



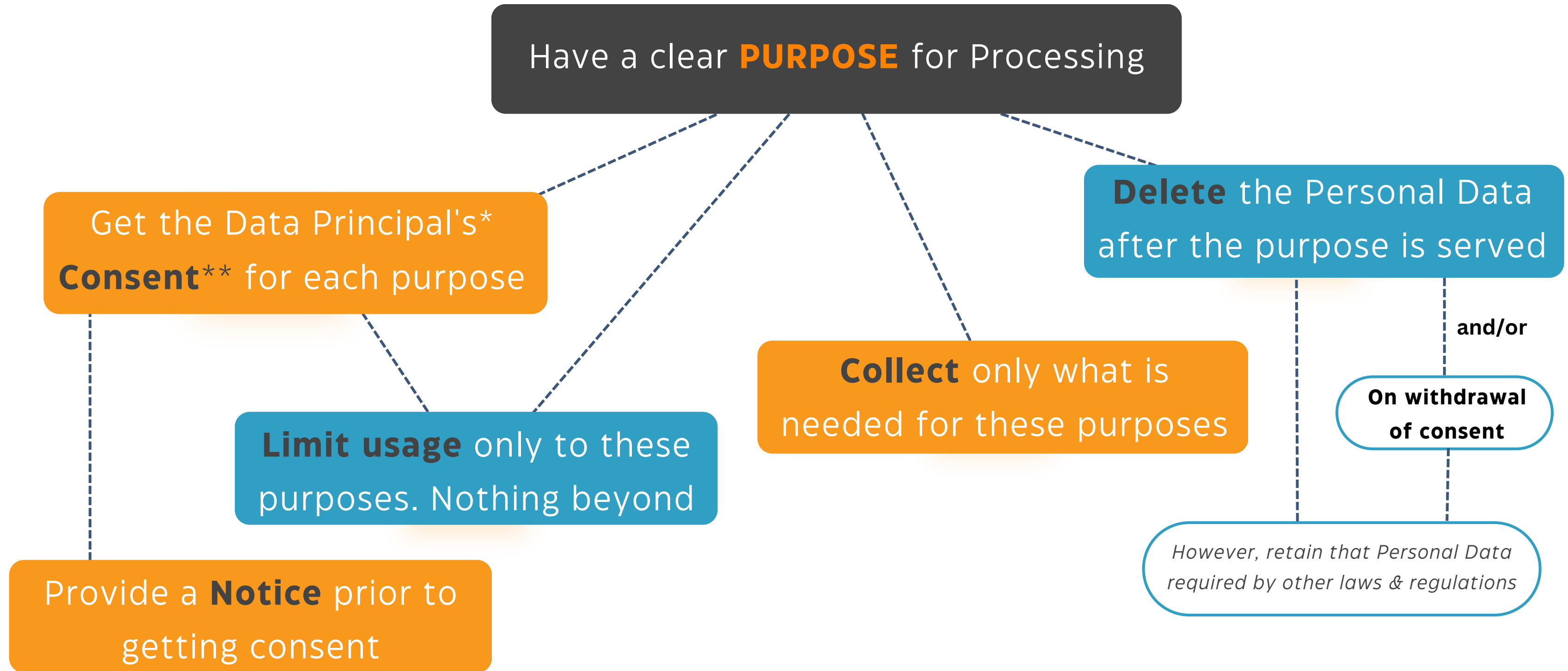
DPDPA PRIMER FOR ORGANIZATIONS

No Legalese. Just the Essence.

