

The Digital Personal Data Protection Act, 2023

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

Part 4 - Review of Chapter 3

Detailed Tutorials

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



Chapters of the Act

9 Chapters



CHAPTER I – PRELIMINARY

Introduction and Definitions



CHAPTER II – OBLIGATIONS OF DATA FIDUCIARY

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CHAPTER III – RIGHTS AND DUTIES OF DATA PRINCIPAL

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Board Processes



CHAPTER VII – APPEAL AND ALTERNATE DISPUTE RESOLUTION

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CHAPTER VIII – PENALTIES AND ADJUDICATION

Fines & Enforcement



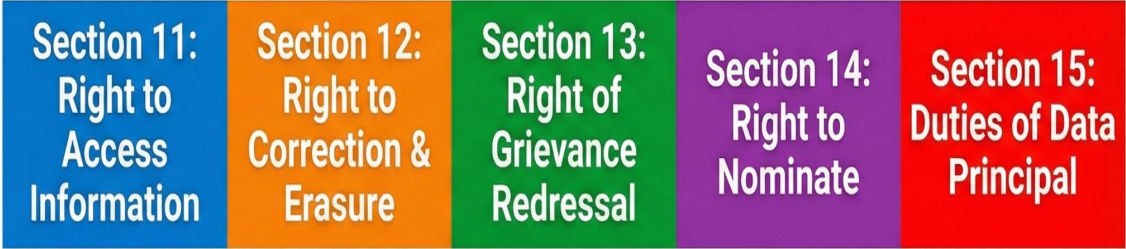
CHAPTER IX – MISCELLANEOUS

General Provisions

Chapter 3 - Rights and Duties of Data Principal



CHAPTER III –
RIGHTS AND DUTIES
OF DATA PRINCIPAL
Entitlements & Responsibilities



Sec 11: Right to access information about personal data.

(1) The Data Principal shall have the **right to obtain from the Data Fiduciary** to whom she has previously given consent, including consent as referred to in clause (a) of section 7 (hereinafter referred to as the said Data Fiduciary), for processing of personal data, **upon making to it a request** in such manner as may be prescribed,—

- (a) a **summary of personal data** which is being processed by such Data Fiduciary and the processing activities undertaken by that Data Fiduciary with respect to such personal data;
- (b) the **identities of all other Data Fiduciaries and Data Processors** with whom the personal data has been shared by such Data Fiduciary, along with a description of the personal data so shared; and
- (c) **any other information related to the personal data** of such Data Principal and its processing, as may be prescribed.

Sec 11: Right to access information about personal data. (continued)

(2) **Nothing contained** in clause (b) or clause (c) of sub-section (1) **shall apply** in respect of the sharing of any personal data by the said Data Fiduciary with any other Data Fiduciary **authorised by law to obtain such personal data**, where such sharing is pursuant to a request made in writing by such other Data Fiduciary for the purpose of **prevention or detection or investigation of offences or cyber incidents**, or for **prosecution or punishment of offences**.

Sec 12: Right to correction and erasure of personal data.

(1) A Data Principal shall have the right to **correction, completion, updating and erasure** of her personal data for the processing of which she has previously given consent, including consent as referred to in clause (a) of section 7, in accordance with any requirement or procedure under any law for the time being in force.

(2) A Data Fiduciary shall, upon receiving a request for correction, completion or updating from a Data Principal,—

- (a) **correct the inaccurate or misleading** personal data;
- (b) **complete the incomplete** personal data; and
- (c) **update** the personal data.

Sec 12: Right to correction and erasure of personal data. (continued)

(3) A Data Principal shall make a request in such manner as may be prescribed to the Data Fiduciary for **erasure** of her personal data, and upon receipt of such a request, the Data Fiduciary **shall erase** her personal data **unless retention of the same is necessary** for the specified purpose or for **compliance with any law** for the time being in force.

Sec 13: Right of grievance redressal.

(1) A Data Principal shall have the right to have readily available **means of grievance redressal** provided by a **Data Fiduciary or Consent Manager** in respect of any act or omission of such Data Fiduciary or Consent Manager regarding the performance of its obligations in relation to the personal data of such Data Principal or the exercise of her rights under the provisions of this Act and the rules made thereunder.

