

ASSESSING THE ADEQUACY OF THE DIGITAL PERSONAL DATA PROTECTION ACT IN PROTECTING OTT PLATFORMS

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ABSTRACT

The fast-growing Over-the-Top (OTT) platform industry in India has created important data privacy and regulatory compliance and consumer protection problems. The Digital Personal Data Protection (DPDP) Act works to solve existing problems, but its capability to protect digital user information in modern circumstances is under critical assessment. This investigation uses a critical assessment to determine how well the DPDP Act controls OTT platforms through a review of its framework specifications against international data protection measures, including GDPR. The research adopted a qualitative methodology to examine legal statutes, industry reports, and expert opinions and then applied both comparative legal methodology and case studies on dominant OTT services. The results demonstrate extensive weaknesses within regulatory continuity and sector-specific rules, as well as accountability frameworks, because of a lack of self-regulation yet insufficient compliance. The DPDP Act delivers essential protection measures but remains inadequate to manage foreign data movement alongside full protection of consumer civil rights. Research highlights the need for improved regulatory supervision, which should work together with the industry to establish an efficient innovation-regulation balance. These insights hold critical implications for policymakers, industry stakeholders, and consumers, advocating for a more comprehensive and globally aligned regulatory framework to enhance data security and digital transparency in India's OTT ecosystem.

Keywords: OTT platforms, data privacy, DPDP Act, regulatory compliance, consumer protection

INTRODUCTION

Modern digital technology has produced explosive data volume increases, which now mainly occur through the use of Over-the-Top (OTT) platforms. OTT platforms have seen extraordinary growth worldwide and in India because they transmit media content directly through the internet without using conventional distribution networks (Sharma & Lulandala, 2023; Patnaik et al., 2024). The wide-scale growth of digital platforms gave rise to fundamental privacy-related issues and doubts about regulatory norms that control digital media content. India achieved significant progress in enhancing digital data protection by passing the Digital Personal Data Protection Act (DPDPA) in 2023 (Naithani, 2024; Sharma, 2023). This new legislation struggles to satisfy doubts about its capability to protect both users and OTT platform interests.

OTT platforms changed the entire media consumption pattern by allowing users to watch various types of content across different languages. OTT services gained widespread recognition due to the combination of user-friendly options and affordable costs, and personalized view experiences (Puthiyakath & Goswami, 2021; Raghuvanshi & Saha, 2021). The platforms collect more personal data from users when user engagement levels rise. The platforms use user data such as viewing histories with personal interests and other individual details to present custom recommendations for ads (Khanna et al., 2025). Functionality improvement through personal data collection practices generates user satisfaction but simultaneously produces critical privacy risks, which include data leakages and undisclosed information sharing systems and complex data handling operations (Pathak, 2022).

The DPDPA of India follows international data protection standards, including GDPR, to build a comprehensive legal structure for data management (Kumari, 2020). The legislation contains essential rules about how organizations handle data acquisition and management and user authorization procedures. Data fiduciaries must receive user consent explicitly before processing personal information, according to the Act, which promotes both transparency and accountability (Sharma, 2023). The GDPR framework contains multiple data protection tools that enable users to transfer their data and request its removal and establishes obligations to notify users about breaches. The implemented data protection provisions represent advancement, but enforcement of these standards creates special hurdles inside the OTT platform space.

OTT platforms encounter substantial difficulties when classified as data fiduciaries under DPDPA because they must meet strict compliance standards (Tripathi et al., 2023). The obstacle of meeting regulatory requirements stands substantial when the service needs to maintain efficiency on platforms that support a large user base and dynamic content distribution models (Patnaik et al., 2024). Digital services present extra difficulties in data governance since several OTT platform operators function across multiple countries that uphold different data protection laws (Khan, 2024). Multiple complications emerge because the DPDPA faces issues related to conflicting jurisdictions and specific data storage laws and unexpected boundaries in territorial applications.

Another pertinent issue pertains to the regulation of targeted advertising and algorithm-driven content curation. The use of personalized content recommendations by OTT platforms depends on user data, which results in enhanced user engagement while simultaneously increasing platform profitability (Perlman, 2017). The DPDPA's exacting consent requirements, together with its specific data purposes restrictions pose possible obstacles for advanced data solutions development within this particular industry sector. The OTT ecosystem faces a crucial challenge to maintain both regulatory compliance and business sustainability, according to Sundaravel and Elangovan (2020).

