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## 1. Introduction

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E-mail is an efficient and timely communication tool used to carry out departmental activities and to conduct business within the Government, with business partners and with citizens. E-mail has become an important component of any office automation system. It expedites **exchange of information, speeds up the decision making process** and reduces paperwork, resulting in increased productivity, reduced costs and **better delivery of services and programmes**.

1.2 An e-mail message, including all electronically attached documents containing information created, collected received or transmitted in the normal course of business, sent via an e-mail system is a record. In the Government Departments, e-mail may be used to:

- Disseminate **information**
- Share records and reports within and between work groups
- Share agendas and minutes
- Circulate draft documents
- Coordinate meetings, appointments and work schedules and
- Support informal/**formal** approval processes.

1.3 The Government of India recognizes e-mail as one of the forms of communications and, therefore, e-mail messages, must be managed in accordance with the approved records management policies and procedures. These guidelines explain how to apply effective records management practices

- to create, use and manage e-mail messages,
- to identify e-mail messages as departmental records when required,
- to identify the e-mail messages fit for destruction.

## 2. Objectives

These guidelines have been formulated to help Government employees manage their e-mails properly and effectively in day-to-day business. Legal implications and relevant instructions have been discussed in succeeding paras. Every Department should formulate internal instructions clearly specifying the nature and extent of use of e-mails in conduct of its business.

2.1 With the rapid expansion of e-mail technology, individuals conduct more and more business electronically and transmit more records electronically without the use of traditional paper documents. E-mail enables quick movement of data/information and, therefore, its use in Government business requires application of records management practices with greater thrust. With effective records management system in place, it can also be used extensively to handle requests for information under the Right to Information Act, 2005.

## 3. E-mail Use Compliance

Departments must define methods in adherence to these guidelines and should develop a compliance policy, which includes the following:

- Standard email categorization rules that email users must follow.
- Compliance with filing and Retention policies.
- Certification process by all email users (training procedures and verification).

- Analysis of compliance by looking for the exception.
- Completing periodic Records Disposition reports verifying the application of department Records Retention Schedules as a process performed in the regular course of business.

#### 4. Definitions

Departments use e-mail as a communication tool to transmit records in the normal course of business. The key issue with e-mail is that it is a transmission medium and not a record in and of itself. The following definitions will help users determine what components make up the e-mail system:

**i. Non-records**, not related to the department's business, may be deleted once the records is no longer of use and may include personal, announcements or unsolicited advertising.

**ii. Electronic mail (e-mail) messages** are communications created, sent or received on an electronic mail system and include any attachments transmitted with the message and the associated transmission and receipt data. E-mail messages include those sent or received internally or externally.

**iii. Electronic mail (e-mail) system** is a computer application used to create and receive electronic messages, and to transmit electronic messages and any other electronic documents in the form of attachments between individual users and/or groups of users.

**iv. Attachments** are those documents appended to and transmitted with an e-mail message such as word processing documents, spreadsheets, sound files, image files, hot links, etc. They form an integral part of an e-mail message, and both the message and the attachments form an e-mail record.

**v. Transmission and receipt data** include such things as originator, recipients, cc, bcc, subject, date and time. These data are an integral part of an e-mail message and form part of the e-mail record.

**vi. Records** are recorded information, in any form, including data in computer systems; paper or electronic documents such as correspondence, memoranda, plans, maps, and drawings; sound recordings; e-mail messages; electronic images; and any other documentary materials created or received by an organization or person in the conduct of official business. ( ISO Definition ). **The Public Records as defined in the Public Records Act, 1993, includes the following:**

- any document, manuscript and file:
- any microfilm, micro fiche and facsimile copy of a document:
- any reproduction of image or images embodied in such microfilm (whether enlarge or not); and
- any other material produced by a computer or by any other device, of any records creating agency.

