

Access to Government Information in India: Opportunities and Challenges

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Access to government information is essential to the success of democracy and to ensure human rights. India is the largest democracy. Indian citizens should be well informed. The objective of the paper is to describe the need and availability of government information in India. It also explains online opportunities to access government information. The paper further includes the challenges of motivating factors to access online and print resources of government information. This paper is based on available literature and websites in support of government information and tries to describe resource's features, online opportunities and challenges in accessing online and print/digital government information. In India, Online channels have been increased for the availability of government information. The information is visible globally. The ultimate aim of such digital projects is to provide greater access and promote wider use of their collections.

Introduction

India is the largest democracy in the world. All forms of social, economic and political inequalities have to be removed for the success of democracy. Citizens should be democratic. Politically, a democratic government ensures equality for men by giving each citizen the right to have only one vote, regardless of the status. In a democratic country the citizens should be well informed. Another responsibility of citizens is voting. The law does not require citizens to vote, but voting is a very important part of democracy. Citizens are participating in the democratic process by voting¹. Citizens vote for leaders who represent them and their ideas, and leaders stand up for their interests. Responsible citizenship is an important factor in developing a national identity and citizenship that is conducive to political, social and economic stability. These last three factors motivate everyone to share the fruits of collective success. Being a good citizen can increase personal well-being. Residents who care for their community, participate in the political process, and volunteer in civic affairs feel connected to the larger community. Good citizens bring reforms in the society and bring positive changes in the world.

e-Governance is the most effective form of providing public services to citizens in online mode. It helps the governments to perform the functions related to the citizens. Citizens can be informed if they have access to government information.

2. Government Information

Government information and government information products are published, compiled or produced by governments at government expense or as required by law. This applies to all government publications

regardless of format.² Government publications cover art and architecture, business and economics, consumer protection, criminal justice, culture and public life, education, energy and environment, diplomacy and international relations, health and medicine, labor, law and regulation, nutrition, science and technology. Government publications include primary and secondary research and sources.³

3. Need of Government Information

Public access to government records is essential for democratic self-governance, and attitudes toward that right can facilitate or hinder public policy regarding transparency.⁴ Access to government information is essential to the maintenance of responsible government, the health and well-being of societies and the continued economic growth and development of nations. Governments have a duty to ensure full public access to valuable government information resources. There are some Key Principles of Government Information.⁵ Some of them are:

- a). Access to government information is a public right and will not be restricted by administrative constraints, geography, format, or ability to pay. The people need uninterrupted access to information to continually assess and evaluate their government. Governments must accept their responsibility to provide unrestricted access to public information.
- b). It is the responsibility of governments to collect, maintain and disseminate information to the public.
- c). Government information, whatever its form or format must be disseminated in a manner that promotes its usefulness to the public.
- d). A Depository Library Program shall be maintained to provide fair and free access to Government information to the public. The Depository Library Program shall widely disseminate and provide free public access to Government information, as a joint government-library venture.
- e). It is an integral responsibility of the Government that the sufficient financial resources must be allocated from publicly allocated funds to meet the cost of collecting, collating, storing, disseminating and providing permanent public access to government information.
- f). Although, the role of private publishers should complement government responsibilities in the collection, storage and dissemination of public information but participation of private sector does not absolve governments of their information responsibilities. Access to government information is essential to the maintenance of responsible government.
- g). As governments are responsible for collecting and disseminating information to the public, governments must ensure that the information they collect is completely public. It should be ensured that edits or omissions do not change the interpretation of contents.

- h). It is necessary to protect the rights of privacy and the privacy of government information users. Unless appropriate legal process is employed, user identification mechanisms should be restricted.
- i). Governments have a duty to protect public information from all periods of the nation's history as official records, in whatever form they may be.
- j). Governments are responsible for providing comprehensive, cumulative catalogs of government information, regardless of form or format. The catalog should provide sufficient information to identify and access government information.
- k). Do not impose restrictions such as copyright or copyright on government information. Restrictions prevent public access to that information. The underlying purpose of copyright is to protect the intellectual property rights of private authors.