privacy@arrka.com | www.arrka.com



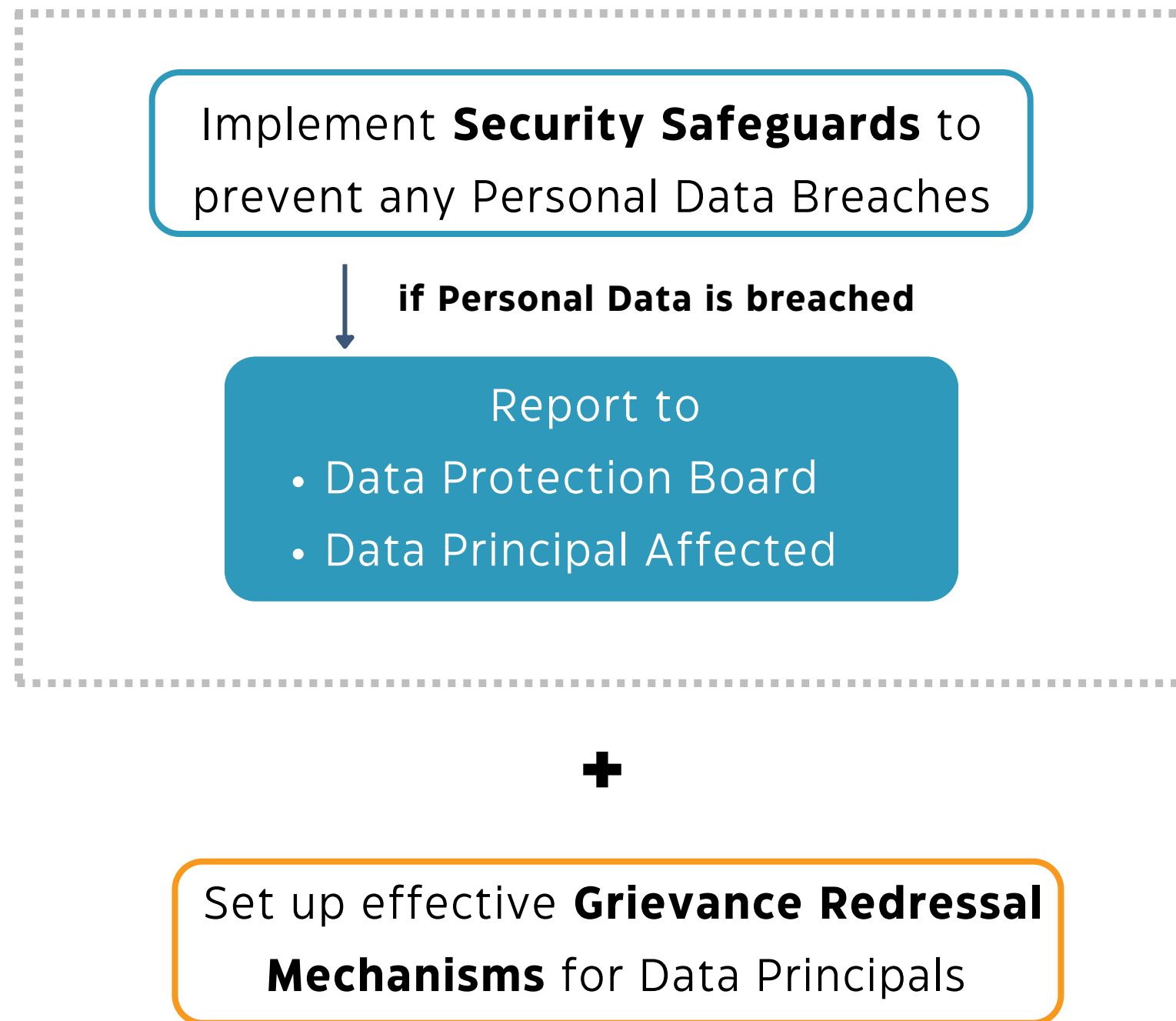
FIRST AND FOREMOST, FOR ANY PERSONAL DATA YOU PROCESS



*Definition - Term defined under 'Actors in the DPDPA Ecosystem'

Certain types of processing may use **other legitimate uses instead of consent. For eg - Employment Purposes, Upkeep of Law & Order, Medical Emergencies, etc.

FOR ANY PERSONAL DATA YOU PROCESS



IF YOUR ORGANISATION IS A SIGNIFICANT DATA FIDUCIARY*

ADDITIONAL MEASURES

1. Appoint a Data Protection Officer (DPO)
2. Appoint a Data Auditor to carry out Data Audits
3. Conduct Periodic -
 - Data Protection Impact Assessments (DPIA)
 - Audits
 - Other Measures Prescribed

*Term defined under 'Actors in the DPDPA Ecosystem

The Central Govt will notify who will come under the Significant Data Fiduciary (SDF) Category

IF YOU PROCESS PERSONAL DATA OF CHILDREN



Get verifiable **Consent from Parent/Guardian**

Cannot Do -

- **Tracking or Behavioral Monitoring** of children
- **Targeted Advertising** to children

No processing that is likely to cause any **detrimental effect on the well being of the child.**

ACCORD THE FOLLOWING RIGHTS TO THE DATA PRINCIPAL



Right to **Access Information about Personal Data**

- **What Personal Data is being processed**
- **Processing activities undertaken**

- **Identities of other organisations with whom Personal Data has been shared**
- **Description of Personal Data shared**

Right to **Correction and Erasure** of Personal Data

Right to **Grievance Redressal**

Right to **Nominate**



Transferring Personal Data outside India?

