

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL)..... Diary No(s).30527/2026

PIYUSH CHHABRA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA No. 228028/2026 - CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS

Date : 24-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) : Ms. Ruchi Kohli, Sr. Adv.
Ms. Srishti Mishra, Adv.
Ms. Komalta Bhargava, Adv.
Mr. Abhinav Chabra, Adv.
Mr. Mosin Ahmed, Adv.
Mr. Shubhash Chhabra, Adv.
Mrs. Renu Bala, Adv.
Mr. Varun Singh, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.
2. The instant writ petition under Article 32 of the Constitution has been filed in public interest, seeking Court-monitored forensic audit and safeguards against unauthorized private access to the data used for employment verification by the Employees' Provident Fund Organisation (EPFO) or for the Income Tax Return (ITR).
3. The Petitioner has averred that an unregulated, private employment verification ecosystem has emerged, wherein private entities secure access, retrieve, and commercially use sensitive

employment and financial data. The said data corresponds to the records maintained by the Income Tax Department and the Central Board of Direct Taxes.

4. The Petitioner has referred to further material came to light in April and May 2026, indicating a broader private verification ecosystem. This material includes correspondence with private entities, including Appexigo Technologies, describing data-fetching and verification capability. In sum and substance, the Petitioner's case is that these entities are illegally and unauthorisedly misusing the private data of these individuals. Such sensitive statutory data is, thus, being accessed outside the protected governmental ecosystem. It is also alleged that the data collected at several functions is being repurposed for private commercial streaming.

5. Such unauthorised access is said to be violative of Article 21 of the Constitution. Consequently, the Petitioner has sought, *inter alia*, the following directions:

"a. Issue an appropriate writ, order or direction directing Respondent Nos.1 to 8 and all concerned authorities to immediately take preventive and protective measures to stop any further unlawful access, dissemination, disclosure, transfer, processing or misuse of EPFO/UAN-linked employment data, PAN-linked information, ITR/Form 26AS/AIS-linked financial data and other statutorily protected personal data;

b. Issue an appropriate writ, order or direction directing Respondent Nos.1, 2, 6 and 7, in coordination with competent agencies, to conduct a time-bound independent technical / cyber-forensic inquiry into the manner in which such statutory data is being accessed, retrieved, processed or used within private verification ecosystems;

c. Issue an appropriate writ, order or direction directing Respondent Nos.3, 4 and 5 to disclose the

existing legal and technical safeguards, authentication architecture, API controls and access-governance mechanisms protecting statutory employment and financial data, and to clarify whether any lawful framework permits the impugned access;

d. Issue an appropriate writ, order or direction directing Respondent Nos. 1 to 8 to identify and investigate all private entities, intermediaries, processors, API providers, ERJs, aggregators, user applications, third-party applications, and other connected actors involved in accessing, processing, storing, transferring or commercially using such statutory data under the guise of an integrated digital consent framework;

e. Issue an appropriate writ, order or direction directing Respondent Nos. 1, 2, 6 and 8 to frame and notify' appropriate guidelines/safeguards governing digital employment verification, background screening and access to statutory employment and financial data, consistent with constitutional principles of privacy and data protection, and to ensure that any access, processing or sharing of such data is undertaken only through a lawful, transparent and accountable mechanism based on free, informed and specific consent;

f. Issue an appropriate writ, order or direction directing competent agencies to initiate appropriate action in accordance with law against persons/entities found involved in unlawful access, misuse, unauthorized disclosure or commercial exploitation of such data;

g. Pass such other and further order(s) as this Hon'ble Court may deem fit and proper."

6. In this regard, we find that the Petitioner has submitted a comprehensive representation dated 21.03.2026 and 22.04.2026 to the official Respondents, copies whereof have also been placed on record. Since the issue involves a policy intervention, which must take place on the recommendations of an Expert body, we dispose of the writ petition, at this stage, with a direction to the Union of India and other official Respondents to consider the representation submitted by the Petitioner. Further, these Respondents are also

directed to take necessary action as may be required to prevent misuse of the data maintained by Income Tax Department and Central Board of Direct Taxes in the EPFO Passbook API and Form 26-AS API and take such necessary measures as may be required to ensure that such data is not misused by unauthorised private entities. It will be appreciated if a comprehensive decision is taken and communicated to the Petitioner, preferably within a period of four months.

7. The Writ Petition is, accordingly, disposed of.

8. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(NIKITA SINGH)
COURT MASTER (NSH)