



# DPDP Rules 2025: Guidance to DPDP Act implementation



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# Target Areas for DPDP Rules 2025

The Digital Personal Data Protection Rules, 2025 released by the Ministry of Electronics and Information Technology, India (MeitY), dated 13 November 2025 serves as a crucial extension to the Digital Personal Data Protection Act 2023. It provides operational clarity for entities processing digital personal data in relation to providing goods and services within the territory of India. By outlining specific compliance requirements, these rules facilitate a smoother transition for businesses aiming to align with the act. These rules act as a stepping-stone by offering directives on data protection practices, thereby enabling businesses to implement robust data privacy and governance framework which would not only ensure legal compliance but also foster trust and transparency with Data Principals, ultimately contributing to a more secure and privacy-conscious business environment.



## Below are the Target Areas for DPDP Rules 2025

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## 1. Enforcement timelines

DPDP Act	DPDP Rules	Obligation	Timeline(s)
Section 6(8) Section 6(9)	Rule 4	Registration and obligations of consent manager	One year from the date of publication
Section 3	NA	Applicability of the Act	18 months from the date of notification
Section 5 Section 6(10)	Rule 3	Notice given by Data Fiduciary to Data Principal	
Section 9	Rule 10 Rule 12	Processing of personal data related to children	
Section 10	Rule 13	Obligations of Significant Data Fiduciary	
Section 11 to 14	Rule 14	Rights of Data Principals	
Section 16	Rule 15	Transfers of personal data outside India	



## 2. Key timelines specified in the Rules

DPDP Rules	Obligation	Timeline(s)
7(1) and 7(2)	Breach intimation to the Data Protection Board (DPB)	First Intimation: <b>Without delay</b> Second Intimation with detailed information of breach: <b>Within 72 hours</b>
8(2) -Third Schedule	Personal data erasure and intimation of such erasure by Ecommerce/social media/gaming entities	<b>Retention Period: Three years</b> <b>Intimation: 48 hours</b> prior to deletion
13(1)	Periodicity of Data Protection Impact Assessment (DPIA) and Data Audit	<b>Yearly</b> from: <ul style="list-style-type: none"> <li>13 November 2025 [Notification date of DPDP Rules] (or)</li> <li>Data Fiduciary becomes Significant Data Fiduciary (SDF)</li> </ul>
First Schedule – Part B - 4(c)	Maintenance of consent records by consent manager	<b>Seven years</b>
14(3)	Response to the grievances of Data Principals	<b>Within 90 days</b>

## Publishing contact details



Data Fiduciary [Data Protection Officer (DPO), in case of SDF] should publish business contact details of designated person on its website or application







Data Fiduciary should mention the contact information of designated person or DPO (in case of SDF) in every response to the communication from Data Principal exercising their rights



### 3. Intimation of personal data breach

<p><b>1. Primary intimation (to DPB)</b></p> <p>To be intimated <b>without delay</b> upon becoming aware of the breach.</p> <p><b>Details to be included:</b></p> <ul style="list-style-type: none"> <li>• Description of the breach including nature, extent, likely impact, timing, location of the occurrence.</li> </ul>	<p><b>3. Intimation to Data Principal</b></p> <p>Data Principals should be intimated <b>without delay, to the best of its knowledge</b> on becoming aware of the personal data breach:</p> <p><b>Details to be included:</b></p> <ul style="list-style-type: none"> <li>• Description of the breach (nature, extent, timing)</li> <li>• Consequences relevant to the Data Principal likely to arise from the breach</li> <li>• Measures implemented or being implemented for mitigation</li> <li>• Safety measures to protect their interest</li> <li>• Contact information of person who can respond for Data Fiduciary.</li> </ul> <p><b>Mode of communication:</b></p> <ul style="list-style-type: none"> <li>• User account (includes any profiles, pages, handles, email address, mobile number and other similar means); or</li> <li>• Any mode registered by Data Principal with the Data Fiduciary.</li> </ul>
<p><b>2. Secondary intimation (to DPB)</b></p> <p>To be intimated within <b>72 hours</b> upon becoming aware or a longer period approved by DPB.</p> <p><b>Details to be included:</b></p> <ul style="list-style-type: none"> <li>• Updated information from first intimation</li> <li>• Broad facts relating to events, circumstances and cause of breach</li> <li>• Implemented or proposed measures to mitigate risk</li> <li>• Findings regarding person who caused the breach</li> <li>• Remedial measures taken to prevent recurrence</li> <li>• Report of notification to Data Principals.</li> </ul>	

