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THE TIMES OF INDIA

Can right to be forgotten beat right to info? SC to decide

TNN | Jul 25, 2024, 08.28 AM IST



New Delhi: Can a person, upon reversal of his conviction in a criminal case by a higher court, exercise his “right to be forgotten” to demand erasure from the websites the earlier judgment that had convicted him/her?

And would a higher court that acquits an accused in a criminal case by reversing the earlier judgment convicting him be within its jurisdiction to order a web portal or a legal chronicler to expunge the earlier conviction judgment to honour the acquitted person’s right to be forgotten?

These two questions were raised on Wednesday before a Supreme Court bench of Chief Justice D Y Chandrachud and Justices J B Pardiwala and Manoj Misra by online legal chronicler,

Indian Kanoon, challenging a Madras high court order, which after reversing a trial court judgment convicting a person of sexual assault charges, had directed the portal to remove the conviction judgment.

CJI Chandrachud was prima facie in disagreement with the HC’s decision, even though the bench agreed to examine this issue that underscores the tension between the “right to be forgotten” of the acquitted person and citizens’ “right to be informed”.

The CJI-led bench said, “How can a high court direct removal of an earlier judgment from a website even if it sets it aside? Every judgment of the courts in the three-tier justice delivery system is part of public record.”

The bench said that at best the HC could, in a sensitive case, direct redaction or masking of the name of an

acquitted person and his personal details from a judgment uploaded on a website. "Ordering removal of a judgment is an extreme step that goes against the universal right to information," the bench said.

Moreover, since judgment of trial courts and high courts get published in book form, SC, while adjudicating the complex issue, would find itself confronting another dimension of it — can these books containing the judgments be also barred from being perused by the public? There are several HC judgments which are reversed almost daily by SC. Would it be logical to order erasing of these HC verdicts from websites and legal chronicles?

SC stayed the Madras HC judgment and decided to adjudicate the issue.

We also published the following articles recently

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The Goa government sought to shield land conversions under Outline Development Plans (ODPs) from judicial scrutiny with a new bill, securing final authority for the TCP department. The Supreme Court's direction to expedite matters related to high court's stay on permissions influenced this legislative move.[111996989](#)

Can right to be forgotten beat right to info? Supreme Court to decide
The Supreme Court examined a Madras HC order directing the removal of a reversed conviction judgment from a website. CJI Chandrachud questioned this directive, emphasizing the public record status of judgments, suggesting redaction as an alternative. The issue highlights the conflict between the 'right to be forgotten' and the 'right to be informed'.[111997239](#)

Karnataka HC cites human error, recalls child porn judgment
The Karnataka High Court revoked its previous order in a child-pornography case, permitting the investigation against M Inayathulla to proceed. Justice M Nagaprasanna acknowledged human fallibility in judicial decisions. Section 67B (b) of the IT Act was deemed applicable to the case.[111937826](#)