#### 5. Roles and Responsibilities

##### 5.1 Ownership of E-Mail

E-mail messages created in the conduct of Government business are official records and are the property of the Government of India. They are retained as evidence of business activities and to meet legislative, and government/departmental business requirements. All e-mail messages created or received by employees using the Government of India e-mail systems may be accessed as part of a legal discovery process or Right to Information request. As such, each employee must manage e-mail messages by ensuring that e-mail records are filed, retained and are accessible.

Each employee using e-mail has a responsibility for the control and management of the e-mail content. At the same time, specialist groups have responsibility and accountability for developing and implementing policies, standards and practices, and managing the enabling e-mail technologies. These responsibilities are assigned as follows:

**(I) Individual Employees**

Individual employees are responsible for creating, using, communicating and sharing e-mail messages in accordance with their respective Departmental instructions. They are also responsible for ensuring that e-mail records are kept as evidence of business activities and that these e-mail records are available to meet legislative and departmental business and accountability requirements. **E-mails can be a major source of viruses and, therefore, utmost care should be taken while accessing them and in case of doubt, NIC/IT Managers should be approached.**

**(II) Supervisory Authorities**

- They are responsible for ensuring that
- all employees under their supervision with access to the departmental e-mail system read and comply with these guidelines;
  - e-mail records of departing individuals (either from the Department or their operational area) are retained, filed and accessible to meet legislative and departmental business and accountability requirements.

**(III) NIC/IT Managers**

NIC/IT Managers/System and Network Administrators are responsible for providing a means to transmit and store e-mail messages. They are also responsible for ensuring that the e-mail messages are preserved and protected from destruction or unauthorized access. **They should also keep the users aware of the virus threats and ways to avoid the damage.**

**(IV) IT Managers/Departmental Records Officer**

They are responsible for:

- providing advice and guidance on the identification, filing, retention and disposal of e-mail records;
- ensuring staff are informed about the e-mail procedures;
- working in collaboration with NIC and Departmental IT groups to develop and publish internal instructions for use of e-mail on the appropriate Intranet/websites.

**6. Creation and Use of E-Mail**

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E-mail is handled by a variety of software programs such as Microsoft Outlook and Lotus Notes. The message originator creates a message file in the e-mail software editor. When

complete, the message is posted to a message transport system that assumes the responsibility for delivering that message to its recipient(s) 'mailbox'.

To receive and read the message, the recipient runs a software program that retrieves incoming messages, allowing the messages to be filed, listed, forwarded or replied to. The e-mail itself may consist of simply a message or may carry with it attachments containing files created in a variety of software applications, for example word-processed documents or spreadsheets.

## **6.2 Legal Issues**

E-mail messages may contain evidence of business decisions, actions, and transactions. Rules of disclosure are the same as for paper records and mean that departments may be obliged to provide access to e-mail messages in the event of a legal dispute or as part of RTI request. This can include messages on hard copy, on hard drives or on networks. **In terms of the Public Records Act, 1993, the e-mail messages are records and are to be managed accordingly.**

The Information Technology Act, 2000 grants legal sanctity to the electronic records and provides statutory support to the records management in electronic environment. It permits retention of records in electronic form with certain conditions primarily to ensure their accessibility and authenticity. While using e-mails for conduct of government business, the provisions of the Act must be adhered to.

The Right to Information Act, 2005 also provides that all records that are appropriate to be computerized are, within a reasonable time and subject to availability of resources, computerized and connected through a network all over the country on different systems so that access to such records is facilitated. Thus, the electronic records management is now a statutory obligation.

Para 50 (5) (17) of the Central Secretariat Manual of Office Procedure (CSMOP) provides that the e-mail can be used widely for subjects where legal or financial implications are not involved. The Policy Guidelines for Website Development, Hosting and Maintenance formulated by the Government of India provide that all the feedback received through the Department's Website should be treated as 'Receipt' as defined in the CSMOP and should be processed accordingly.

All these provisions must be supplemented with the Departmental instructions for effective use of e-mail.