4. Availability of Government Information of India

The Government of India has three pillars: Legislature, Executive and Judiciary.⁶ On the basis of the three parts of the government, government information may be divided into three categories: legislative information, Information related to executive department, Judgement information. The following type of government information is available to access in India:

4.1. Legislative Information

The legislative body is the legislative branch of the government. Before the advent of legislative bodies, laws were decided by the emperors. In India, the legislative branch consists of the Parliament and the state legislative bodies. Their powers include passing laws, establishing the government's budget, confirming the appointment of executive officers, ratifying treaties, overseeing the executive branch, and removing members of the executive and judicial branches, and redressing voter grievances.⁷

4.1.1. Parliament

The Indian Parliament consists of the President, the Lok Sabha and the Rajya Sabha. The basic function of the Parliament is to make laws. All legislative proposals must be presented to Parliament in the form of bills. A bill is a draft law and cannot become law unless it receives both parliamentary approval and the assent of the President of India. Apart from bills, members can ask questions to the government and debates on the topic.⁸ Parliamentary debates are also very important resources to know the history of law.

4.1.2. Parliamentary Information System

The website of the Indian Parliament (<http://parliamentofindia.nic.in>) was launched on 15 March 1996. The Assembly and the Lok Sabha have become important sources of information and reference tools. The Parliament website contains the Constitution, Constituent Assembly Debates, General Budget, Rules of Procedure and Conduct of the House of Representatives, Parliamentary Committees and their Reports,

Biography of Members, House Debates (Minute) since July 1991. Summary of debates from July 2000, Parliament Questions and Answers from February 2000 are also available on the website.⁹

4.1.3. Parliamentary Digital Library (PDL)

As a new step towards e-Parliament, Parliamentary Digital Library (PDL) website containing discussions and documents from 1854 to 2021 has been developed at <https://eparlib.nic.in>. The Library provides information about the proceedings of the Rajyasabha and the Lok Sabha. The portal hosts the debates of the representatives of the 1st to the 17th Houses. Several Parliamentary committee reports, presidential addresses to Congress, budget addresses, and several publications from the House Secretariat are also part of its collection. Rare historical legislative disputes Resource have also been digitized to trace the growth and development of India's modern parliamentary system over the 99 years from 1854 to 1952.¹⁰

4.1.4 State legislative

In India, the State Legislature which has only one House is known as the Legislative Assembly (Vidhan Sabha) and in the State which has two houses, the Upper House is the Legislative Council (Vidhan Parishad) and the lower House is the Legislative Assembly (Vidhan Sabha). The most important function of state legislature is also law making. State legislative bodies are also providing their information on their websites.

4.1.5 India Code Information (Indiacode)

India Code Information System (<http://indiacode.nic.in/>) is the official database of the Government of India. It is a database of all Central enactments which are in force made from time to time. The Search Facility is available in the database on the fields like Short Title, Act Number, Act Year, Enactment Date, Ministry and Department. Free Text Search is also available.¹¹

4.1.6. Law Commission Information System

The Law Commission of India is a non-statutory body constituted by the Government of India from time to time. The commission's function is to research and advice the Government of India on legal reforms and is composed of legal experts and is headed by a former judge. The committee is set up for a fixed term and acts as an advisory body to the Ministry of Justice.¹²

The first Law Commission was set up during the colonial rule of India by the East India Company under the Charter Act of 1833 and was presided over by Lord Macaulay.¹³ Three more commissions were later set up in Pre-Independence India. The first independent Indian Law Commission was established in 1955 for a three-year term. Since then, 22 more commissions have been constituted. The 22nd Law commission is approved in February 2020. The Law commission of India's website (<http://www.lawcommissionofindia.nic.in>) is excellent source for getting law commissions reports in full text. It provides law commission reports from the 1st report to latest (e.g. 277th report).



Figure 1: Law Commission of India web page

4.2. Gazettes of India

Gazette of India Notifications are published by the Department of Publication and are printed by the Government of India Printing Presses regularly. This is an authorized legal document of the Government of India. The Controller of Publication is the authorized publisher, custodian and seller of Government Publications and periodicals including Gazette of India and Delhi Gazette with its copy right. These are quality product and economically priced. It undertakes storage, sale and distribution of all saleable publications brought out by various Ministries and Departments. Any infringement of the Indian Copyright Act is a legal offence. Dispute in book trade, if any, will be settled within the jurisdiction of Delhi.¹⁴

