

Current Affairs Revision

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Polity and Governance

Constitution

Right to be Forgotten and the Delhi High Court Ruling

NEWS ITEM

The **Delhi High Court** recently laid down principles on the **right to be forgotten**, holding that the right flows from **Article 21** as part of dignity and informational privacy. The ruling came in a batch of over 30 petitions led by **Laksh Vir Singh Yadav v. Union of India**, where the court considered whether judicial records should be erased, masked or de-indexed to protect privacy.

PRELIMS FACTS

- The Delhi High Court recognised the **right to be forgotten** as part of privacy under **Article 21**.
- The ruling came in a batch of over **30 consolidated petitions** led by **Laksh Vir Singh Yadav v. Union of India**.
- The court held that retention of personal data must have a legitimate purpose and must be proportionate.
- The court preferred **masking or redaction of names** instead of deleting entire judgments.
- The court prescribed a **two-week deadline** for legal databases to comply.
- The **Google Spain case, 2014** laid the global foundation for the right to erase, later reflected in **Article 17 of the GDPR**.
- In India, **K.S. Puttaswamy v. Union of India (2017)** recognised privacy as a fundamental right.
- The right to be forgotten often conflicts with **Article 19(1)(a)**, open justice and the public's right to know.
- The **DPDP Act, 2023** provides a limited statutory right to erasure, but does not clearly address judicial records and public archives.
- Effective enforcement requires coordination between courts, legal databases, search engines, social media platforms and data protection institutions.