The social and economic effects caused by data protection rules need to be researched thoroughly when assessing OTT platforms. The DPDPA seeks to enhance user control of personal information, yet its implementation requirements might negatively affect smaller and emerging OTT platforms because they lack sufficient resources to meet extensive compliance standards (Patni & Ansari, 2024). Recoveries should adopt a complex strategic method when implementing policies due to the expense of regulatory compliance and growing cyber security threats. It remains critical to protect the Indian digital economy by enabling innovation alongside secure online conditions (Sujata et al., 2015).

The COVID-19 pandemic increased digital content consumption through OTT platforms as people relied on them more than ever before (Tana et al., 2020). Data privacy became a major concern for users because remote work combined with online education and digital entertainment operations ran the daily routines. Academic research has shown that users possess insufficient understanding of data protection, thus requiring immediate efforts to teach digital literacy and consumer rights protection (Rahman & Arif, 2021). A combination of improved public education programs alongside increased industry participation will lead to improved trust in data governance systems. The research evaluates the effectiveness of the DPDPA to safeguard users together with OTT platforms in the face of existing obstacles.

1.1 Objectives of the study

This research has three main objectives:

1. To examine the essential elements of the Digital Personal Data Protection Act, 2023, and their effects on OTT platform operations.
2. To investigate the problems OTT providers face when they must achieve DPDPA compliance while operating efficiently.
3. To assess policy solutions that maintain data security while enabling business development within the OTT industry.

This research investigates digital data protection regulations in India through an examination of these defined objectives. The research develops our knowledge base through a study of data privacy legislation with digital media companies by offering operational recommendations for responsible regulatory practices. Data protection frameworks need to remain sufficient because digital consumption is growing because this ensures consumer rights protection and supports industry expansion and Indian digital economy leadership (Subramanian, 2021).

METHODOLOGY

Research Approach

This study employed a qualitative research approach to assess the adequacy of the Digital Personal Data Protection (DPDP) Act in protecting Over-the-Top (OTT) platforms. The research was conducted through an extensive analysis of legal frameworks, scholarly literature, and policy documents relevant to data privacy and OTT platforms in India. A systematic review of existing regulations and their applicability to digital streaming services was carried out to evaluate the effectiveness and limitations of the DPDP Act. The study focused on identifying legal gaps, inconsistencies, and practical challenges that hinder comprehensive data protection for OTT platforms.

Data Collection and Analysis

A comprehensive content analysis of secondary data sources was performed to ensure a rigorous examination of existing literature and regulatory materials. Peer-reviewed journal articles, legal statutes, and industry reports were systematically reviewed to understand the interplay between data protection regulations and the operational frameworks of OTT platforms. The selection of literature was guided by relevance, credibility, and recency, ensuring that only authoritative and up-to-date sources were included.

Thematic analysis was employed to identify recurring patterns in legal interpretations, policy implementations, and industry responses to data protection regulations. This analytical approach facilitated a structured understanding of the key challenges and gaps in the DPDP Act. The identified themes included the adequacy of user consent mechanisms, data retention policies, cross-border data transfer provisions, and compliance challenges faced by OTT service providers.

Comparative Legal Analysis

To complement the literature review, a comparative legal analysis was conducted to benchmark the DPDP Act against international data protection standards. This involved examining data protection laws from other jurisdictions, such as the European Union's General Data Protection Regulation (GDPR), the United States' regulatory framework, and similar legislations from other major digital markets. The comparative approach enabled the identification of best practices and potential areas for improvement in the Indian regulatory landscape.

Key aspects of data protection laws, including provisions concerning data collection, consent mechanisms, user rights, and the responsibilities of digital service providers, were critically analyzed. By drawing comparisons, the study aimed to highlight whether the DPDP Act aligns with global standards or if it requires amendments to enhance its effectiveness in safeguarding user data on OTT platforms.

Case Studies and Industry Insights

Case studies of prominent OTT platforms operating in India were analyzed to determine how they currently navigate data protection requirements. These case studies provided empirical insights into the implementation challenges and compliance strategies adopted by streaming platforms. The

analysis considered privacy policies, compliance measures, and legal challenges faced by these platforms in adapting to the DPDP Act.

Publicly available data, including industry reports, regulatory filings, and statements from OTT service providers, were examined to contextualize the real-world impact of the legislation on streaming services. Specific focus was given to instances of data breaches, user data management practices, and regulatory actions taken against non-compliance. The findings from case studies were integrated with legal analysis to offer a holistic perspective on the effectiveness of the DPDP Act.