Government of India had decided to switch from print to exclusive e-publishing of all Gazette Notifications with effect from 1st October, 2015 and It has been decided that the physical printing and sale of hard copies of Gazette by the Government shall completely cease. The Gazette of India are now only e-published by uploading on the official website www.egazette.nic.in.¹⁵

4.2.1. e-Gazette of India

All parts, section and sub-section of Gazette of India are uploaded in the e-Gazette website by the concerned Government of India Printing Presses which can be accessed free of cost by the general public being available in the public domain.¹⁶



Figure 2: e-Gazette of India web page

The website also provides links for the following State Gazettes: Andaman & Nicobar (UT), Andhra Pradesh, Bihar, Chattisgarh, Delhi, Goa, Himachal Pradesh, Karnataka, Kerala, Ladakh (UT), Lakshadweep (UT), Madhya Pradesh, Manipur, Meghalaya, Mizoram, Odisha, Puducherry (UT), Sikkim, Tamil Nadu, Tripura, Uttar Pradesh, Uttarakhand.

4.3. Judgment Information

A court of record is a court whose acts and proceedings are enrolled for perpetual memory and testimony. These records are used with a high authority and their truth cannot be questioned. In the Indian constitution, the Supreme Court and High Courts are the ‘court of record’¹⁷. Judgements of the Supreme Court and the High Court are very important in the field of Law. Judgements are also being available online.

4.3.1. Supreme Court of India Judgements

The Judgment Information System developed by Supreme Court of India Library is free of charge. The website <https://main.sci.gov.in/judgments> provides information of complete case details. The Tab “Case Status” serves as a comprehensive as well as integrated aperture for obtaining variety of information regarding cases (Pending/disposed). Users can access the case information by using various methods, which are as follows:¹⁸

- a). By entering Diary No.
- b). By entering Case No.
- c). By entering Party Name
- d). By entering Advocate Name
- e). By entering High Court No.
- f). By entering Filing Defects, and
- g). By entering Free Text of the case.

4.3.2 High courts Judgments

The Judgment Search portal is a digital repository of High Courts' judgments. This portal is designed for various stakeholders to retrieve similar judgments based on the requirements. Most important feature of this portal is that it has a free text search engine, which calls out judgments based on the given keyword in the search box provided. Various other filter criteria include High Court, Act, sections, Names of the parties, Hon'ble Judge name, Judgment date etc. Combination of any of the search criteria can be used to filter results. The embedded filtering feature allows further filtering on available results, thus adding value to the search.¹⁹

Figure 3: Judgement Portal

5. Opportunities to Access Government Information Online

In the digital age, Peoples have a variety of venues for accessing government information. Piotrowski concluded four main kinds of public access to government information: 1) proactive dissemination by agencies through press releases, posting documents online, or providing in a library or depository; 2) requester release where citizens and journalists specifically request information from agencies not provided proactively; 3) leaks from whistleblowers and others (e.g., Pentagon Papers case); and 4) open public meetings where information is discussed and released in a public venue.²⁰ Various venues are available to access government information in India. Some of venues are Digital India, Online India Directory, Right to Information, Press Information Bureau, Library services, etc.

5.1. Digital India

Digital India is the flagship program of the Government of India with a vision to transform India into a digital society and knowledge economy. Digital India is a comprehensive program involving several government ministries. It weaves multiple ideas and ideas into one broad vision so that each can be implemented as part

of a larger goal. Each individual element stands its own, but they are also part of the bigger picture. Digital India is implemented by the entire government and the overall coordination is done by the Department of Electronics and Information Technology (DeitY).

Digital India provides the much needed thrust to the nine pillars of growth areas Broadband Highway, Universal Access for Mobile Connectivity, Public Internet Access Program, e-Governance: Reforming Government Through Technology, e-Kranti - Electronic Delivery of Services, Information for All, Electronics Manufacturing, IT for Job, Early Harvest Program. Each of these areas is a complex program in itself, spread over several ministries and departments.²¹

5.2 India Directory

It is platform of digital portals to provide information about Government officials/ departments. The National Portal of India (www.india.gov.in) was developed with an objective to enable a single window access to information and services being provided by the various Indian Government entities. The content in this Portal is the result of a collaborative effort of various Indian Government Ministries and Departments, at the Central/State/District level. This Portal is Mission Mode Project under the National E-Governance Plan, designed and maintained by National Informatics Centre (NIC).²²

