



Public consultation on Government Open Data Use License - India

Dear Madam/Sir,

We thank you making the draft "Government Open Data Use License – India" public, and for inviting comments to be submitted.

This submission presents comments and recommendations by Factly. Factly(www.factly.in) is an initiative aimed at making public data and information more meaningful to the common man. We use a lot of government data that is in the public domain and also collaborate with various government institutions to encourage use of public data.

We are glad that the license policy is proposed. However, we have the following suggestions

Clause 2: On the definition of Data, we suggest that the definition could be in consonance with the definition of Information as given in Sections 2(f) and 2(i) of the RTI act.

Clause 4 : No Warranty, we suggest that some kind of limited warranty is on the providers, since even in the RTI act, there is a provision to demand certified copies (Sec 2(j)) which are then permissible as evidence in courts.

Clause 6: On Exemptions: The current exemptions put the ball in the user's court which is probably not the right thing. Data providers should not release such data in the first place if it falls under any exemption clause. The onus of refusing access to information as per Sec 8 & 9 of the RTI act is also with the PIO (official) and not on the one who requests information. Hence this could be removed. Common Citizens won't be able to conclude what is exempted and what is not.

We would glad to provide any clarification and collaborate in the process.

Best Regards

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