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BUILDING CONFIDENCE

3.1

Content Copyright

Copyright is a form of protection provided under law to the owners of “original works of authorship” in any form or media. It is implied that the original information put up on the website by a Government Department is by default a copyright of the owner Department and may be copied, reproduced, republished, uploaded, posted, transmitted, or distributed only if the copyright policy of the concerned Department allows so.

3.1.1 Hence, the information, material and documents made available on an Indian Government website MUST be backed up with proper copyright policy explaining the terms and conditions of their usage and reference by others. The copyright policy of a Department could be liberal, moderate or conservative depending upon their preferences based on the kind of information available on their website. However, since it is a duty of a Government Department to provide all the information in the public domain freely to the citizens, the Departments should aim to have a liberal copyright policy.

3.1.2 In cases where the document is in public domain and there is no restriction on its reproduction, the copyright statement may be worded as follows :

Sample : Copyright Statement

“Material featured on this site may be reproduced free of charge in any format or media without requiring specific permission. This is subject to the material being reproduced accurately and not being used in a derogatory manner or in a misleading context. Where the material is being published or issued to others, the source must be prominently acknowledged. However, the permission to reproduce this material does not extend to any material on this site, which is explicitly identified as being the copyright of a third party. Authorisation to reproduce such material must be obtained from the copyright holders concerned.”

3.1.3 In cases where the nature of information/document calls for a restriction on its reproduction, the copyright statement may be worded as follows :



Sample of alternate Copyright Statement

“Material on this site is subject to copyright protection unless otherwise indicated. The material may be downloaded without requiring specific prior permission. Any other proposed use of the material is subject to the approval of (*name of Department*). Application for obtaining permission should be made to (email address of the concerned Department).”

- 3.1.4** The Departments should also be sensitive towards publishing any information having a third party copyright. The Government Departments MUST follow proper procedures to obtain the permission, prior to publishing such information on their websites.
- 3.1.5** If any published Government Document/Report is being reproduced on any website, whether as excerpts or in full, the source of the same i.e. Full Title of the Report/Document along with the name of the concerned Department and year of publication MUST be provided.

3.2

Content Hyperlinking

- 3.2.1** Since Government websites often receive queries and requests from owners of other websites who might want to provide a hyperlink to their web pages, every Indian Government website MUST have a comprehensive and clear-cut hyperlinking policy defined and spelt out for those who wish to hyperlink content from any of its sections. The basic hyperlinking practices and rules should ideally be common across the websites of a State/Ministry.
- 3.2.2** The hyperlinking policy enumerating the detailed criteria and guidelines with respect to hyperlinks with other sites may be made available under the common heading of ‘Hyperlinking Policy’ and displayed at a common point on the Homepage of all sites under the ownership a State/Ministry.
- 3.2.3** In case the concerned Department has no objection to anyone providing a hyperlink to their website, the policy statement may be worded as :



Sample Hyperlinking Policy

“We do not object to you linking directly to the information that is hosted on our site and no prior permission is required for the same. However, we would like you to inform us about any links provided to our site so that you can be informed of any changes or updations therein. Also, we do not permit our pages to be loaded into frames on your site. Our Department’s pages must load into a newly opened browser window of the user.”

- 3.2.4** In case Prior permission is required by anyone who wishes to provide a link to a Government website, the policy statement may be worded as follows :

Sample of alternate Hyperlinking Policy

“Prior permission is required before hyperlinks are directed from any website to this site. Permission for the same, stating the nature of the content on the pages from where the link has to be given and the exact language of the Hyperlink should be obtained by sending a request at (*Email address of the Department*).”

- 3.2.5** Many a times, cross linkages between different websites can cause ambiguity in the mind of the visitors about the owner of a particular portion of content and whom to be contacted in case of any query. Also, many a times, there could be a difference in the security domains of two linked websites. Hence, it is important to notify the visitors when they are leaving a particular website through a hyperlink and entering another one. Clear indications **MUST** be given when leaving the Government site for a non-Government website.

Sample of indication of leaving the Government Website

“This link shall take you to a page outside the (*website URL*). For any query regarding the contents of the linked page, please contact the webmaster of the concerned website.”

- 3.2.6** To create a visual distinction for links that lead offsite, Cascading Style Sheets (CSS) controls or XSL or some such similar mechanism should be used. In case the link takes the user to another website of the same Department/Ministry/ State, a seamless transition should be used through appropriate CSS controls.
- 3.2.7** Third party content should only be linked when consideration about the copyright, terms of use, permissions, content authenticity and other legal and ethical aspects of the concerned content have been taken into account.