### 4. Notice and consent overview

 <p><b>Independent information</b></p>	<p>Notice needs to be understandable without any other information that is made available by the Data Fiduciary</p>
 <p><b>Format</b></p>	<p>Provides a fair account of details necessary, in clear and plain language for providing specific and informed consent</p>
 <p><b>Minimum contents</b></p>	<p>A notice, at a minimum should contain:</p> <ul style="list-style-type: none"> <li>• Itemised description of personal data</li> <li>• Details of the specific purpose or purposes and provide an itemised description of the goods or services to be provided or the uses to be enabled by such processing.</li> </ul>
 <p><b>Means of communication</b></p>	<p>Data Fiduciaries need to provide a link to a website or application or both and description of other means which enables a Data Principal to:</p> <ul style="list-style-type: none"> <li>• Withdraw their consent*</li> <li>• Exercise their Data Principal rights</li> <li>• Make a complaint to the Board.</li> </ul>

**\*Note:** The ease through which consent can be withdrawn should be comparable to the ease through which consent is collected.

## Consent overview



Consent Manager  
registration



Consent manager  
obligations



Verifiable  
consent

## Verifiable Consent

Ensure verifiable consent is obtained from parent/guardian for processing personal data of a child or a person with disability

Ensure appointment of guardian is valid and such guardianship extends to the consent provided

Data Fiduciary must verify that the parent/guardian is an adult by using reliable identity details or through a virtual token mapped to such details.

Consent needs to be reliable if identification is required in certain cases



## 5. Obligations of Consent Manager

### Who can register as Consent Manager?



Company incorporated in India



Net worth > INR2 Crores



Technical, operational and financial capacity



- Services need to be primarily provided through an application/website
- Disclosures about certain company information on the application/website
- Implement reasonable security safeguards to prevent data breach
- Ensure personal data access or sharing is done in a manner where the contents are not readable
- Prohibit sub-contracting or assigning performance of any of its obligations
- Avoid conflict of interest with Data Fiduciaries and take measures for the same
- Independent certification for the interoperable platform
- Consent management platform digitally accessible by Data Principal to manage, review and withdraw their consent
- Retain Data Principal records for seven years or longer if agreed with Data Principal or as required by law
- Establish effective audit mechanism to periodically report the outcomes to the Board.

## 6. Reasonable security safeguards

Organisations also need to ensure effective observance of the below security safeguards

<p><b>Securing personal data</b></p> <p>Appropriate measures may include but not limited to:</p> <ul style="list-style-type: none"> <li>• Encryption</li> <li>• Obfuscation</li> <li>• Masking</li> <li>• Virtual tokens mapped to that personal data.</li> </ul>	<p><b>Access control</b></p> <p>Control the access to computer resources (used by Data Fiduciaries and their respective Data Processors).</p>	<p><b>Contract</b></p> <p>Contract between Data Fiduciary and Data Processor should include a provision to implement reasonable security safeguards.</p>	<p><b>Governance</b></p> <p>Implement suitable technical and organisational measures to ensure monitoring of effective enforcement of security safeguards.</p>
<p><b>Business resilience</b></p> <p>Reasonable measures including data backups to:</p> <ul style="list-style-type: none"> <li>• Ensure continued processing when integrity or availability of personal data is being compromised.</li> </ul>	<p><b>Access review</b></p> <p>Measures for review of access to personal data:</p> <ul style="list-style-type: none"> <li>• Maintaining appropriate access logs</li> <li>• Monitoring and review</li> </ul> <p>The above measures are to</p> <ul style="list-style-type: none"> <li>• detect unauthorised access; and</li> <li>• investigate and remediate a recurrence of unauthorised access.</li> </ul>	<p><b>Detection and prevention</b></p> <p>Organisations need to enable measures for:</p> <ul style="list-style-type: none"> <li>• Detecting unauthorised access</li> <li>• Investigation of the same; and</li> <li>• Ensuring continued processing in such events.</li> </ul> <p>Technical measures include retaining logs and personal data for one year only unless required by law.</p>	