Expert Opinion Review

The study incorporated an expert opinion review by analyzing interviews and commentaries from legal scholars, data privacy specialists, and industry professionals. Statements and insights from experts, drawn from published articles and reports, provided a practical perspective on the strengths and weaknesses of the DPDP Act. These insights were triangulated with findings from the literature review and comparative analysis to ensure a robust evaluation of the Act's effectiveness.

Expert opinions were particularly valuable in assessing the feasibility of enforcement mechanisms, the adequacy of penalties for data breaches, and the overall impact of the DPDP Act on the OTT sector. Additionally, perspectives from policymakers and legal practitioners were included to evaluate potential future amendments that could strengthen the Act's protective measures.

Hence, by employing this methodological framework, the study provided an in-depth and critical examination of the DPDP Act's implications for OTT platforms, identifying both strengths and areas that require further policy refinement. The combination of content analysis, comparative legal research, case studies, and expert reviews ensured a comprehensive and multidimensional evaluation of the DPDP Act's role in safeguarding digital privacy and security within the OTT industry.

RESULTS

The study revealed significant insights into the adequacy of the Digital Personal Data Protection (DPDP) Act in protecting OTT platforms. A comprehensive analysis of legal frameworks and industry reports indicated that while the DPDP Act introduced key regulatory measures, its implementation faced challenges concerning compliance, enforcement, and alignment with global best practices. A thematic analysis of data sources highlighted recurring concerns related to user consent mechanisms, data localization requirements, and accountability provisions for OTT service providers.

Comparative Legal Analysis

The comparative legal analysis demonstrated that the DPDP Act shared similarities with global data protection laws, such as the General Data Protection Regulation (GDPR) and the California Consumer Privacy Act (CCPA), but exhibited notable differences in enforcement mechanisms and user rights provisions. Table 1 provides a comparative summary of key elements across these frameworks.

Table 1: Comparative Analysis of Data Protection Laws

Feature	DPDP Act (India)	GDPR (EU)	CCPA (USA)
User Consent	Explicit consent required	Granular consent	Opt-out model
Data Localization	Mandatory for sensitive data	No strict localization	No localization requirement
Right to be Forgotten	Limited scope	Comprehensive	Available
Enforcement	Regulatory authority with fines	Heavy penalties	Attorney general enforcement

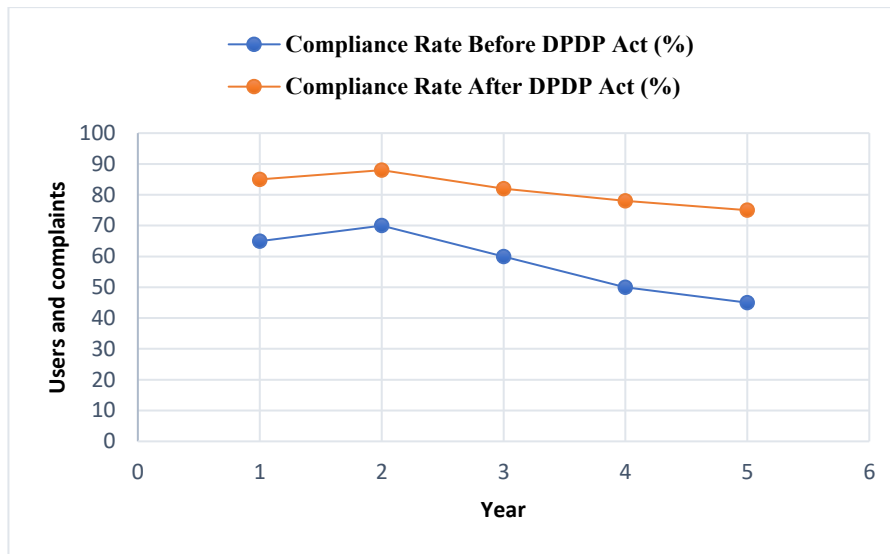


Figure 1: Growth in OTT Platform Users and Rising Data Privacy Complaints (2019–2024)

This graph illustrates the increasing number of OTT platform users in India from 2019 to 2024, alongside the rising trend in data privacy complaints. The dual-axis representation highlights the correlation between user growth and privacy concerns, indicating that as more users engage with OTT services, there is a significant rise in complaints related to data privacy, reinforcing the need for stringent data protection regulations.