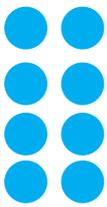


- 3.2.8** The overall quality of a website's content is also dependent, among other things on the authenticity and relevance of the 'linked' information it provides. This fact is all the more significant in the context of a Government website since there is a lot of credibility attached with an official website. Therefore, all Indian Government websites should make sure that the external hyperlinks, wherever present on the site **MUST** be verified and checked on a regular basis to ensure that the information being provided 'through' them is up-to-date, accurate and relevant.
- 3.2.9** Further, it **MUST** be ensured that 'broken links' or those leading to 'Page Not Found' errors are checked on a regular basis and are rectified or removed from the site immediately upon discovery. A number of technology tools are available for convenient discovery of broken links.

3.3

Terms & Conditions

- 3.3.1** With the increased proliferation of Internet, more and more citizens are accessing information from Government websites. Clearly defined Terms & Conditions including well-worded disclaimers regarding the usage of websites **MUST** be present on every Indian Government website. Terms & Conditions shall address the following aspects:
- Ownership Details
 - Usage Policy of Content
 - Legal Aspects
 - Responsibility towards hyperlinked Sites
- 3.3.2** Since it is the responsibility of all Indian Government Departments to uphold and maintain the trust imposed in them by the visitors to the sites, the Government websites should not outrightly 'disclaim' the content of another Government website. Instead, a politely worded statement clearly indicating the ownership of the particular piece of content and the relevant details for further queries and information may be provided. Once all Indian Government websites follow standard content practices, the visitors should be able to move from one Government website to another in a manner as seamless as possible.
- 3.3.3** The Terms & Conditions **MUST** also clarify whether the information available on the website may be construed as a statement of law to be used for any legal purposes or not. It should also be mentioned that in case of any legal dispute arising out of the content on the Government website, the matter shall be heard in a court of law within the jurisdiction of the State where the concerned owner



Department of the website/portal is located.

- 3.3.4 In case the content is sourced / linked from a non-government website at the other end; the Terms & Conditions MUST clearly state this fact and disclaim responsibility for its accuracy and currency.
- 3.3.5 In case the website involves any e-payment features where electronic transactions are involved, appropriate disclaimers, worded in consultation with the involved agencies (bank, payment gateway service provider etc.) and the legal cell of the Department should be placed on the site.

Sample Statement for Terms & Conditions

This website is designed, developed and maintained by (name of Department), Government of India.

Though all efforts have been made to ensure the accuracy and currency of the content on this website, the same should not be construed as a statement of law or used for any legal purposes. In case of any ambiguity or doubts, users are advised to verify/check with the Department(s) and/or other source(s), and to obtain appropriate professional advice.

Under no circumstances will this Department be liable for any expense, loss or damage including, without limitation, indirect or consequential loss or damage, or any expense, loss or damage whatsoever arising from use, or loss of use, of data, arising out of or in connection with the use of this website.

These terms and conditions shall be governed by and construed in accordance with the Indian Laws. Any dispute arising under these terms and conditions shall be subject to the jurisdiction of the courts of India.

The information posted on this website could include hypertext links or pointers to information created and maintained by non-Government/private organisations. (*Name of Department*) is providing these links and pointers solely for your information and convenience. When you select a link to an outside website, you are leaving the (*Name of Department*) website and are subject to the privacy and security policies of the owners/sponsors of the outside website.

(*Name of Department*), does not guarantee the availability of such linked pages at all times.



(Name of Department), cannot authorise the use of copyrighted materials contained in linked websites. Users are advised to request such authorisation from the owner of the linked website.

(Name of Department), does not guarantee that linked websites comply with Indian Government Web Guidelines.

3.4

Privacy Policy

- 3.4.1** Government websites should follow an extremely cautious approach when it comes to collecting personal details/information about the visitors to the sites. It should be an endeavour to solicit only that information which is absolutely necessary.
- 3.4.2** In case a Department solicits or collects personal information from visitors through their websites, it **MUST** incorporate a prominently displayed Privacy Statement clearly stating the purpose for which information is being collected, whether the information shall be disclosed to anyone for any purpose and to whom.
- 3.4.3** Further, the privacy statement should also clarify whether any cookies shall be transferred onto the visitor's system during the process and what shall be the purpose of the same.
- 3.4.4** Whenever a Department's website allows e-commerce and collects high risk personal information from its visitors such as credit card or bank details, it **MUST** be done through sufficiently secure means to avoid any inconvenience. SSL (Secure Socket Layer), Digital Certificates are some of the instruments, which could be used to achieve this.

