Majmudar & Partners
INTERNATIONAL LAWYERS

#LegalInsights

India's New Privacy Regime: The Countdown to May 2027

India's Digital Personal Data Protection Act, 2023 (DPDPA) is coming into force in stages. The compliance window is now defined.

Majmudar & Partners
INTERNATIONAL LAWYERS

The timeline

The provisions on notice and consent, rights of data principals and cross-border data transfers **will take effect on May 14, 2027.**

The existing SPDI Rules continue until May 13, 2027, after which they stand repealed and replaced by the DPDPA and the DPDP Rules.

Majmudar & Partners
INTERNATIONAL LAWYERS

What does the DPDPA cover

The DPDPA applies to the **processing of digital personal data**, focusing on the obligations of data fiduciaries, the rights of data principals and consent requirements.

Its scope extends beyond India if processing relates to offering goods or services to data principals within the Indian territory from outside.

Majmudar & Partners
INTERNATIONAL LAWYERS

Key departures from the old regime

The DPDPA **removes the classification of personal data into categories** such as sensitive and critical personal data.

It introduces "legitimate uses" as a ground for processing without explicit consent, restricts transfers of personal data outside India, and carries enhanced penalty provisions.

Majmudar & Partners
INTERNATIONAL LAWYERS

The DPDP Rules 2025 (Rules)

Notified on November 14, 2025, the Rules operationalize the Act.

They mandate **clear, plain-language notices, reasonable security safeguards, including encryption, access controls and a one-year minimum log retention period**, and breach intimations to affected data principals and the Data Protection Board of India, with a seventy-two hour window for detailed updates.

Majmudar & Partners
INTERNATIONAL LAWYERS

Heightened obligations

Significant data fiduciaries face **annual data protection impact assessments, audit obligations, due diligence** over algorithmic risks and potential restrictions on transferring certain personal and traffic data outside India.

Special rules govern verifiable consent for children, with targeted exemptions in defined contexts.

Majmudar & Partners
INTERNATIONAL LAWYERS

#KeyTakeaways

May 2027 is closer than it appears. Are your compliance programs underway?

For the latest legal insights, updates and ideas, please visit our website www.majmudarindia.com

Disclaimer: This information is intended for general legal awareness only and does not constitute legal or professional advice.