Government of India

Digital India
Power To Empower

Data Protection Board of India

Pre-Requisite Documents

Ensure readiness of these 17 mandatory documents before filing the application.

- Accepted format: PDF, Preferably Machine Readable
- Maximum size: 8 MB per file
- All documents marked * are mandatory

GOVERNANCE DOCUMENTATION

☐ 1. **Certificate of Incorporation** *

The applicant's certificate of incorporation, issued by the Registrar of Companies.

☐ 2. **Memorandum of Association (MoA)** *

The MoA of the applicant should contain provisions requiring that the obligations under items 9 and 10 of Part B (related to no conflict of interest) are adhered to, and that such provisions may be amended only with the previous approval of the Data Protection Board of India.

☐ 3. **Articles of Association (AoA)** *

The AoA of the applicant should contain provisions requiring that the obligations under items 9 and 10 of Part B (related to no conflict of interest) are adhered to, and that such provisions may be amended only with the previous approval of the Data Protection Board of India.

FINANCIAL DOCUMENTATION

☐ 4. **Audited Financial Statements / Balance Sheet** *

Applicants shall upload their audited financial statement of the last three financial years (FY). If the applicant has not completed three years of incorporation, the applicant shall upload all available audited financial statements of the past FYs. If the applicant has no audited financial statements, upload the latest balance sheet (as on the date of the net worth certificate) signed by a director and certified by a practising Chartered Accountant (CA).

☐ 5. **Annual Turnover Certification** *

The annual turnover certificates of the last three FYs must be issued by a practising CA on their letterhead. If the applicant has not completed three years of incorporation, the applicant shall upload all available turnover certificates of the past FYs. If the applicant has not yet completed its first financial year, please upload a provisional profit and loss statement certified by a practising CA.

☐ 6. **Net Worth Certificate** *

The net worth certificate confirming that the applicant's net worth is at least ₹2 crore must b a practising CA on their letterhead.

TECHNICAL DOCUMENTATION

- [ ] 7. **System Architecture Overview Documentation** *

The system architecture document uploaded must be in conformity with the obligations under Part B, First Schedule of the Rules, including: platform overview, interoperability framework, security safeguards, hosting and infrastructure, consent lifecycle, data-blind design, record-keeping, salability and availability.

OPERATIONAL CAPACITY DOCUMENTATION

- [ ] 8. **Statement of Operational Capacity** *

The statement should be on the applicant's letterhead, signed by an authorised signatory, demonstrating its operational capacity. This can include manpower strength detailing information about functions and type of engagement.

- [ ] 9. **Description of Key Managerial Personnel (KMP) and Senior Management** *

Details of the applicant's KMPs and senior management, including their qualifications, experience, roles and duties.

- [ ] 10. **Governance Structure and Constitution of the Applicant's Board** *

Description of the applicant's governance structure, including the composition of its board of directors and board committees, each director's details and other directorships.

- [ ] 11. **Conflict-of-Interest Policy** *

This policy should set out how the applicant discloses, prevents and manages conflicts of interest with Data Fiduciaries, and the governance structure for overseeing compliance.

- [ ] 12. **Internal Audit and Compliance Monitoring Plan** *

This plan should lay out the mechanism, scope, frequency and responsibility for periodically reviewing and monitoring the applicant's controls, safeguards and compliance as a Consent Manager, and for reporting the outcomes to the Board as per the Rules.

- [ ] 13. **Business Continuity Plan** *

The business continuity plan should contain measures to keep the platform available and to protect consent records during disruptions, including backup and disaster recovery, recovery timelines, communication with Data Principals and Data Fiduciaries, and arrangements if the applicant stops operating as a Consent Manager.

- [ ] 14. **Business and Capability Plan** *

The business and capability plan must provide: platform and operations plan, operating model and fees, grievance redressal process

- [ ] 15. **Capital Structure** *

A statement of the applicant's authorised, issued and paid-up share capital, together with its shareholding pattern showing the promoters and every shareholder holding more than 2% of the share capital. The statement should also include information about every body corporate in whose shareholding any promoter, director, key managerial personnel or senior management of the Consent Manager holds shares in excess of two per cent as on the first day of the preceding calendar month.

FAIRNESS AND INTEGRITY DOCUMENTATION

☐ 16. **"Fit and Proper" Declaration** *

Undertaking declaring that the Directors, KMPs and Senior Management of the applicant are individuals with general reputation, have a record of fairness and integrity and have no regulatory debarment.

☐ 17. **"Operations Conducted in the Interest of Data Principals" Declaration** *

Undertaking declaring that the operations of the applicant shall be conducted in the interests of Data Principals.

All documents marked * are mandatory. Applicants confirm that the information and documents are true, accurate and complete, and that the organization will comply with the conditions in Part A and, once registered, the obligations in Part B of the First Schedule to the DPDP Rules, 2025.