## 7. Empowering Data Principals


	<p><b>Data Fiduciary and Consent Managers' role</b></p> <hr/> <p>Clearly publish on their website or application (or both):</p> <ul style="list-style-type: none"> <li>• The process by which Data Principals can exercise their rights, including particulars such as usernames or identifiers*</li> <li>• Provide clear timelines for responding to grievances of the Data Principals (not more than 90 days) and implement appropriate technical and organisational measures under their grievance redressal system.</li> </ul> <p><small>*Note: identifier here, refers to sequence of characters issued by the Data Fiduciary to identify the Data Principal and includes a customer identification file number, customer acquisition form number, application reference number, enrolment ID, email address, mobile number or license number that enables such identification.</small></p>
	<p><b>Data Principal's role</b></p> <hr/> <ul style="list-style-type: none"> <li>• To exercise their rights under the act, the Data Principal can request to access and erase their personal data by contacting the Data Fiduciary</li> <li>• Data Principals may nominate one or more individuals to exercise their rights under the DPDP Act, in accordance with the terms of service of the fiduciary and any applicable law using the Data Fiduciary's mechanism.</li> </ul>



## 8. Cross border data transfer

Transfers outside India by Data Fiduciaries are subject to requirements set by the central government for making personal data available to any foreign state.


## 9. Retention timelines



### Erasure of personal data

Data fiduciary must erase personal data if Data Principal does not approach –




- For specified time period or;
- Exercise rights within the specified time mentioned in third schedule of the rules.



### Notification before erasure

- Data Fiduciary must inform the Data Principal at least 48 hours before the completion of the time period of erasure of personal data
- Upon completion of aforementioned period, Data Fiduciary shall erase the data unless Data Principal logs into their user account or contact the Data Fiduciary.

## Erasure and retention period for certain Data Fiduciaries

Class of Data Fiduciaries	Purpose	Time period
 <b>E-commerce entity</b> with not less than two crore registered users in India	All purposes except - <ul style="list-style-type: none"> <li>• Access to user account</li> <li>• Access to virtual tokens issued by or stored on the digital facility or platform of such Data Fiduciary to get money, goods or services.</li> </ul>	Three years from the date Data Principal last approached for the performance of the specified purpose or exercise of their rights or commencement of the Rules, whichever is latest.
 <b>Online gaming intermediary</b> with not less than 50 lakhs registered users in India	All purposes except - <ul style="list-style-type: none"> <li>• Access to user account</li> <li>• Access to virtual tokens issued by or stored on the digital facility or platform of such Data Fiduciary to get money, goods or services.</li> </ul>	Three years from the date Data Principal last approached for the performance of the specified purpose or exercise of their rights or commencement of the Rules, whichever is latest.
 <b>Social Media Intermediary</b> with not less than two crore registered users in India	All purposes except - <ul style="list-style-type: none"> <li>• Access to user account</li> <li>• Access to virtual tokens issued by or stored on the digital facility or platform of such Data Fiduciary to get money, goods or services.</li> </ul>	Three years from the date Data Principal last approached for the performance of the specified purpose or exercise of their rights or commencement of the Rules, whichever is latest.

## 10. Obligations of Significant Data Fiduciary



## 11. Exemptions

 <p>Exemptions available from processing personal data of a child by class of Data Fiduciaries:</p>	<ul style="list-style-type: none"> <li>• Clinical establishments</li> <li>• Mental health establishments or healthcare professionals</li> <li>• Allied healthcare professionals</li> <li>• Educational institutions</li> <li>• Individuals (fiduciary) to whose care infants and children in a crèche or child day care centers are entrusted</li> <li>• Fiduciaries engaged by an educational institution, crèche or child care center for transport of children enrolled with such institution, crèche or center.</li> </ul>
 <p>Exemptions available from processing personal data of a child for certain purposes:</p>	<ul style="list-style-type: none"> <li>• Performance of any function or discharge of any duties in the interests of a child under law</li> <li>• Providing or issuing of any subsidy, benefit, service, certificate, license or permit, by whatever name called, under law or policy or using public funds, in the interests of a child</li> <li>• Creation of a user account for communicating by email</li> <li>• For the determination of real-time location of a child</li> <li>• Ensuring that information, service or advertisement likely to cause any detrimental effect on the well being of a child is not accessible to her</li> <li>• Data Fiduciary to confirm that the Data Principal is not a child and observance of due diligence of verifiable consent.</li> </ul>
 <p>Exemption from research, archiving and statistical purposes if processing is carried on in accordance with these standards:</p>	<ul style="list-style-type: none"> <li>• Processing is carried out in a lawful manner</li> <li>• Processing personal data only to the extent necessary for the purposes</li> <li>• Implementing mechanisms to ensure personal data accuracy</li> <li>• Retention of personal data to the extent it is necessary</li> <li>• Implement reasonable security safeguards for preventing personal data breaches</li> <li>• Processing is for the state and any of its instrumentalities to provide or issue to the Data Principal such subsidy, benefit, service, certificate, license or permit. During such processing, the same is undertaken while providing intimation to Data Principal</li> <li>• Ensuring accountability of person(s) determining the means and purposes of processing to comply with the above standards.</li> </ul>

## KPMG in India has got you covered . . .

The privacy compliance landscape is undergoing a substantial transformation with Digital Personal Data Protection Rules, 2025.

