

Right to be forgotten

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In news- Recently, the Centre has informed the Delhi High Court that the Personal Data Protection Bill 2019, which was tabled in Parliament, contains provisions related to the 'right to be forgotten'.

About Right to be forgotten-

- 'Right to be forgotten' is a fairly new concept in India where an **individual could seek to remove or delete online posts which may contain an embarrassing picture, video or news articles mentioning them.**
- The doctrine of the 'right to be forgotten' was accepted as an **essential part of the 'right to privacy' as per the judgments passed by the Orissa High Court and the Karnataka High Court.**
- The **Right to Privacy** was declared a fundamental right under **article 19** by the Supreme Court in its landmark verdict in Puttaswamy case in 2017.
- Currently, **it falls under the purview of an individual's right to privacy**, which is governed by the Personal Data Protection Bill that is yet to be passed by Parliament.
- **Clause 20 under Chapter V of this bill titled "Rights of Data Principal" mentions the "Right to be Forgotten."**
- It states that the data principal (the person to whom the data is related) shall have the right to restrict or prevent the continuing disclosure of his personal data by a data fiduciary.
- Under the Right to be forgotten, **users can de-link, limit, delete or correct the disclosure of their personal information held by data fiduciaries.**

- A data fiduciary means any person, including the State, a company, any juristic entity or any individual who alone or in conjunction with others determines the purpose and means of processing of personal data.
- As per the Ministry of Electronics and Information Technology (MeitY), Information Technology Act provides for blocking certain information for public access and allows removal of certain unlawful information from an intermediary platform.