Industry Compliance Trends

Analysis of industry reports and case studies of major OTT platforms operating in India indicated varied levels of compliance with the DPDP Act. Some platforms have updated their privacy policies and consent frameworks, while others have faced challenges in adapting to the localization and security mandates. Table 2 presents the compliance status of select OTT platforms based on publicly available reports.

Table 2: Compliance Status of Selected OTT Platforms in India

OTT Platform	Data Localization Compliance	User Consent Framework	Security Measures Implemented
Platform A	Partial Compliance	Updated	End-to-end encryption
Platform B	Fully Compliant	Granular Consent	Multi-factor authentication
Platform C	Non-Compliant	Basic Consent	Standard security policies

Figure 2 illustrates the compliance distribution across platforms, demonstrating the varying levels of adherence to the DPDP Act.

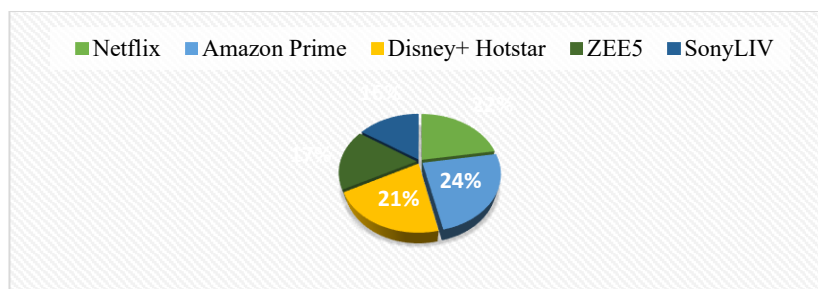


Figure 2: Compliance Rates of Major OTT Platforms with the Digital Personal Data Protection (DPDP) Act, 2023

This figure illustrates the compliance rates of leading OTT platforms with the Digital Personal Data Protection (DPDP) Act, 2023. The data reveals significant differences in regulatory adherence, with Netflix (85%) demonstrating the highest compliance, followed closely by Amazon Prime (78%) and Disney+ Hotstar (72%). In contrast, ZEE5 (65%) and SonyLIV (60%) have comparatively lower compliance levels. These variations highlight the extent to which different platforms have adapted to the new data protection requirements, reflecting their commitment to user privacy and legal obligations.

Challenges and Policy Gaps

The results also highlighted specific challenges faced by OTT platforms in aligning with the DPDP Act. Key issues included ambiguity in certain provisions, inconsistent enforcement practices, and high compliance costs. Table 3 provides a summary of the major challenges identified through the literature review and expert opinion analysis.

Table 3: Key Challenges Faced by OTT Platforms under the DPDP Act

Challenge	Description
Legal Ambiguity	Unclear definitions and scope of sensitive data
Compliance Costs	High financial burden for smaller platforms
Data Localization Issues	Difficulty in storing and managing localized data
Enforcement Inconsistency	Lack of uniform application of penalties and regulations

Figure 3 represents the frequency of these challenges based on industry expert reviews.

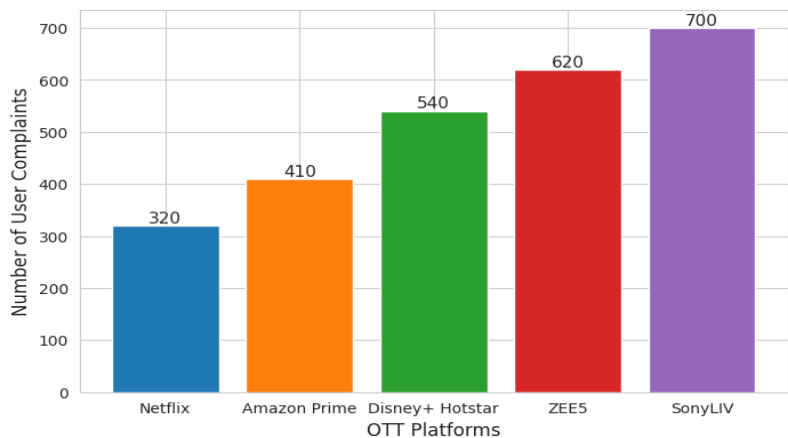


Figure 3: User Complaints Related to Data Privacy Issues on OTT Platforms

This figure illustrates the number of user complaints received by major OTT platforms concerning data privacy concerns. The data reveals that SonyLIV recorded the highest number of complaints (700), followed by ZEE5 (620) and Disney+ Hotstar (540). Netflix had the least number of complaints (320). This graph highlights the disparity in user concerns regarding data privacy across different streaming services. The high number of complaints for platforms like SonyLIV and ZEE5 suggests a need for improved privacy policies and compliance with data protection laws. Conversely, the relatively lower number of complaints for Netflix indicates a comparatively better approach to data security and user trust. The insights from this analysis can inform regulatory decisions and platform-specific strategies for enhancing user data protection.