### **6.2.2 Privacy and Security**

Not all the Government of India e-mail systems have security features such as encryption. E-mail should be used with the assumption that messages may be read by someone other than the intended recipient and users should not assume or have an expectation of privacy or security of their e-mail.

Privacy and confidentiality issues should be considered when choosing e-mail as a means of communication and the employee using e-mail for communication should follow the Departmental Security Instructions issued by the Ministry of Home Affairs.

Employees are responsible for the e-mail messages sent out under their name. To help ensure the integrity and authenticity of the e-mail messages employees should not

- leave their computer unsecured
- share their password(s) with others.

## **6.3 Composing e-mails.**

While creating e-mail messages, the following guidelines may be adhered to

- i. When responding to an e-mail message, the built in reply link may be used. An address directory may also be maintained on-line for frequent exchange of e-mails.
- ii. The existing guidelines for drafting communications should be adhered to in case of e-mails also.
- iii. Whenever possible, relevant link should be indicated in the e-mail text itself instead of attaching large documents.
- iv. Subject of the message text should be reflective of the issues dealt with.

## **7. Managing E-mails**

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E-mail records are messages created, sent or received on an e-mail system that are required by Government of India departments to control, support, or document the delivery of programs, to carry out operations, to make decisions, or to account for activities.

### **7.1 Determining which e-mail messages are records**

The following are broad parameters to identify which e-mail messages are considered Government of India records:

- Messages detailing the position or business of any department;
- Messages initiating, authorizing or completing a business transaction;
- Messages received from external sources that form part of a departmental record;
- Copies containing more or less information than the original record;
- Original messages of policies, procedures, guidelines and standards.

Where the records do not exist elsewhere:

- Messages related to work schedules and assignments;
- Agenda and minutes of meetings;
- Briefing notes;
- Final reports and recommendations.

#### **7.1.1 Are e-mail drafts considered records?**

The decision to retain e-mail drafts depends on the content of the draft and its function. Drafts showing the approval processes are considered records under the Government of India's records management policy. Therefore, they must be retained and filed by the originator along with any other records that support the approval process.

Do not file drafts where

- Copies are used for information or reference purposes only
- Additional information has been incorporated into subsequent versions
- Rough or working drafts are not required to document the steps in the evolution of a document
- They are received from outside the department and are used simply for information and/or reference purposes

#### **7.1.2 Are e-mail copies considered records?**

E-mail messages sent internally through departmental distribution lists, such as staff notices, are considered duplicate copies. They should be deleted once they have been read. *The originator*

should ensure that the original messages are captured and retained as departmental records. This would also apply to copies of e-mail messages sent internally between work groups/units, solely for reference or information.

Responding to the e-mail adds information and, therefore, creates a new original record. As the originator one must determine if this new message is a departmental record and needs to be retained.

### **7.1.3 Which e-mail messages should not be retained?**

E-mail that is required only for a limited time to ensure the completion of a routine action or the preparation of a subsequent record should not be retained. These e-mail records are not required to control, support or document the delivery of programmes and services, to carry out operations, to make decisions or to account for activities of the department and may include:

- Messages that are copies of records used only for convenience of reference and not as the official record
- Messages in a form used for casual communication
- Informal messages or rough drafts that are not required as evidence in the development of a document
- Messages that are duplicate copies
- Miscellaneous notices of employee meetings, holidays, etc.
- Messages received as part of a distribution list or received from listservs and other Internet sources, solely for convenience of reference.

E-mail messages such as those listed above may be deleted once they are no longer of use.

## **7.2 Responsibility for retaining e-mail records**

The **originator** of the e-mail should ensure that the official departmental e-mail record is retained and filed. This also applies to the **recipient** also of an e-mail message, for example, sent from an external source, where that record does not exist elsewhere in the Department and forms part of the departmental record.

