "**Principle-Based**" legislation. Unlike "rule-based" laws that provide exhaustive, rigid checklists for every possible scenario, the DPDP Act establishes a **high-level framework** built on **seven core principles**. This approach allows the law to remain **flexible and applicable to changing technologies** while leaving specific details to be defined by future rules.



Thank You

Any Questions? We are here to help.



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<https://d DPDPAmentor.in>