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# Vision AI DPDP Checklist

PPE, zone breach, ANPR, people counting, productivity scoring and visitor CCTV · Asset Online Pvt Ltd (AOPL) · aopl.tech · status as of 3 Nov 2026

The core duties in the DPDP Act, 2023 and the DPDP Rules, 2025 start eighteen months from the Gazette dated 13 Nov 2025, which is 13 May 2027 on our count (G.S.R. 843(E); r.1(4) of G.S.R. 846(E)). Neither the Act nor the Rules mentions cameras, and we found no Board decision. Everything below is our reading of the text, not legal advice. Have counsel confirm it. s. = section of the Act; r. = rule.

## 1. Is it personal data, on what basis, and what notice?

| Use case | Personal data? s.2(t) | Likely basis | Notice |
|---|---|---|---|
| **PPE detection** | Yes if clips are stored or an alert names a worker. Arguably no if only unnamed counts leave the device. | s.7(i) for employees. Contract labour: confirm with counsel. | No express s.5 duty under s.7. Give a plain sign and policy anyway. |
| **Zone breach** | Yes, as above. Often covers contractors and visitors too. | s.7(i). s.7(f) or (h) for an actual emergency. | Sign at the zone, with languages under s.5(3) as good practice. |
| **ANPR at gates** | Yes once a plate links to a person through a gate log, pass or staff list. | s.7(i) for staff. s.7(a) or s.6 consent for visitors. | For consent, s.5 and r.3 notice at pre-registration or gate. |
| **People counting** | Arguably no, if on-device and frames are dropped. Yes if video goes to a cloud. | None needed if no personal data. s.17(2)(b) with r.16 is a fallback for statistics only. | None required on that reading. Publish how it works. |
| **Behaviour or productivity scoring** | Yes, always, since it's about a person. | s.7(i) is the weakest fit here. s.6 consent has the "free" problem. Under-18s: barred by s.9(3). | Full notice, even if relying on s.7(i). Treat as high risk. |
| **Visitor CCTV** | Yes. | Hardest case. s.17(1)(c) for security only, or s.6 consent via register or QR form. | Sign plus link, covering r.3 items. Children: s.9 applies. |

## 2. Retention, security and vendor duties

| Use case | Retention | Security | Vendor |
|---|---|---|---|
| **PPE detection** | Erase when purpose ends, s.8(7). Keep event logs one year, r.8(3). Clips: open point below. | r.6(1)(a)-(g). s.8(3) accuracy if an alert affects a worker. | Contract, r.6(1)(f). Published false-alert rate. |
| **Zone breach** | As above. Hold incident clips for the claim, s.17(1)(a). | As above, plus role-based access to live views, r.6(1)(b). | As above. |
| **ANPR at gates** | Set a period per class of visitor. r.8(3) applies to reads and logs. | Mask plate lists on exports, r.6(1)(a). Log every search, r.6(1)(c). | Disclose hosting country, s.16 and r.15. |
| **People counting** | Counts: no DPDP limit on our reading. | Get proof no frames are stored or sent. | Written attestation. Any change to streaming needs approval. |
| **Behaviour or productivity scoring** | Shortest period you can defend, s.8(7). r.8(3) logs still apply. | r.6 in full. s.8(3) human review before any decision. | No reuse of scores or footage for model training, s.2(i). |
| **Visitor CCTV** | Fixed period, then overwrite, subject to the open point below. | r.6 in full. Plan for visitors with no contact details, r.7(1). | r.6(1)(f) contract with the VMS or cloud host. |

Section 7 is a closed list; the Act has no general legitimate-interests ground. Section 5 ties the notice duty to a request for consent. Access and erasure rights in ss.11 and 12 attach to consent and s.7(a); grievance rights in s.13 are wider.

## Open point: raw footage and the one-year rule

Rule 8(3) requires personal data, associated traffic data and other logs of "any processing" to be kept for at least one year, then erased, and has no exception for video. Rule 6(1)(e) also says one year. Section 8(7) requires erasure once the purpose is no longer served, unless a law requires retention. Our reading: logs and events clearly need one year; raw footage is unclear, and no decision answers it. At an assumed 4 Mbps, one camera needs about 1.3 TB for 30 days and 15.8 TB for 365 days. Get a written opinion before you buy storage or publish a period.

## Breach and log clocks

| Clock | What is due | Source |
|---|---|---|
| 6 hours from noticing | Report listed incidents to CERT-In (Annexure I includes IoT devices and AI systems) | CERT-In (ii) |
| Without delay | Tell each affected person; first description to the Board | s.8(6); r.7(1), r.7(2)(a) |
| 72 hours from awareness | Detailed report to the Board, unless it allows longer | r.7(2)(b) |
| 180 days, rolling | Keep ICT system logs in India | CERT-In (iv) |
| One year | Keep logs and personal data under the Rules | r.6(1)(e), r.8(3) |

## Questions to ask a vendor

- ☐ What leaves the camera or edge box: frames, clips, embeddings or counts? Can you show it in a packet capture?
- ☐ Where is footage hosted, and is any support access from outside India?
- ☐ What are your false-alert and missed-detection rates at a site like ours?
- ☐ Do you use our footage for training? Show the clause.
- ☐ Do your cameras have the Essential Requirements test reports and BIS registration?

