
The Justice Briefs

I can't say "I object" without you

RCL INTRA COLLEGE MOOT COURT COMPETITION

25 February 2025



📌 Attention Students of Rayat College of Law! 📌

The Moot Proposition for the RCL Intra-College Moot Court Competition 2025 is now released! 🏛️⚖️

📅 Competition Date: 25th February 2025

📖 Get ready to showcase your advocacy skills and engage in a thrilling legal battle!

➡️ SOON Registration Form: <https://forms.gle/E2qFRPxzRthy4vni7>

For any queries, feel free to reach out. Let the preparations begin! 📁📖

Regards,

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RAYAT COLLEGE OF LAW, RAILMAJARA, PUNJAB

INTRA COLLEGE MOOT COURT COMPETITION

25 FEBRUARY 2025

MOOT PROPOSITION

The Republic of Vedanta, a democratic nation, guarantees fundamental rights under its Constitution, including the right to privacy (Article 21), freedom of speech and expression (Article 19), and equality before the law (Article 14).

In recent years, debates surrounding the Right to Be Forgotten have intensified, raising questions about the extent to which individuals can demand the removal of their past records from public access. While privacy advocates argue that individuals should have control over their personal information, others emphasize the importance of maintaining historical records, journalistic freedom, and the public's right to know.

Background

Mr. Rohan Mehta, a 32-year-old businessman, was acquitted in 2018 of insider trading charges due to lack of evidence. However, news articles, blogs, and social media posts regarding his arrest continue to be widely available online. Despite his legal acquittal, the persistent online presence of these records has damaged his reputation and business prospects leading him to consistent losses.

In April 2024, he formally requested various search engines, media outlets, and digital archives to remove or de-index all links and reports related to his past case. He argued that the continued accessibility of this information was unjust and harmed his right to privacy and dignity.

However, his request was denied, with authorities and media organizations citing that the public's right to information and press freedom outweighs his individual right to remove such content. The information, even if outdated, remains relevant in matters of financial integrity and corporate transparency and granting such a request could set a dangerous precedent, enabling individuals to erase publicly available legal records.

Legal Actions

Aggrieved by this decision, Mr. Mehta filed a writ petition before the Supreme Court, seeking:

1. Recognition and enforcement of his Right to Be Forgotten, arguing that continued public access to his acquittal violates his right to privacy (Article 21).
2. A direction to search engines and media platforms to remove or de-index the content that tarnishes his reputation.
3. A declaration that the denial of his request is arbitrary and violates his right to equality (Article 14).

Counterarguments by respondents:

The respondents opposed the petition, arguing that:

- The Right to Be Forgotten is not an absolute right and must be balanced against freedom of speech, public interest, and the right to information (Article 19).
- The existence of historical records serves a crucial role in democratic transparency and accountability.
- Mr. Mehta's past case, even though resulting in acquittal, involves matters of public concern, making its continued accessibility legitimate.

Key Legal Issues Before the Court

1. Whether the Supreme Court has the jurisdiction under writ jurisdiction to entertain the petition seeking enforcement of the Right to Be Forgotten?
2. Does denying Mr. Mehta's request violate his right to privacy (Article 21)?
3. Whether the Right to Be Forgotten conflicts with the right to freedom of speech and expression (Article 19), particularly regarding the press and public's right to information?
4. What is the correct way to balance the right to Equality (Article 14) of Mr. Mehta Against that of the media outlets in question?