

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

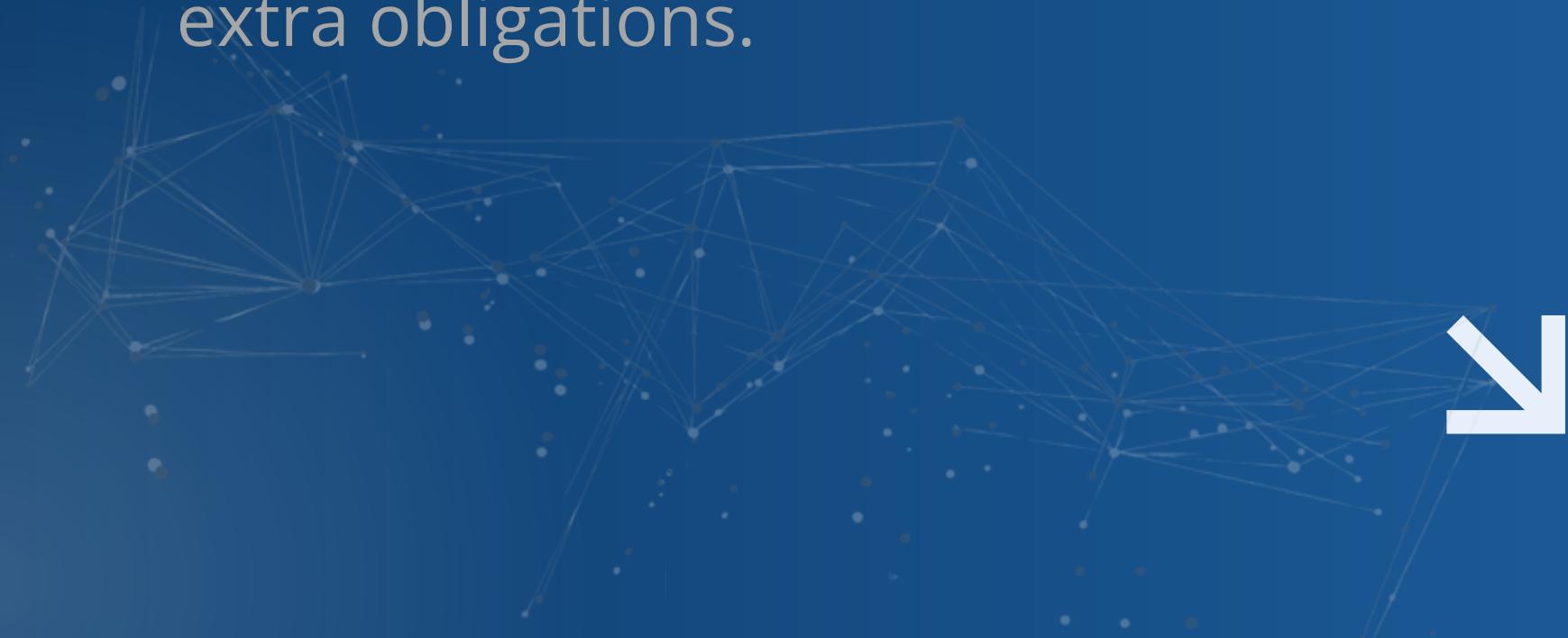
- **Both laws define similar roles:** 'controller' (GDPR) / 'data fiduciary' (DPDP), 'data subject' (GDPR) / 'data principal' (DPDP).
- **DPDP uniquely recognises "Significant Data Fiduciary"** - organisations processing large/sensitive volumes face extra obligations.



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 *fines up to ₹250 crore (~€28 million)*.

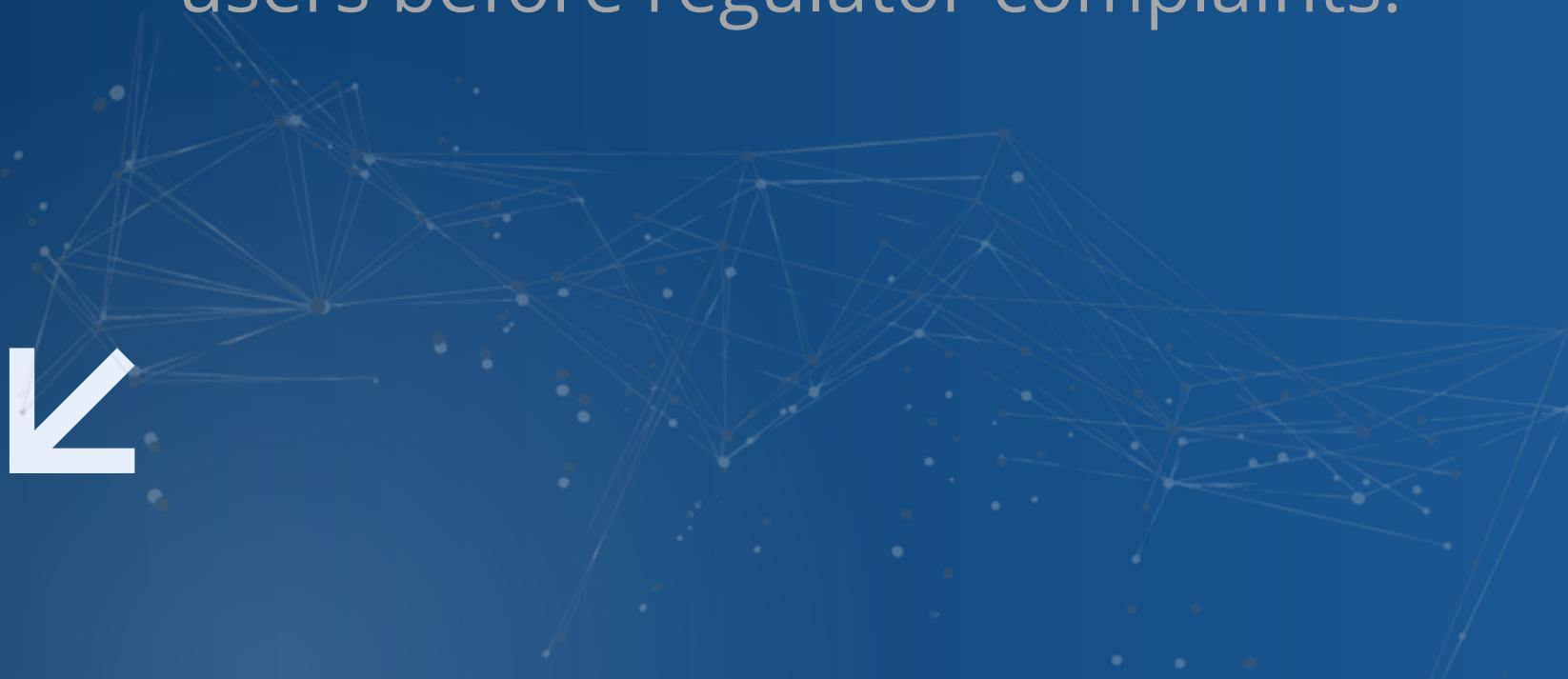
India awaits operational details and board establishment.



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.



*Centre for Research and
Governance on Cyber Law*

***Staying informed keeps your
digital rights safe!***

***Share this post, and follow CRGCL for more
updates on emerging tech law.***

www.crgcl.com