This landmark legislation is set to introduce a comprehensive and rigorous framework for data protection, fundamentally changing how the industry manages consumer information. Companies will be required to overhaul their data management practices to ensure enhanced security and transparency.

Companies must implement advanced data governance measures including robust data protection strategies and adhere to principles such as data minimisation and secure processing. They will also need to facilitate Data Principal rights related to data access, correction etc. By adhering to these, organisations are set to bolster consumer trust and ensuring more rigorous stewardship of personal data.

KPMG in India's privacy portfolio boasts a variety of services that can help businesses manage regulatory obligations and leverage data to create value and increase revenue while meeting the expectations of customers, employees and vendors. With KPMG in India's extensive privacy and data protection experience, businesses can evolve and develop a tailored, structured and flexible approach – helping unlock economic potential while also helping to comply with data privacy.



## KPMG in India's data privacy offerings

### **Privacy regulatory landscape assessment:**

Determine your regulatory obligations and assess the current privacy risk posture

### **Privacy strategy and operations governance:**

Design and advise on the implementation of privacy programme, governance accountability model, and building privacy focused culture.

### **Personal data protection:**

Obtain visibility over personal data and establish controls to secure the personal data lifecycle.

### **Privacy by design:**

Build privacy-enhancing technology stack and digital approaches to manage regulatory expectations.

### **Third-party privacy risk management:**

Governance over personal data sharing with third parties to manage data privacy risks.

### **Privacy training program and e-learning:**

Create targeted awareness at the enterprise level.

### **Privacy managed services:**

Provide ongoing support to run privacy and data protection office and assist you in managing your strategic and operational data privacy control environment.

### **Platform approach to privacy:**

Internalise privacy program by automating privacy operations and establishing governance over personal data use across the enterprise.

KPMG in India can offer a global, multidisciplinary view of risk, helping you address your privacy challenges. KPMG in India is committed to offer precision, quality and objectivity, which can help you embed protection and trust into your activities, not just your technology, to create a security and privacy culture for an organisation.



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## Authors

- Amrita
- Ayushi Dasgupta
- Shubhankar Mathur
- Raghav Ahooja
- Mala Lahoti
- Tanishka Prasad
- Aswinisri Narayanan
- Shubhra Murali



# KPMG in India contacts:

**Akhilesh Tuteja**  
Global Head – Cyber Security  
E: [atuteja@kpmg.com](mailto:atuteja@kpmg.com)

**Atul Gupta**  
Partner, HoF - Digital Trust  
E: [atulgupta@kpmg.com](mailto:atulgupta@kpmg.com)

**Nitin Shah**  
Partner, Digital Trust  
Head, Cyber and Privacy  
Strategy and Governance  
E: [nitinshah@kpmg.com](mailto:nitinshah@kpmg.com)

**Shikha Kamboj**  
Partner, Digital Trust  
National Lead,  
Data Privacy and Ethics  
E: [skamboj@kpmg.com](mailto:skamboj@kpmg.com)

**Rupak Nagarajan**  
Partner, Digital Trust  
Data Privacy and Ethics  
E: [rupak@kpmg.com](mailto:rupak@kpmg.com)

**Kanika Jain**  
Associate Partner, Digital Trust  
Data Privacy and Ethics  
E: [kanikajain@kpmg.com](mailto:kanikajain@kpmg.com)

**Vipul Ubale**  
Associate Partner, Digital Trust  
Data Privacy and Ethics  
E: [vipulubale@kpmg.com](mailto:vipulubale@kpmg.com)

**Amrita**  
Director, Digital Trust  
Data Privacy and Ethics  
E: [amritakumar@kpmg.com](mailto:amritakumar@kpmg.com)

[kpmg.com/in](https://kpmg.com/in)



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KPMG Assurance and Consulting Services LLP, Lodha Excelus, Apollo Mills Compound, NM Joshi Marg, Mahalaxmi, Mumbai - 400 011  
Phone: +91 22 3989 6000, Fax: +91 22 3983 6000.

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