Policy Brief

Availability and Accessibility of Government Information in the Public Domain

Problem Statement: The information published on most government websites exist in the form of document files [including but not limited to the Acts, Rules and Regulations, Government Orders and Notifications, Consultation Papers, Reports etc.] which, even when published, more often than not lack authenticity and accessibility and cannot be (text) searched.

Analysis: The current workflow towards publishing documents on government websites is broadly as follows:

1. The document is born digital – that means it is created on a computer.
2. The document is printed.
3. The document is stamped with the official seal and signed in ink by the authorized person(s).
4. The paper document is scanned.
5. The scanned image is converted into a PDF file.
6. The document is uploaded on the website and thereby published in the public domain.

In fact, at times, even gazette notifications and other printed documents are also scanned as images.

This approach has numerous problems, including the following:

1. First and foremost, such a practice is against the letter and spirit of Section 4 (1) (a) of the Right to Information Act, 2005 [1] that inter alia, mandates every public authority to "maintain all its records duly catalogued and indexed in a manner and form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated".

2. This does not realize the enabling provision of the Information Technology Act, 2000 [2] which gives legal sanctity to digital signatures. The digital image of a physical signature is not a digital signature in the eye of the law, though at times it is mistakenly believed to be so.

3. This does not address the problem of repudiation. That means a government official can say "I didn't sign that document" and there is no way to tell whether what he or she is saying is true. One of the key features of digital signatures is non-repudiability.

4. Scanned images of printed text cannot be searched for specific text (character, word or phrase) even by people without disabilities but for people with disabilities, the documents become totally inaccessible since the accessibility software cannot parse such scanned images – against the underlying tenets and objectives of the National Universal Electronic Accessibility Policy 2013 [3].

5. As an extension, content of such documents cannot be indexed by search engines (such as Google, Bing and Raftaar, etc.) and hence, unlikely to be located even if technically the same are in the public domain.

[1] Government of India. The Right to Information Act, 2005. No. 22 of 2005. Retrieved on November 30, 2014 from http://rti.gov.in/webactrti.htm.

[2] Government of India. The Information Technology Act, 2000. No. 21 of 2000. Retrieved on November 30, 2014 from http://deity.gov.in/sites/upload_files/dit/files/downloads/itact2000/itbill2000.pdf.

[3] Government of India. National Policy on Universal Electronic Accessibility. 2013. Retrieved on November 30, 2014 from http://deity.gov.in/sites/upload_files/dit/files/National Policy on Universal Electronics(1).pdf.

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Prepared by: **Sunil Abraham, Nirmita Narasimhan, Beliappa, and Anandhi Vishwanath.**

With inputs from: **Dipendra Manocha, Saksham, and Deepak Maheshwari, Symantec.**

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Proposed Solution: The following work flow is proposed for publishing documents electronically on government websites:

1. The document is born digital by preparing it in or through a computer system. Documents in Indian languages should be produced using Unicode based fonts.

2. The government official authorized to sign the same, must sign it digitally.

3. The document is uploaded in an open standard based format such as EPUB using a content management system and made available on the website such that it is available, accessible, indexable and searchable.

This will ensure democratization of information in its truest sense – making available information to the public at large and ensuring that it can be easily located and remains accessible to one and all.

The process of formatting should be standardized in such a way that semantics (such as heading styles, lists and tables) can be added to the text of the document. The Web Style Guide provides information on good practices for creating well-structured documents:

Standardizing the formatting process by creating different templates for different types of documents will ensure uniform accessibility of the documents as well as provide a standard look and feel across government documents.

India became a global pioneer by making the legal provision for computerised, indexed and duly catalogued public records. It is high time that India takes the lead by living up to the legislative intent under the Right to Information Act, Information Technology Act and the National University of Educational Planning and Administration, and thereby establishes a global best practice.

Admittedly, legacy documents should also be converted electronically to accessible formats though before such a rendering, due editorial oversight may be necessary along with use of technologies such as Optical Character Recognition (OCR).