The Consent Manager Regime under the DPDP Act and Rules

What Data Fiduciaries need to do now

The Digital Personal Data Protection Act, 2023 (Act) read with the Digital Personal Data Protection Rules, 2025 (Rules) governs the processing of digital personal data in India and was notified on 13 November 2025. The Act introduces key stakeholders with varying obligations. One of them is the Consent Manager.

IN SHORT

A Consent Manager is a registered intermediary through which a Data Principal may give, manage, review or withdraw her consent to a Data Fiduciary.

REGISTRATION WINDOW OPENS 13 NOVEMBER 2026

Below: the role, functions and eligibility criteria for Consent Managers, and the next steps for Data Fiduciaries.

01 Phase wise implementation

PHASE 1

13 November 2025

Definitions came into force, along with the establishment of the Data Protection Board.

PHASE 2

13 November 2026

Registration and obligations of Consent Managers come into force.

PHASE 3

13 May 2027

Rights of the Data Principal and corresponding obligations of the Data Fiduciary come into force.

6 MONTHS

The timeframe following the registration of Consent Managers but preceding the enforcement of obligations is the only transitional period available to Data Fiduciaries to align their consent notices, integrate with platforms and test withdrawal workflows before liability attaches.

02 Who is a Consent Manager

Section 2(g) of the Act

A person registered with the Board who acts as a single point of contact enabling a Data Principal to give, manage, review and withdraw her consent through an accessible and transparent platform. A registered Consent Manager is accountable to the Data Principal and acts on her behalf.

Data Principal
The individual whose consent it is

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Consent Manager
Registered with the Board; single point of contact; acts in a fiduciary capacity

→

Data Fiduciaries
Onboarded on the platform

Give | Manage | Review | Withdraw

03 Conditions for registration

Indian company with capacity

Incorporated in India, with net worth of not less than **INR 2 crore** and sufficient technical, operational and financial capacity.

Fit and proper leadership

Directors, key managerial personnel and senior management with a record of fairness and integrity.

Conflict safeguards in MoA and AoA

Provisions securing conflict of interest obligations, amendable only with prior approval of the Board.

Independent certification

Platform consistent with the Board's data protection standards and assurance framework, with technical and organisational measures in place to ensure adherence.

04 Obligations of Consent Managers

1 Consent routing

Enable consent to an onboarded Data Fiduciary directly or through another onboarded Data Fiduciary.

2 Data blindness

Ensure that personal data shared through it is not readable by it.

3 Records and access

Maintain records of consents, notices and data sharing for at least **7 years**; give the Data Principal access to them on request.

4 Independence

Act in a fiduciary capacity towards the Data Principal; avoid conflicts of interest with Data Fiduciaries, their promoters and key managerial personnel.

5 Control

Not sub-contract its obligations.

6 Transparency

Publish on its website or app details of senior management, promoters and every person holding over **2%** of its shares.

7 Audit

Have an effective audit mechanism to review and evaluate technical and organisational controls and safeguards, fulfilment of the conditions of registration, and adherence to obligations under the Act and the Rules.

05 Way ahead for Data Fiduciaries

The role of the Consent Manager is significant, but the heavier compliance burden lies on the Data Fiduciary, which determines the means and purposes of processing digital personal data and carries multiple obligations.

PENALTY EXPOSURE

Up to INR 250 crore

for every breach of the Act

Before 13 May 2027, Data Fiduciaries should

1	**Deal only with registered entities**	Confirm registration on the Board's website and monitor suspensions or cancellations.
2	**Identify conflicts early**	Identify any directorship, financial interest, employment or beneficial ownership held in your organisation by a Consent Manager's directors, key managerial personnel or senior management.
3	**Decide and map onboarding**	Select platforms and map flows where you receive data from, or send data to, another Data Fiduciary on a Data Principal's instruction.
4	**Rebuild notices and requests for consent**	Redraft notices for consent and requests for consent to ensure compliance with the Act and the Rules.

06 Conclusion: who carries what

The Consent Manager

Designed to shift control over consent to the Data Principal.

1. Offers her a single interoperable platform.
2. Keeps a record of every consent and withdrawal.
3. Acts on her behalf as a fiduciary, independent of Data Fiduciaries.

The Data Fiduciary

Remains responsible for processing by it or on its behalf, irrespective of any agreement to the contrary. It continues to:

1. Bear the burden of proving notice and consent.
2. Stop processing on withdrawal.
3. Protect the personal data it holds.



AUTHOR

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