

Brief on

MeitY's Digital Personal Data Protection (Removal of Difficulties) Order, 2026



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On 5 October 2026, the Ministry of Electronics and Information Technology ("MeitY") issued the Digital Personal Data Protection (Removal of Difficulties) Order, 2026 (Gazette ID: CG-DL-E-07102026-276885) ("the Order"). The Order addresses 'textual, editorial in nature' under the [Digital Personal Data Protection Act, 2023](#) and, on its face, imposes no new obligations.

Provision	Before	After	Stated rationale	What it Means
Section 9(1) (verifiable consent for children and persons with disability)	"...personal data of a child or a person with disability..."	"...personal data of a child or of a person with disability..."	The missing 'of' disconnected the two categories and obscured the intended parallelism.	The substitution makes clear that the guardian-consent requirement in Section 9(1) applies to the personal data of a person with disability who has a lawful guardian, on the same footing as a child. The Order does not state that it widens or narrows who is covered. Data Fiduciaries may wish to check that their consent flows treat the two groups consistently.
Section 10(2)(c) (ii) (Significant Data Fiduciaries: periodic audit)	"Periodic audit "	"Periodic data audit "	'Audit' appears in both clause (b) and clause (c)(ii) with an unclear scope. The Order states that both references are intended to mean a 'data protection audit' or 'data audit'.	The periodic audit under Section 10(2)(c)(ii) now reads as a data audit, in line with the independent data audit in clause (b). The Order says the purpose is to prevent inconsistent application by regulatory or supervisory authorities. SDFs may wish to align audit terms of reference, auditor mandates and compliance calendars with this wording.