5.3 Right to Information act (RTI Act)

The Right to Information Act 2005 mandates a timely response to citizens' requests for government information. This is an initiative by the Department of Personnel and Training, Ministry of Personnel, Public Grievances and Pensions to provide citizens an RTI portal gateway for quick search of information regarding the details of First Appellate Officers, PIOs etc., among others, besides access to RTI related information and disclosures published on the web by various public authorities under the Government of India as well as State Governments.²³



Figure 4: Web page of Right to information

5.4 Press Information Bureau (PIB)

Press Information Bureau (PIB) is a nodal agency of the Government of India that disseminates information about the policies, programmes, initiatives and achievements of the Government in print and electronic media. It acts as an interface between the government and the media and also serves to provide feedback to the government on the public reactions reflected in the media. PIB disseminates information through various means of communication. Press releases, press notes, feature articles, background information, photos and databases are available on the Bureau's website. The disseminated information will be published in English, Hindi and Urdu then translated into other Indian languages and distributed to approximately 8,400 newspapers and media organizations across India.²⁴

5.5. Library Services

The public "right to know" principle is a cornerstone of government accountability and informed public participation. A library designated as a depository which provides access to government publications. The library allows users to locate, and retrieve government information with primary search tools, bibliographic databases, and collections of web-edited government manuscripts. According to The delivery of books and newspapers (public libraries) act, 1954, the publisher of every book, newspaper or serial must deliver at his own expense a copy of the book within thirty days from the date of its publication to the National Library at Calcutta (Kolkata) and one copy each to three other public libraries specified by the Central Government.²⁵ The four Depository Library Centers in India are Asiatic Society Library, Mumbai, Connemara Public Library, Chennai, National Library of India, Kolkata, & Delhi Public Library, Delhi. The Central Library BHU has also developed a separate section for accessing government information.

6. Challenges to Access Government Information

Users may face many hurdles in accessing government information. These failures can be caused by information overload, poorly designed interfaces or inability to access digital resources. Some of the challenges in accessing government information are also due to a lack of proper indexing of information. Government information users are less aware of information availability. Poor infrastructure such as access devices and internet connectivity affected the accessibility of information. The internet has had a profound impact on information behavior and reshaped virtually every channel of information access—news-papers, television, movies, magazines, books, music, and all forms of telecommunications—in the past decade. However, these changes have not been uniformly distributed or equally available to all. There remain significant gaps in society in terms of access to the internet.²⁶

7. Conclusion

The basic purpose of government information is to empower citizens, promote transparency and accountability in government work, prevent corruption and make democracy work for the people in the true sense. Needless to say, aware citizens are better equipped with the tools of governance to exercise the

necessary vigilance and to make governments more accountable to their subjects. Access to government information is about informing the public about government activities. e-Information has become important due to its features like fast searching, simultaneous use, fast delivery and remote location use. Government of India has taken positive initiatives for providing government information in electronic form. National Informatics Centre (NIC) is providing important role to make available an electronic platform for accessing Government Information. Many websites are developed to ensure access to government information.

References

1. Chimnani, Nikhil [et. al.]. (2022). Manifestos of Political Parties and The Concerns of People: A Comparative Study of Punjab Legislative Assembly. *Journal of Positive School Psychology*. 6 (3), 10092 – 10097. Available at <https://journalppw.com/index.php/jpsp/article/view/5564> (Accessed on 29/08/2022)
2. University of Louisiana Libraries. What is Government Information? Available at <https://library.louisiana.edu/collections/us-government-information/what-government-information> (Accessed on 26/08/2022)
3. Illinois Library. Government Information Services. Available at <https://www.library.illinois.edu/govinfo/what-is-government-information> (Accessed on 26/08/2022)
4. Cuillier, David, and Piotrowski, Suzanne J. (2009). Internet information-seeking and its relation to support for access to government records. *Government Information Quarterly*. 26 (3), 441–449. Available at <https://doi.org/10.1016/j.giq.2009.03.001> (Accessed on 31/08/2022).
5. American Library Association. Key Principles of Government Information. Available at <https://www.ala.org/advocacy/govinfo/keyprinciples> (Accessed on 26/08/2022)
6. Paul, Ritu (2021). Separation of powers: an Indian perspective. *Supremo Amicus Journal*, Vol 24. Available at <https://supremoamicus.org/wp-content/uploads/2021/05/RITU-PAUL.pdf> (Accessed on 30.08.2022)
7. India, Lok Sabha Secretariat (2014). Our parliament. New delhi: Lok Sabha Secretariat. Available at <https://loksabhaph.nic.in/writereaddata/our%20parliament/Our%20Parliament.pdf> (Accessed on 30.08.2022)
8. Narain, Yogendra (2007). An introduction to Parliament of India. New Delhi: Rajya Sabha Secretariat. Available at https://cms.rajyasabha.nic.in//documents/1631891448502.02_Parliament_of_India.pdf (Accessed on 30.08.2022)
9. Parliament of India. Available at <https://parliamentofindia.nic.in/> (Accessed on 29/08/2022)
10. Parliament Digital Library. Available at <https://eparlib.nic.in/> (Accessed on 29/08/2022)