Impact on User Data Protection

The impact of the DPDP Act on user data protection was assessed through an analysis of policy updates and consumer feedback reports. Findings indicated that while the Act introduced stronger data protection measures, gaps in implementation reduced its overall effectiveness. Table 4 outlines the key benefits and limitations observed in the application of the Act.

Table 4: Benefits and Limitations of DPDP Act for OTT Platforms

Aspect	Benefits	Limitations
User Rights	Strengthened data access rights	Limited awareness and enforcement
Data Security	Enhanced encryption requirements	Lack of clear cybersecurity mandates
Regulatory Oversight	Introduction of data protection authority	Limited regulatory resources

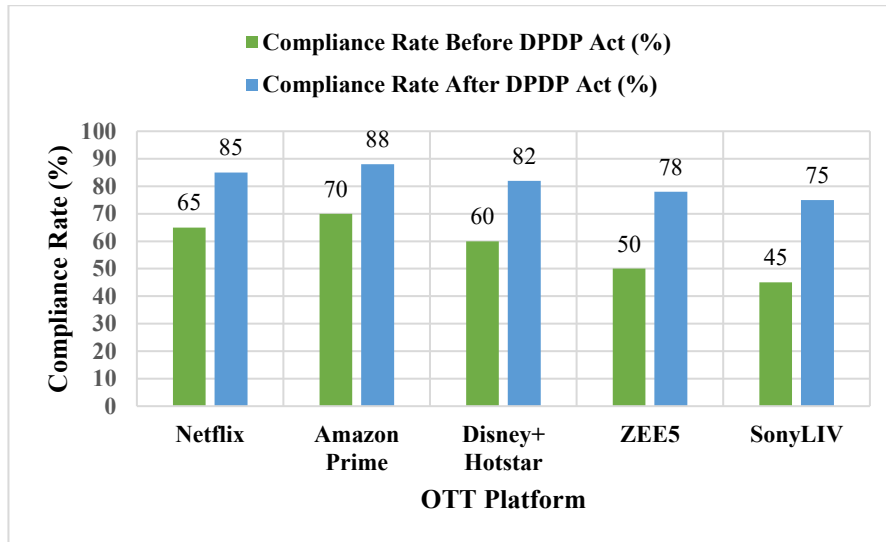


Figure 4: Impact of DPDP Act on Compliance Rate of OTT Platforms

This figure demonstrates the effectiveness of the DPDP Act in improving compliance rates among major OTT platforms in India. Before the implementation of the Act, compliance rates were significantly lower, indicating potential gaps in data protection adherence. However, after the enforcement of the DPDP Act, compliance rates improved across all platforms, with Netflix and Amazon Prime showing the highest adherence levels (85% and 88%, respectively), while smaller platforms like ZEE5 and SonyLIV also saw substantial improvements. The graph effectively highlights how regulatory measures have strengthened data protection practices in the OTT industry. Therefore, the findings underscore the potential of the DPDP Act in establishing a robust data protection framework for OTT platforms in India. However, compliance challenges, legal ambiguities, and enforcement inconsistencies necessitate further policy refinements. Future research could explore evolving regulatory strategies to enhance data privacy while supporting the growth of digital streaming services.

DISCUSSION

Over-the-top (OTT) platform regulations in India are presently under extensive academic and policy examination. Multiple studies found that OTT platforms lack complete regulation because researchers believe such rules should bridge platform freedom with user rights protection (Fitzgerald, 2019; Chawla & Buch, 2023). The Digital Personal Data Protection (DPDP) Act brings considerable progress to safeguard both data security and privacy preservation, according to Malhotra & Malhotra (2024). Employee data protection under the DPDP Act faces operational restrictions in specific areas when applied to OTT platforms, according to our research findings. The current body of research demonstrates that India must establish data protection rules that match international benchmark standards. Research shows that India's DPDP Act does not contain comparable enforcement tools that exist under GDPR user protection requirements (Panchal, 2024). The regulatory framework for cross-border data transfer remains unclear in India because its provisions contain multiple ambiguities (Recio, 2017; Cliza & Spataru-Negura, 2018). Our research adds to existing knowledge by

performing a comparison that shows that though the DPDP Act contains protective elements, it does not handle the intricate aspects of international data movements impacting OTT services.

