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Centre for Research and  
Governance on Cyber Law

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DO YOU KNOW?

# WHERE IS YOUR DATA SAFER— EUROPE OR INDIA?

*Swipe to explore key differences between GDPR &  
DPDP Act and what they mean for your digital rights!*



# SCOPE & APPLICATION

## Who Does the Law Protect?

- **GDPR:** It **protects** all personal data, digital & paper records, related to **people in the EU**.
- **DPDP:** It covers only digital **personal data or data digitised post-collection**. Data made public by legal requirement is excluded.

**What does this mean?** More limited scope in India; some unprotected data.



# KEY DEFINITIONS

## Personal Data, Controller & Data Principal

- **Both laws define similar roles:**  
'controller' (GDPR)/'data fiduciary' (DPDP), 'data subject' (GDPR)/'data principal' (DPDP).
- **DPDP uniquely recognises "Significant Data Fiduciary"** - organisations processing large/sensitive volumes face extra obligations.



# LEGAL GROUNDS FOR PROCESSING

Can Companies Use My Data?

- **Both laws define similar roles:** 'controller' (GDPR)/'data fiduciary' (DPDP), 'data subject' (GDPR)/'data principal' (DPDP).
- **DPDP** uniquely recognises "Significant Data Fiduciary" - organisations processing large/sensitive volumes face extra obligations.



# CHILDREN'S DATA

## Protection for Minors

- **GDPR:** Child **consent must be clear**; age varies by country (often 16).
- **DPDP:** **Stricter**—under 18, needs **parental/legal guardian consent**, bans tracking/targeted advertising for children.

**In India, stronger child protection apply.**



# USER RIGHTS

## Your Digital Rights

- **GDPR:** Broad—access, correction, erasure, data portability, restricted processing, objection to automated decisions.
- **DPDP:** Similar to access, correction, erasure, and consent withdrawal. Lacks portability, restriction, and automated decision challenges.

Unique to DPDP: Right to nominate someone for your data rights after death/incapacity.





# DATA BREACH & NOTIFICATION

## Responding to Breaches

- **GDPR:** Only serious breaches must be reported within 72 hours.
- **DPDP:** Regardless of severity, all breaches must be reported to the Data Protection Board and users. *No clear timeline.*

**India's approach:** wider reporting, but needs procedural clarity.



# ENFORCEMENT & PENALTIES

## Who Holds Companies Accountable?

- **GDPR:** Multiple national regulators, strong authority, and cross-border powers.
- **DPDP:** Yet to be implemented; will be enforced by the Data Protection Board of India, with *fin*es up to ₹250 crore (~€28 million).

*India awaits operational details and board establishment.*





# UNIQUE FEATURES

What's Special About the DPDP Act?

- **“Consent Managers”**—help you manage consent across platforms.
- **“Significant Data Fiduciaries”**—extra compliance for big players in sensitive sectors.
- New grievance redressal process for users before regulator complaints.



# KEY TAKEAWAYS

## The Big Picture

- **GDPR** sets a **global standard**—broad, strong, and rights-driven.
- The **DPDP Act** brings India closer to **global norms**, but with unique features, stricter child protections, and some gaps.
- **Businesses** and **users** *must assess compliance* for data handled under each regime.



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