

A glowing blue shield icon with a yellow keyhole in the center, set against a background of blue and orange digital circuitry and data points.

Digital Personal Data Protection Act 2023

Compliance Roadmap for Indian Enterprises

Lexcuria Lawyers – Your trusted partner in data privacy
solutions

India's First Data Protection Law

The **Digital Personal Data Protection Act, 2023** received Presidential assent in August 2023, marking India's first comprehensive data protection framework. This landmark legislation balances individual privacy rights with legitimate organizational data use.

Building upon the constitutionally-backed right to privacy established in the *Aadhaar* and *Puttaswamy* judgments, the DPDP Act supersedes previous draft bills and provides clear statutory rights to data principals.



Scope & Applicability



Digital Personal Data

Covers all digital personal data processed within India, regardless of where servers are located



Extra-Territorial Reach

Applies to data processed abroad if it relates to offering goods/services to Indian users



Limited Exemptions

National security, law enforcement, and certain government functions have specific carve-outs

Key Compliance Requirements

01

Consent & Notice

Obtain **explicit, informed consent** before collecting personal data. Provide clear, accessible privacy notices explaining data use

02

Purpose Limitation

Collect data only for **lawful, specified purposes** disclosed at the time of collection. Cannot repurpose data without fresh consent

03

Data Minimization

Limit data collection to the **minimum necessary** for the stated purpose. Avoid excessive or irrelevant data gathering

04

Security Safeguards

Implement **technical and organizational measures** to protect against unauthorized access, disclosure, or breach



Data Principal Rights

The DPDP Act recognizes privacy as a **statutory right of individuals** (data principals), empowering them with meaningful control over their personal information.



Right to Access

Request information about what personal data is being processed and for what purposes

Right to Correction

Seek correction or completion of inaccurate or incomplete personal data

Right to Erasure

Request deletion of personal data when purpose is fulfilled or consent is withdrawn

Right to Nomination

Designate a **consent manager** to exercise rights in case of death or incapacity

Grievance Redressal

File complaints with the Data Protection Board and appeal decisions

Enforcement & Penalties

₹250Cr

Security Breach

Maximum penalty for failure to implement adequate security safeguards

₹200Cr

Non-Notification

Penalty for failing to notify the Board and affected individuals of data breaches

₹50Cr

Other Violations

Penalties for non-compliance with consent, purpose limitation, and other provisions

The Data Protection Board

India's new **independent regulatory authority** investigates violations, issues binding directions, and imposes penalties. The Board also provides guidance and stays updated with evolving privacy standards.

Speaker Note: The Board can initiate inquiries suo moto or based on complaints. Organizations have rights to be heard and appeal decisions to appropriate courts.



Why Compliance Matters Now



Financial Protection

Non-compliance exposes organizations to massive financial penalties that can severely impact profitability and investor confidence



Customer Trust

Align with global privacy standards (GDPR, CCPA) and demonstrate commitment to protecting customer data, building brand loyalty



Competitive Edge

Good data practices enhance operational efficiency, reduce risk, and position organizations as trusted partners in digital economy



Future-Proofing

Proactive compliance prepares for evolving regulations and positions organizations to expand internationally with privacy-by-design principles

Lexcuria's DPDP Compliance Solutions

Our comprehensive suite of services ensures your organization meets all DPDP Act requirements efficiently and cost-effectively.



Gap Assessment & Audit

- Comprehensive data mapping across systems
- Data Protection Impact Assessment (DPIA)
- Compliance gap analysis and roadmap



Policy & Contract Drafting

- Privacy policies and notices
- Data Processing Agreements (DPAs)
- Third-party vendor contracts



Training & Virtual DPO

- Staff workshops on data handling
- Virtual Data Protection Officer services
- Ongoing compliance monitoring



Regulatory Representation & Advisory

- Advisory on Data Protection Board matters
- Representation in inquiries and proceedings
- Handling notices and investigations



Data Breach Response & Crisis Management

- Breach response strategy and coordination
- Drafting breach notifications and disclosures
- Risk mitigation and post-breach advisory



Consent Architecture & Data Governance

- Designing compliant consent frameworks
- Structuring data lifecycle and governance
- Ensuring purpose and minimization compliance



Meet the Lexcuria Team

Our experienced legal and technical experts bring decades of combined experience in corporate law, technology, and data privacy.



Madhumita Bhattacharjee

Founder & Managing Partner

Advocate-on-Record, Supreme Court of India with 25+ years in corporate, commercial, and technology law. Handled landmark judgments and advised Fortune 500 companies.



Atanu Saikia

Partner

20+ years in criminal and corporate litigation. Expertise in white-collar crime, regulatory compliance, and dispute resolution across multiple jurisdictions.



Ratajait Bhattacharjee

Cybersecurity & Data Privacy Consultant

30+ years of total experience in IT and Security Risk Management, including 20+ years specializing in Cybersecurity and Data Privacy. A strong technical background, combined with legal acumen, enables the delivery of practical and implementable solutions.



Thought Leadership: Lexcuria successfully organized the [Data Privacy Conclave](#), bringing together industry experts, regulators, and legal professionals to discuss emerging privacy challenges.

Partner with Lexcuria for DPDP Compliance

Ready to Get Started?

Don't wait for enforcement actions. **Proactive compliance** protects your business and builds customer trust.

Contact Lexcuria Lawyers today for a **free initial consultation** on your DPDP compliance journey.

Get in Touch

Lexcuria Lawyers LLP

Email: info@lexcurialawyers.in

Website: lexcurialawyers.in

New Delhi, India

"Data protection is not just compliance—it's a competitive advantage in the digital economy."