

Chapter II-B - Data Fiduciary Duties

Implement processor contracts, accuracy, security, breach, erasure, grievance and significant-fiduciary controls.

Chapter in 2 Minutes

- Identify the legal trigger, responsible actor and evidence relevant to fiduciary obligations.
- Read the Act with all effective Rules, regulations, notifications, directions, guidelines and forum procedure as at the event date.
- Separate substantive obligation, operational workflow, filing or reporting, enforcement consequence, remedy, appeal and limitation.
- Maintain a reproducible source pack, decision memo, approval trail and transaction-level evidence.
- Apply connected company, contract, tax, accounting, data, competition, consumer, insolvency and sector-law overlays independently.

Provision / instrument map

Provision	Subject / control
S. 8	General obligations of Data Fiduciary
S. 9	Processing of personal data of children
S. 10	Additional obligations of Significant Data Fiduciary

Implementation and practical application

A business decision raises fiduciary obligations. The team should freeze the relevant chronology, identify every actor and legal relationship, map the current provision and delegated instrument, preserve system and communication evidence, quantify exposure, and choose cure, filing, response, settlement or litigation only after checking jurisdiction and limitation.

Control checklist

Classify facts and role; capture current source; map approvals and evidence; calculate threshold/time/exposure; implement system gate; preserve filing and delivery proof; verify forum and limitation.

Cross-law overlays

Contract, company/LLP, tax/accounting, data/cyber, consumer, competition, MSMED, RERA, FEMA, IBC, sector law and evidence rules must be applied separately.

Legal-use note

This publication is not a verbatim statutory reproduction. Official source and signed Gazette prevail.