Government may restrict transfer to certain countries

“
Wait & Watch!
”



Governance of the Act

By the
"Data Protection Board"
(DPB)

KEY PENALTIES



Upto ₹250cr

If reasonable security safeguards not installed to prevent data breach.

Upto ₹200cr

Not giving notice of data breaches to Data Protection Board & affected Data Principal

Upto ₹200cr

Not meeting additional obligations towards children

Upto ₹150cr

Missing meeting obligations required from a Significant Data Fiduciary (SDF)

Upto ₹50cr

Breach of any other provisions of the Act

THE DPDPA IS APPLICABLE TO



Digital Personal Data processed



In India



Outside India

But in connection with any activity that is related to offering of Goods & Services to Data Principals in India

DIGITAL PERSONAL DATA IS

Personal Data collected in

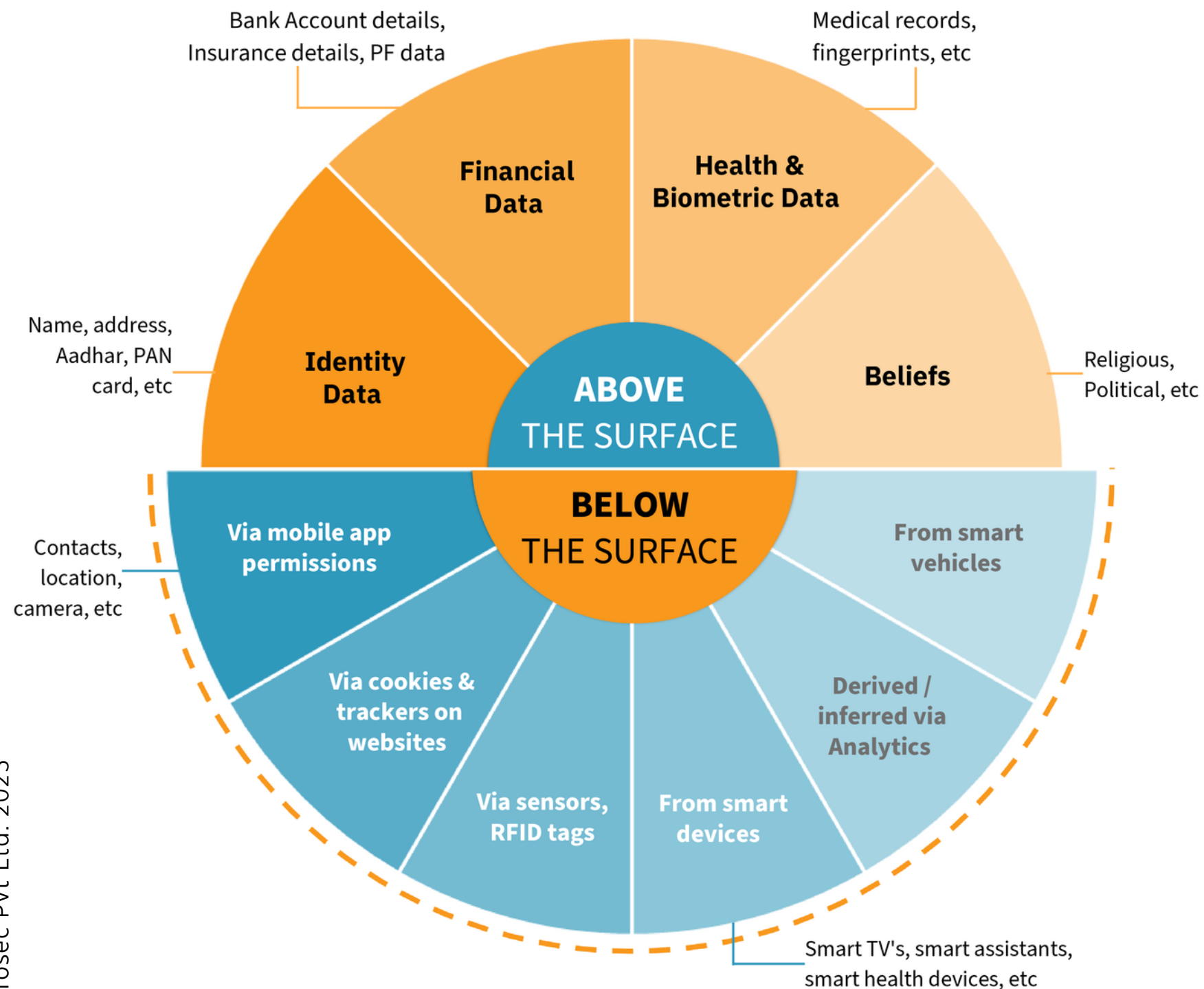


Digital Form

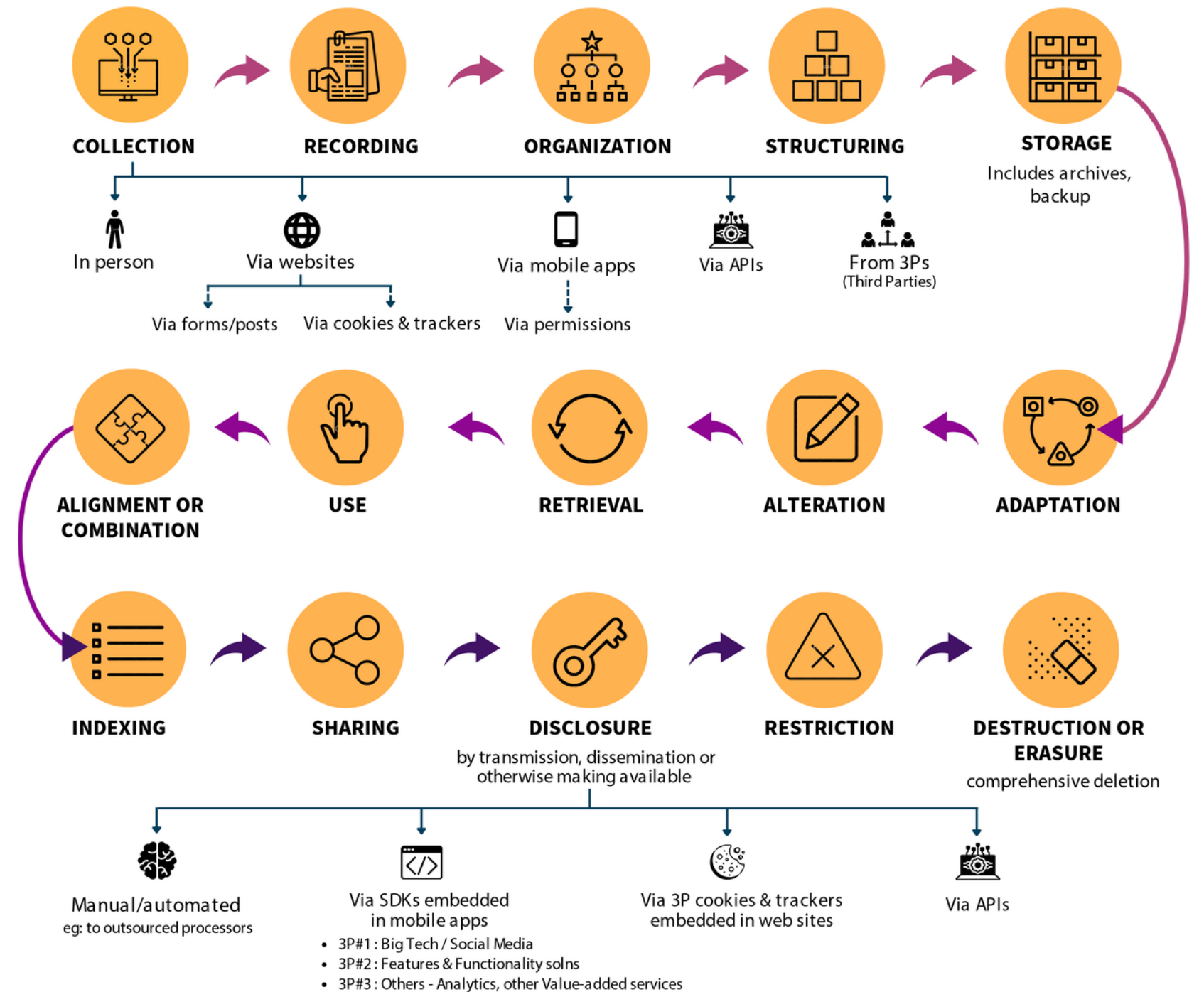


Non Digital Form but digitized subsequently

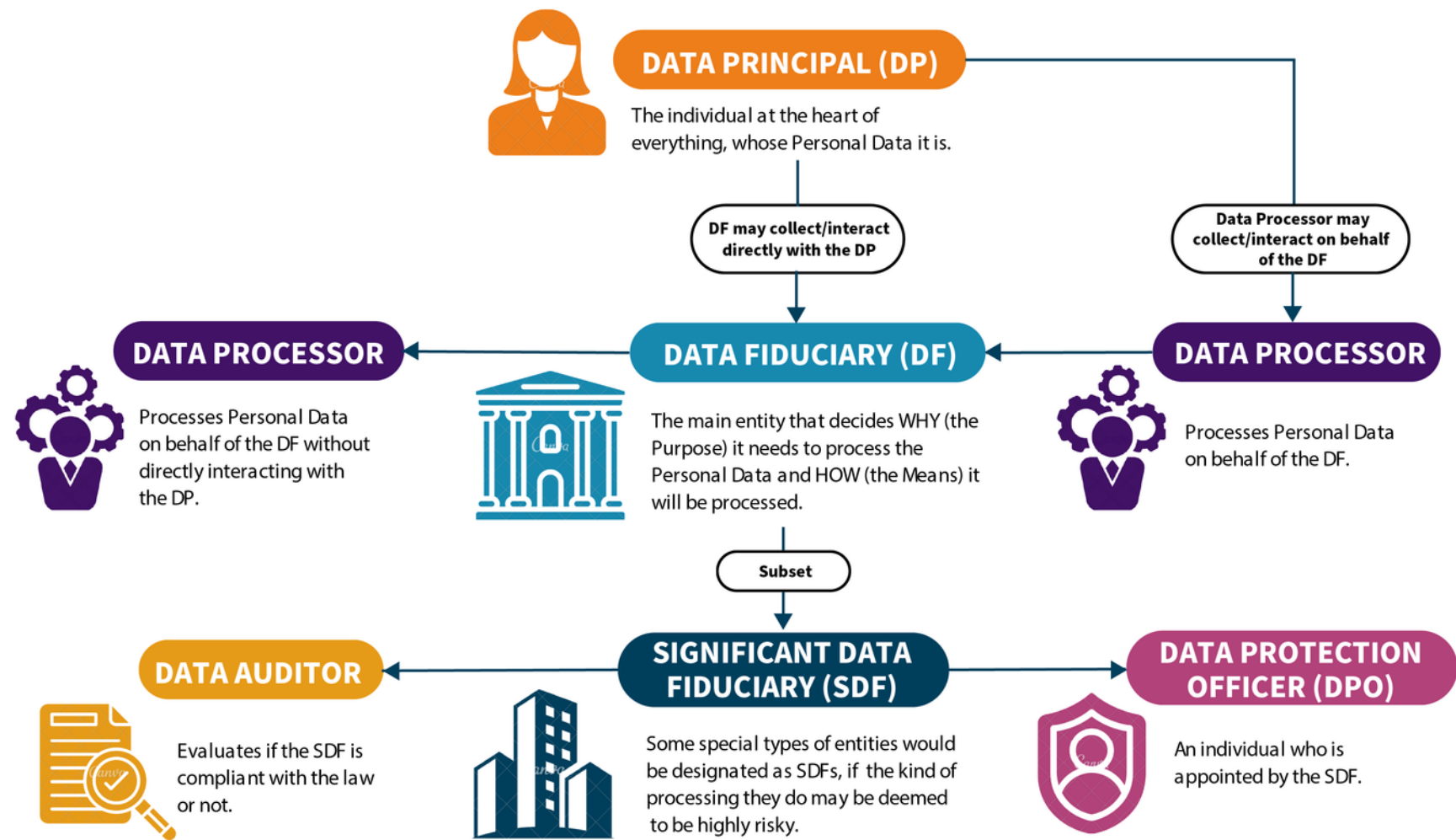
WHAT REALLY CONSTITUTES PERSONAL DATA



PROCESSING COMPRISES



ACTORS IN THE DPDPA ECOSYSTEM



CENTRAL GOVT

- Makes rules
- Decides other aspects concerned with the Act

DATA PROTECTION BOARD OF INDIA (DPB)

Oversees the functioning of this ecosystem. Some of its functions include:

- Check for Non - Compliances
- Step in if required when there has been a Data Breach
- Impose penalties
- Other matters

ABOUT ARRKA

Arrka equips organizations to get compliant and remain compliant with any privacy law(s). Powered by the Arrka Privacy Management Platform, the Arrka Lab, Arrka Privacy Implementation Frameworks and Arrkademy coupled with over a decade of experience helping organizations set up and manage their privacy compliance journeys, Arrka makes Data Privacy simple, efficient and doable.

To make the DPDPA a reality in your organization, do get in touch with us at : privacy@arrka.com | www.arrka.com