(2) The Data Fiduciary or Consent Manager **shall respond to any grievances** referred to in sub-section (1) **within such period as may be prescribed** from the date of its receipt for all or any class of Data Fiduciaries.

(3) The Data Principal shall **exhaust the opportunity of redressing** her grievance under this section **before approaching the Board.**

Sec 14: Right to nominate.

(1) A Data Principal shall have the **right to nominate**, in such manner as may be prescribed, **any other individual**, who shall, in the **event of death or incapacity** of the Data Principal, **exercise the rights** of the Data Principal in accordance with the provisions of this Act and the rules made thereunder.

(2) For the purposes of this section, the expression **“incapacity” means inability to exercise the rights** of the Data Principal under the provisions of this Act or the rules made thereunder **due to unsoundness of mind or infirmity of body**.

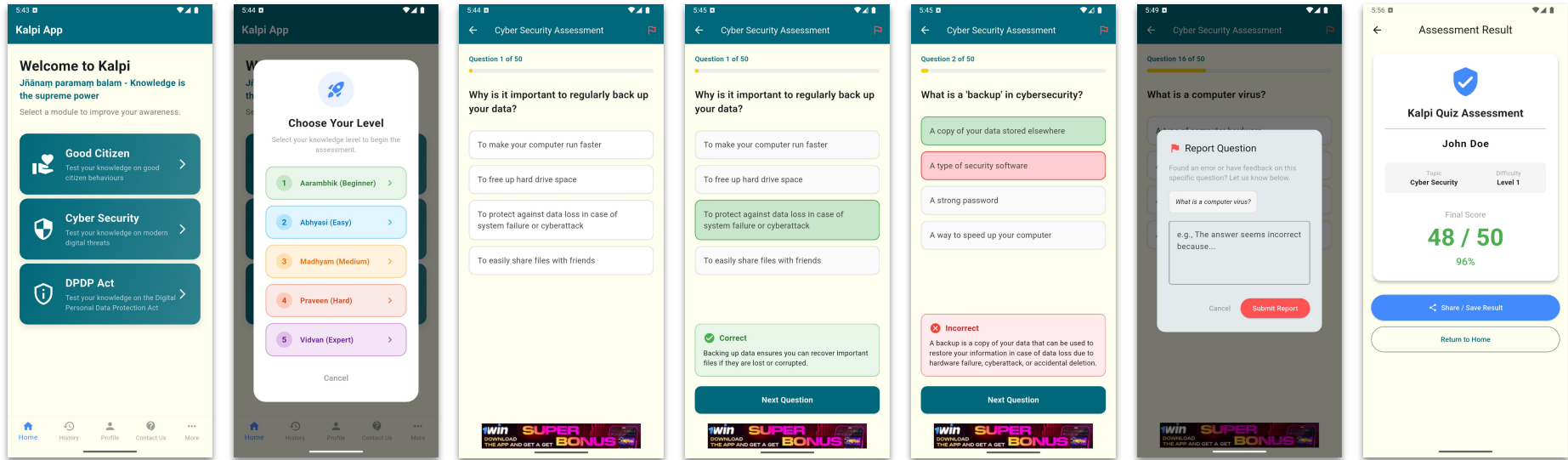
Sec 15: Duties of Data Principal.

A Data Principal shall perform the following duties, namely:—

- (a) **comply with the provisions of all applicable laws** for the time being in force while exercising rights under the provisions of this Act;
- (b) to ensure **not to impersonate another person** while providing her personal data for a specified purpose;
- (c) to ensure **not to suppress any material information** while providing her personal data for any document, unique identifier, proof of identity or proof of address issued by the State or any of its instrumentalities;
- (d) to ensure **not to register a false or frivolous grievance or complaint** with a Data Fiduciary or the Board; and
- (e) to furnish **only such information as is verifiably authentic**, while exercising the right to correction or erasure under the provisions of this Act or the rules made thereunder.

Quiz App

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Thank You

Any Questions? We are here to help.



info@karmalaya.in



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