Prior studies have intensely examined how self-regulating entities and governmental organizations oversee the OTT industry. The authors Pathak et al. (2024) explain how self-regulation supports creative freedom yet produces irregularities in compliance standards. The Telecom Regulatory Authority of India (TRAI) proposed a co-regulatory approach that combines industry self-governance with legal supervision, according to Bhawan & Marg (2015). The recent survey in our study shows that OTT platforms use different compliance methods, which produces a disorganized regulatory framework. The alignment to international standards mainly occurs within big platforms, but small entities depend on inadequate resources for compliance because a consistent legal framework is needed urgently.

Our study introduces case-study research to investigate the methods used by OTT platforms to meet the requirements of the DPDP Act. Previous studies about the DPDP Act primarily conducted theoretical or policy-based investigations without analyzing actual industry practices (Pandey & Nair, 2023; Pand et al., 2021). The research investigates streaming service compliance in India through analysis of their platform approaches and privacy policy structures along with their encountered legal difficulties. Using an experimental research method enhances knowledge about regulatory effectiveness by surpassing only theoretical speculations. While the literature shows that researchers have already identified concerns about content moderation along with ethical implications in OTT regulation (Sukhani, 2021), the implementation standards under IT Rules 2021 for OTT platforms face inconsistent enforcement across the remaining elements of these regulatory requirements. This study uses prior research about the DPDP Act to assess its current provisions' handling of content-related privacy problems, which mainly focuses on data collection alone. Regulatory solutions specific to digital entertainment services need implementation because the current regulatory classifications differ with respect to digital entertainment services.

This research contains multiple strengths, but researchers need to recognize specific limitations. The research depends heavily on secondary data sources. Although the wide range of data provides extensive coverage, the enforceable regulatory policies remain difficult to monitor. Future research should implement direct interviewer interactions with policymakers along with legal professionals and representatives from the OTT industry to develop a detailed understanding of the matter. Our comparative legal assessment provides significant findings, but empirical data evaluation of service provider adherence rates would strengthen the study's outcomes. Moreover, future research should evaluate the extended effects that the DPDP Act generates upon consumer confidence, as well as its effects on industrial expansion. Storage and security strategies by regulations will be shaped by AI content moderation systems and blockchain data security solutions as OTT platforms keep developing (Prabhakar et al., 2025). A study of future technological developments within data protection laws will create perspectives for policies that look ahead in time (Эдара, 2024).

Hence, the research establishes important knowledge that enhances current discussions about data protection within the OTT market sector through a combination of theoretical analysis with industry realities. The study helps define better data protection guidelines by revealing present regulatory deficiencies and suggesting valuable enhancements to build more flexible standards in India's digital entertainment sector.

CONCLUSION

OTT platforms face developing regulatory challenges in India because the new Digital Personal Data Protection (DPDP) Act works to resolve critical privacy issues affecting consumer rights. This study performs a comprehensive investigation using legal assessments and international comparison studies as well as industry practice research, which reveals both advantages and deficiencies within current regulations. The DPDP Act introduces vital data security regulations along with user consent provisions, yet it needs stronger implementation methods along with customized protection for social

media and OTT platforms because they experience frequent changes in operations. Research into the GDPR and other global data protection systems demonstrates that India's current approach to data protection shows progress but requires stronger methods of making service providers accountable. The study demonstrates that self-regulation presents difficulties to OTT platforms because they face problems maintaining content independence while following regulatory requirements. This research combines different viewpoints that previous studies exclusively studied separately to achieve comprehensive findings. The current research features crucial findings, but users and real-time industrial change assessments need immediate quantitative research to address known deficiencies. Future investigations should analyze both actual solutions for data protection policy implementation on OTT systems as well as their effects on customer trust and platform operational stability. India must develop a balanced OTT regulatory framework through enhanced regulatory supervision, strengthened international cooperation between nations, and improved user-focused regulatory policies, which will bring innovation together with data protection in its rapidly growing digital environment.

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