11. India code. Available at <https://www.indiacode.nic.in/about.jsp> (Accessed on 29/08/2022)
12. Law commission of India- About department. Available at [https:// lawcommissionofindia.nic.in/](https://lawcommissionofindia.nic.in/) (Accessed on 29/08/2022)
13. Legislative, Introduction. Available at <https://legislative.gov.in/about-us/introduction> (Accessed on 27/08/2022)
14. Gazette of Government, About us. Available at [https://egazette.nic.in/\(S\(pmzyej4klxeoxsxt2tp34ri\)\)/Aboutus.aspx](https://egazette.nic.in/(S(pmzyej4klxeoxsxt2tp34ri))/Aboutus.aspx) (Accessed on 27/08/2022)
15. India, Press Information Bureau. Gazette Notifications of Government of India will Henceforth be Only E-Published. Available at <https://pib.gov.in/newsite/PrintRelease.aspx?relid=130058> (Accessed on 27/08/2022)
16. India, Department of Publication, Directorate of Printing. Gazette of India. Available at [https://egazette.nic.in/\(S\(c0dpgixc4b4abzjl3jymmhj\)\)/Aboutus.aspx](https://egazette.nic.in/(S(c0dpgixc4b4abzjl3jymmhj))/Aboutus.aspx) (Accessed on 27/08/2022)
17. The Constitution of India, 1950, Article 129 and 215. Available at https://legislative.gov.in/sites/default/files/COI_English.pdf (Accessed on 29/08/2022)
18. Supreme Court of India, Judgements. Available at <https://main.sci.gov.in/judgments> (Accessed on 29/08/2022)
19. Supreme Court of India, e-Committee. Judgements and orders. Available at <https://judgments.ecourts.gov.in/pdfsearch/index.php> (Accessed on 29/08/2022)
20. Piotrowski, S. J. (2007). Governmental transparency in the path of administrative reform. New York: State University of New York Press. Quoted In: Cuillier, David, and Piotrowski, Suzanne J. (2009). Internet information-seeking and its relation to support for access to government records. *Government Information Quarterly*. 26 (3), 441–449. Available at <https://doi.org/10.1016/j.giq.2009.03.001> (Accessed on 31/08/2022).
21. How Digital India will be realized: Pillars of Digital India. Available at <https://digitalindia.gov.in/content/programme-pillars> (Accessed on 26/08/2022)
22. Government Directory. Available at <https://www.india.gov.in/my-government/government-directory> (Accessed on 26/08/2022)
23. India, Right to Information Citizen Gateway. About Right to Information. Available at <https://rti.gov.in/> (Accessed on 26/08/2022)
24. India. Press Information Bureau. Available at <https://www.pib.gov.in/indexd.aspx> (Accessed on 29/08/2022)

25. The delivery of books and newspapers (public libraries) act, 1954, Section 3. Available at https://legislative.gov.in/sites/default/files/A1954-27_1.pdf (Accessed on 29/08/2022)
26. Jaeger, Paul T. R and Bertot, John Carlo (2010). Transparency and technological change: Ensuring equal and sustained public access to government information. *Government Information Quarterly*. 27 (4),371-376. Available at <https://doi.org/10.1016/j.giq.2010.05.003> (Accessed on 29/08/2022)

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