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Newsflash – Overview and Key Highlights of The Digital Personal Data Protection (DPDP) Rules 2025

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Overview and Key Highlights of The Digital Personal Data Protection (DPDP) Rules, 2025

For Circulation
17 November 2025

1.0 Introduction

The Ministry of Electronics and Information Technology (MeitY) has formally notified the **Digital Personal Data Protection Rules, 2025** (Rules). These Rules seek to operationalise the DPDP Act, 2023, and to establish the governance, compliance, and operational requirements for organisations handling personal data in India, in a staggered manner.

Importantly, the notification will enable organisations dealing with personal data to ensure that compliance measures are in place, and the government to establish the Data Protection Board to implement the DPDP Act.

The Rules bring a significant shift in India's digital regulatory landscape and introduce structured expectations on transparency, accountability, privacy design, breach reporting, and data minimisation. Organisations must prepare for these changes with a proactive and risk-based compliance approach.

2.0 Key Effective Dates

Rule(s)	Effective Dates
Rules 1, 2 and 17–21	Effective immediately
Rule 4	1 year after publication
Rules 3, 5–16, 22–23	18 months after publication

3.0 Key Highlights

➢ Rule 1 - Short Title and Commencement (Rule 1)

Defines the name of the Rules and sets staggered enforcement timelines as listed above.

Rule 2- Definitions

Clarifies key terms including techno-legal measures, user account, verifiable consent; and other terms.

Rule 3 - Stand-Alone Privacy Notice

Organisations must issue clear, independent privacy notices describing data collected, the purpose of processing, and mechanisms to exercise individual rights.

Rule 4 - Consent Manager Registration & Obligations

Defines registration criteria (including technical and financial), obligations, governance, and oversight of Consent Managers.

Rule 5 - Standards for State Processing

Government agencies must follow Second Schedule standards, ensuring lawful, necessary, accurate, secure processing.

Rule 6 - Security Safeguards

Mandatory implementation of encryption, masking, access control, monitoring, and minimum one-year retention of audit logs.

Rule 7 - Breach Notification Requirements

Organisations must notify affected users without delay and report incidents to the Data Protection Board immediately, followed by a detailed report within 72 hours.

Rule 8 - Third Schedule - Data Retention and Auto-Deletion

Inactive data of specified large platforms must be deleted after 3 years; users must be warned 48 hours in advance; logs must be retained for at least one year.

Rule 9 - Contact Information

Data Fiduciaries (DFs) must publish business contact details of the Data Protection Officer (DPO) or responsible officer in all communications.

Rule 10 - Children's Data Protections

Data Fiduciary must verify the parent is an identifiable adult using reliable identity/age data or virtual tokens before processing child data.

- **Rule 11 — Verifiable Consent for Persons with Disabilities**

  Data Fiduciary must verify lawful guardianship through court/authority records before processing data of persons under legal guardianship.

- **Rule 12 — Exemptions for Child Data Processing**

  Certain entities/purposes listed in the Fourth Schedule are exempt from stricter obligations under Section 9.

- **Rule 13 - Significant Data Fiduciaries (SDFs)**

  SDFs must conduct annual Data Protection Impact Assessment (DPIA) and audits, ensure safe algorithmic systems, and follow localisation restrictions for specified data.

- **Rule 14 — Rights of Data Principals**

  Data Fiduciary and Consent Managers must publish processes for exercising rights, verifying identifiers, and operating grievance systems within 90 days.

- **Rule 15 — Cross-Border Data Transfers**

  Permits data transfers outside India, subject to restrictions notified by the Central Government.

- **Rule 16 — Research, Archiving and Statistical Exemption**

  Processing for research/archiving/statistics is exempt if Second Schedule standards (lawfulness, necessity, minimality, safeguards) are followed.

- **Rule 17 — Appointment of Chairperson and Members**

  Creates Search-cum-Selection Committees for recommending appointments to the Board.

- **Rule 18 — Salary and Service Conditions**

  Specifies pay scales, allowances, medical benefits, and leave for Board Members; no pension/gratuity.

- **Rule 19 — Board Meetings & Authentication**

  Chairperson manages agenda and meetings; Board may operate digitally; orders authenticated by authorised officers.

- **Rule 20 — Techno-Legal Measures**

  Allows digital hearings and electronic processes for Board proceedings.

➢ Rule 21 — Digital Office of the Board

The board functions as a digital-first office with electronic filings and communications.

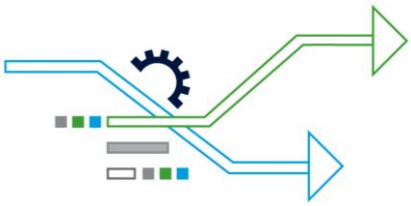
➢ Rule 22 — Standards for State Use of Data (Security/Sovereignty)

Uses Second Schedule standards for lawful, limited, secure processing by the State for sovereignty/security.

➢ Rule 23 — Government Power to Call Information

The government may require DFs/intermediaries to furnish information for purposes in the Seventh Schedule; it may direct non-disclosure of such requests.

4.0 Organisational Next Steps



- Conduct enterprise-wide data mapping and identify high-risk processing activities.
- Redesign consent and notice mechanisms to align with stand-alone notice requirements.
- Strengthen breach detection and reporting protocols.
- Update contracts with data processors to align with Rule 6 safeguards.
- Assess obligations for Significant Data Fiduciary (SDF).
- Establish automated data retention, archival, and deletion workflows.
- Develop internal governance frameworks for data protection and accountability.

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