It is further informed that the following examples of Privacy Statements are only for reference purpose and Departments are requested to customise it to the requirements of their own websites.



Sample Privacy Statement :

Thanks for visiting website of (*Name of Department*), and reviewing our privacy policy.

We collect no personal information, like names or addresses, when you visit our website. If you choose to provide that information to us, it is only used to fulfill your request for information.

We do collect some technical information when you visit to make your visit seamless. The section below explains how we handle and collect technical information when you visit our website.

Information collected and stored automatically

When you browse, read pages, or download information on this website, we automatically gather and store certain technical information about your visit. This information never identifies who you are. The information we collect and store about your visit is listed below:

- The Internet domain of your service provider (e.g. mtnl.net.in) and IP address (an IP address is a number that is automatically assigned to your computer whenever you're surfing the web) from which you access our website.
- The type of browser (such as Firefox, Netscape, or Internet Explorer) and operating system (Windows, Linux) used to access our site .
- The date and time you accessed our site.
- The pages/URLs you have visited and
- If you reached this website from another website, the address of that referring website.

This information is only used to help us make the site more useful for you. With this data, we learn about the number of visitors to our site and the types of technology our visitors use. We never track or record information about individuals and their visits.

Cookies

When you visit some websites, they may download small pieces of software on your computer/browsing device known as cookies. Some cookies collect personal information to recognise your computer in the future. We only use non-persistent cookies or “per- session cookies”.



Per-session cookies serve technical purposes, like providing seamless navigation through this website. These cookies do not collect personal information on users and they are deleted as soon as you leave our website. The cookies do not permanently record data and they are not stored on your computer's hard drive. The cookies are stored in memory and are only available during an active browser session. Again, once you close your browser, the cookie disappears.

If you send us personal information

We do not collect personal information for any purpose other than to respond to you (for example, to respond to your questions or provide subscriptions you have chosen). If you choose to provide us with personal information— like filling out a Contact Us form, with an e-mail address or postal address, and submitting it to us through the website—we use that information to respond to your message, and to help you get the information you've requested. We only share the information you give us with another Government agency if your question relates to that agency, or as otherwise required by law.

Our website never collects information or creates individual profiles for commercial marketing. While you must provide an e-mail address for a localised response to any incoming questions or comments to us, we recommend that you do NOT include any other personal information.

Site Security

- For site security purposes and to ensure that this service remains available to all users, this Government computer system employs commercial software programs to monitor network traffic to identify unauthorised attempts to upload or change information, or otherwise cause damage.
- Except for authorised law enforcement investigations, no other attempts are made to identify individual users or their usage habits. Raw data logs are used for no other purposes and are scheduled for regular deletion.
- Unauthorised attempts to upload information or change information on this service are strictly prohibited and may be punishable under the Indian IT Act.



Sample of alternate Privacy Policy Statement (in case a website does not collect any personal data)

As a general rule, this website does not collect Personal Information about you when you visit the site. You can generally visit the site without revealing Personal Information, unless you choose to provide such information.

Site Visit data:

This website records your visit and logs the following information for statistical purposes -your server's address; the name of the top-level domain from which you access the Internet (for example, .gov, .com, .in, etc.); the type of browser you use; the date and time you access the site; the pages you have accessed and the documents downloaded and the previous Internet address from which you linked directly to the site.

We will not identify users or their browsing activities, except when a law enforcement agency may exercise a warrant to inspect the service provider's logs.

Cookies:

A cookie is a piece of software code that an internet web site sends to your browser when you access information at that site. This site does not use cookies.

Email Management

Your email address will only be recorded if you choose to send a message. It will only be used for the purpose for which you have provided it and will not be added to a mailing list. Your email address will not be used for any other purpose, and will not be disclosed, without your consent.

Collection of Personal Information:

If you are asked for any other Personal Information you will be informed how it will be used if you choose to give it. If at any time you believe the principles referred to in this privacy statement have not been followed, or have any other comments on these principles, please notify the webmaster through the contact us page.

Note: The use of the term "Personal Information" in this privacy statement refers to any information from which your identity is apparent or can be reasonably ascertained.