

Student Privacy Takes Centre Stage

Supreme Court
Reinforces Voluntary
Consent in APAAR
Scheme



APAAR: Digital Academic Identity

APAAR is a digital student identification system designed to maintain a lifelong academic record in India. APAAR ID links a student's academic credentials to a digital account associated with Aadhaar and DigiLocker. The system is designed to:

- consolidate educational records;
- make transfers between institutions easier;
- improve the portability of academic credentials; and
- maintain continuity in a student's educational history.

Although APAAR forms part of the broader digitisation of education, its implementation raises significant questions about privacy, informed consent, and the handling of children's personal data.

Consent Must Remain Voluntary

Automated Permanent Academic Account Registry (APAAR) enrollments cannot be made mandatory when the scheme is officially voluntary. Consent, especially when it concerns children's personal data, must be obtained transparently and should be informed, explicit, and given freely without pressure.



Supreme Court Examines Voluntary APAAR Enrolment

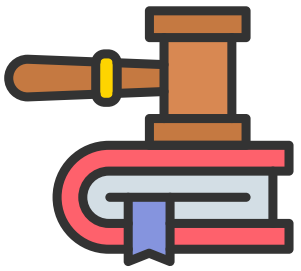
Case: Abhishek Baxi v. Union of India, MANU/SCOR/46945/2026.

Issue: The Supreme Court considered a petition alleging that some schools were treating APAAR enrolment as compulsory, despite the scheme being officially voluntary.

Key Concerns: The proceedings involved the collection and processing of minors' personal data, the **right to privacy under Article 21**, and safeguards under the **Digital Personal Data Protection Act, 2023**.

Reference: The Court referred to *Rohit Anand Das v. State of Odisha*, MANU/OR/1616/2025.

Consent: The Court indicated that CBSE should ensure APAAR consent forms clearly state that enrolment is voluntary and provide parents and students with an express option to decline participation.



Constitutional Issues Involved

Article 21 - Privacy: Protects privacy and personal autonomy, requiring the collection and use of students' personal data to have a lawful and fair basis.

Article 21A - Right to Education: Ensures that access to education is not effectively made dependent on joining an officially voluntary digital-identification system.

Article 14 - Equality: Requires APAAR to be implemented uniformly and reasonably, without schools/institutions imposing arbitrary or unequal conditions on students.

Children's Data Protection: Since APAAR involves minors' personal information, consent must be genuine, informed and voluntary rather than obtained through forms that make participation appear compulsory.

Conclusion

The APAAR proceedings show that digital education must go hand in hand with privacy and individual choice. Although APAAR can simplify the management and transfer of academic records, participation should remain genuinely voluntary. Students and parents must receive clear information before giving consent.

Schools cannot treat enrolment under the Automated Permanent Academic Account Registry (APAAR) as compulsory when the scheme is officially voluntary. Consent - particularly where children's personal data is involved, must be clear, informed and freely given.