



Media & Entertainment

DPDPA 2023 Implementation Handbook

Digital Personal Data Protection Act, 2023 • India

For OTT streaming platforms, gaming companies, digital news media, music streaming, and social media.

1. Overview & Applicability

Media and entertainment platforms are data-rich businesses — they know what you watch, when, for how long, what you search for, and what content influences your decisions. OTT platforms, gaming companies, and music apps build detailed user profiles used for recommendation algorithms and targeted advertising. The DPDPA requires these entities to be transparent about profiling, obtain specific consent for advertising use, and protect children from behavioural tracking.

2. Key Definitions Under DPDPA

These definitions govern how the Act applies to your sector:

Viewing / Listening Data	What content a user watches, listens to, or reads — personal data when linked to an account.
Behavioural Profile	An inferred profile of interests, preferences, and personality built from usage patterns — requires consent.
Targeted Advertising	Serving ads based on personal data or inferred profile — requires explicit consent separate from service registration.
Gaming Data	In-game purchases, chat logs, player location, achievements, and social connections — personal data.
Child User	Any user under 18 — platforms must not profile, track, or serve targeted ads to child users.
Data Processor	CDN providers, ad networks, analytics platforms, recommendation engine vendors — all require DPAs.

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3. Core Compliance Obligations

Every entity in this sector that processes personal data must comply with the following obligations:

- Content Recommendation Disclosure**
Disclose in your privacy notice that you use personal data (watch history, search data) to power recommendations. Allow users to opt out of personalisation.
- Targeted Advertising Consent**
Do not serve targeted ads based on personal data without explicit, separate consent. Pre-registration consent bundled with T&Cs is not valid.
- Child Content Platforms**
If your platform is accessible to children, disable all profiling, behavioural tracking, and targeted advertising for child accounts. Implement age verification.
- Gaming In-App Purchases**
For minor gamers, obtain parental consent before enabling in-app purchases. Do not use behavioural data to push purchases to minors.
- Social Features & Chat**
Gaming chats and social features generate personal data. Moderate for data exposure. Implement data retention limits on chat logs.

6 Ad Network Data Sharing

Sharing user data with ad networks requires a DPA and user consent. Review all ad SDK integrations.

7 Subscription Data

Payment and subscription data must be protected with PCI-DSS compliance. Do not share with content studios without consent.

4. Implementation Checklist

Use this checklist to track your DPDPA compliance readiness:

- Audit all personalisation and recommendation systems — document what personal data is used and how.
- Separate targeted advertising consent from account registration — provide a clear opt-out.

5. Applicable Penalties


The Data Protection Board of India (DPBI) may impose the following penalties for non-compliance:

Rs. 250 Crore	Failure to implement reasonable security safeguards resulting in a personal data breach
Rs. 200 Crore	Breach of obligations related to processing children's personal data
Rs. 150 Crore	Failure to fulfill obligations as a Significant Data Fiduciary (SDF)
Rs. 50 Crore	Failure to comply with Data Principal rights or other provisions of the Act

6. Implementation Roadmap

Follow this phased approach to achieve full DPDPA compliance:

1	Month 1: Data & Algorithm Audit Map all personal data flows including recommendation, ad targeting, and analytics systems.
2	Month 2: Consent Redesign Redesign registration, settings, and ad consent flows to be DPDPA-compliant.
3	Month 3: Children's Protection Implement age verification and disable profiling for child accounts.
4	Month 4: Ad Network Review Audit all ad SDKs and execute DPAs with advertising partners.
5	Month 5: User Rights Build self-service account data portal and grievance mechanism.
6	Month 6+: Ongoing Quarterly consent and ad compliance reviews; annual DPIA for new features.

 Recommendation algorithms that use personal data are processing activities under DPDPA. Be transparent with users about how their data shapes their content experience — and give them a real choice.

Disclaimer: This handbook is for awareness and informational purposes only. It does not constitute legal advice. Please consult a qualified data protection lawyer for specific compliance guidance. | DPDPA 2023 · India