## Maximum penalties (Act, Schedule)

| Breach | Up to |
|---|---|
| Reasonable security safeguards, s.8(5) | ₹250 crore |
| Breach intimation, s.8(6) | ₹200 crore |
| Children, s.9 | ₹200 crore |
| Significant Data Fiduciary, s.10 | ₹150 crore |
| Any other provision of the Act or Rules | ₹50 crore |

## Dates

| Date | What starts |
|---|---|
| 13 Nov 2025 | Act ss.1(2), 2, 18-26, 35, 38-43, 44(1), (3). Rules 1, 2, 17-21. |
| 13 Nov 2026 | Act ss.6(9), 27(1)(d). Rule 4 (Consent Managers). |
| 13 May 2027 | Act ss.3-5, 6(1)-(8), (10), 7-17, 27 (except 27(1)(d)), 28-34, 36, 37, 44(2). Rules 3, 5-16, 22, 23. |

The Gazette masthead is dated 13 Nov 2025; its ID and digital signature carry 14 Nov, so some guides say 14 May 2027. A MeitY proposal reported in Feb 2026 to shorten the period to 12 months had not been notified, as far as we could find on 3 Nov 2026.

## 3. Action list by owner, before 13 May 2027

| | Action | Section or rule |
|---|---|---|
| | **Safety head** | |
| ☐ | List every camera use and its purpose. Switch off what you can't justify. | s.4(1), s.8(7) |
| ☐ | Move to on-device counts or masked output where a count is enough. | s.2(t), r.6(1)(a) |
| ☐ | Human review before a PPE or zone alert affects a person. | s.8(3) |
| ☐ | Check for under-18s (apprentices, visiting students). No tracking or behavioural monitoring. | s.2(f), s.9(3) |
| | **IT/CISO** | |
| ☐ | Encrypt streams and storage. Mask where you can. | r.6(1)(a) |
| ☐ | Named logins on the VMS, no shared admin password. | r.6(1)(b) |
| ☐ | Log and review every view, search and export. | r.6(1)(c) |
| ☐ | Backups, so an attack doesn't stop the system. | r.6(1)(d) |
| ☐ | Keep logs one year, and ICT logs in India on a rolling 180 days. Sync clocks to NIC/NPL NTP. | r.6(1)(e), r.8(3); CERT-In (i), (iv) |
| ☐ | One breach runbook: CERT-In 6 h; Board and people without delay; Board detail in 72 h. | CERT-In (ii); s.8(6); r.7 |
| ☐ | Map any video or support access leaving India. | s.16; r.15 |
| | **HR** | |
| ☐ | Written monitoring policy. Separate safety use from performance use. | s.7(i) |
| ☐ | Decide who counts as employed for contract labour. Confirm with Legal. | s.7(i), untested |
| ☐ | If you use consent for scoring, make it free and as easy to withdraw as to give. | s.6(1), s.6(4) |
| ☐ | Grievance route, with a published response period of up to 90 days. | s.8(10), s.13, r.14(3) |
| | **Legal** | |
| ☐ | Keep a basis register per use case and class of person. | s.4(1), s.6(10) |
| ☐ | Get a written opinion on whether raw footage must be kept one year. | r.6(1)(e), r.8(3), s.8(7) |
| ☐ | Rule 3 notices wherever consent is the basis. Plan notices for older consents. | r.3, s.5(1), s.5(2) |
| ☐ | Publish the contact person on website or app. | s.8(9), r.9 |
| ☐ | Check the Gazette for changes to dates and for Significant Data Fiduciary notifications. | s.10, r.13; G.S.R. 843(E) |
| ☐ | Valid contracts with every processor. | s.8(1), s.8(2), r.6(1)(f) |
| | **Vendor** | |
| ☐ | Sign rule 6 safeguards and a breach notice time that fits CERT-In's 6 hours. | r.6(1)(f); CERT-In (ii) |
| ☐ | Erase on instruction, and keep logs one year. | s.8(7)(b); r.8(3), Case 2 |
| ☐ | No use of footage for training unless agreed in writing. | s.2(i), our reading |
| ☐ | State what leaves the edge box, and where it is hosted. | s.2(t), s.16, r.15 |
| ☐ | Share false-alert and missed-detection rates for a similar site. | s.8(3) |

Sources, opened 3 Nov 2026: DPDP Act, 2023 (Gazette, 11 Aug 2023); G.S.R. 843(E) and 846(E) (13 Nov 2025); G.S.R. 892(E) (10 Dec 2025); CERT-In directions No. 20(3)/2022-CERT-In (28 Apr 2022). Full explainer: aopl.tech/blog. Asset Online Pvt Ltd (AOPL) supplies and integrates solutions in this area. Contact: aopl.tech/contact-us