In the instance where the originator has created an e-mail message for response from one or several recipients, it must be ensured that the original text and all responses that form the complete e-mail record are retained. Retention of e-mail messages depends upon their subject and the files in they are processed. **The Records Retention Schedule should be applied depending on the subject of the file and not the medium.** Irrespective of the medium in which the e-mails are being processed, the following details must be maintained alongwith the e-mails:

- i. Author's full name, designation, name of the organisation, telephone number and e-mail address.
- ii. Recipient's full name, designation, name of the organisation, telephone number and e-mail address.
- iii. Date and time of despatch and receipt
- iv. Subject or title of the mail
- v. Additional references, links and attachments
- vi. Security Grading, if any.

## **7.3 Filing E-mails**

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It is not necessary to keep more than one format of an e-mail record. However, the version kept will depend on the departmental policy. For example - if a copy of the e-mail message has been printed and filed or copied in some other system with the requisite details, the original messages may be deleted. Subject to the Departmental internal instructions, the e-mail user has the following three options:

- Retain the e-mail in the e-mail system
- Copy the mails with the requisite details and delete the original version.
- Print the mails alongwith the requisite details and file. The electronic version may be deleted.

### **7.3.1 Retaining e-mails electronically**

Electronic messages, pertaining to the conduct of Government of India business, must remain intact in terms of their content, context and structure:

- **Structure:** e-mails retain their layout and format together with links to attachments and related documents
- **Content:** what information is contained in the message
- **Context:** documents who was the sender and recipient, header information and time and date of the transmittal.

E-mail records retained in electronic format should be filed in accordance with the departmental record management practices and the file numbering system applied to the paper records. This will maintain a link between messages and attachments, and any related paper records created and stored in the section or the department record office. Where an e-mail addresses a number of subjects, it can be added to other applicable folders for cross referencing and to meet retention requirements.

### **7.3.2 Options For Retaining E-mails Electronically**

How and where e-mail messages are stored will depend on the technology architecture and resources available in the department. These e-mails may be kept:

- In MS Outlook/Exchange
- In Lotus Notes
- In Personal Directories and Files
- In workgroup shared directories or folders
- In an electronic document management system

Or, otherwise, may print to paper and filed appropriately.

It is important to consider who requires access to the e-mail records when deciding where they should be stored. E-mails stored on personal folders on MS Outlook or in Lotus Notes will be difficult to retrieve by other individuals who may require access to them.

#### **7.3.2.1 Microsoft (MS) Outlook/Exchange**

MS Outlook/Exchange allows users to create folders and sub-folders to organize and manage e-mail messages in their original format. This includes the transmission and receipt data and any attachments.

Users can create these folders directly in the Outlook mailbox and/or use public and personal storage folders. Public. Personal storage folders allow users to store e-mail messages on a Local Area Network (LAN) server or on a local hard drive, therefore not affecting the size limit of the mailbox.

Users should set up folders in Outlook/Exchange according to the file numbering system. This will organize e-mail messages in folders with other related records. Storing e-mails in the appropriate electronic folder maintains a link between e-mail messages and any other related records. Where required, public storage folders allow users to share records with defined work groups or committees as required.

For assistance with the various options available for storing e-mail messages in MS Outlook, NIC and IT Managers. For advice on establishing a file numbering system for e-mail messages, local O&M unit may be consulted.

#### **7.3.2.2 Lotus Notes E-mail**

Folders in Lotus Notes can be set up to correspond to the current paper file numbering systems. Applying the file numbering system to e-mail folders provides a method for managing email retention and deletion in accordance with approved RM policies and procedures. As in Microsoft Outlook, folders may be created by topics based on the departmental file numbering system, with sub-folders labeled with disposition dates underneath. Alternatively, folders may be created with disposition dates with sub-folders labeled with topics underneath.

When sending emails through Lotus Notes, the “Send and File” option should be used so that e-mails can be captured in the appropriate folder in accordance with the file numbering system.

#### **7.3.2.3 Personal Directories and Files**

Users can file and store e-mail messages in personal computer and directory workspaces. For easier identification and retrieval, organize e-mail messages using the file numbering structure used for paper and other electronic records. If e-mails are kept on local hard drives they are not accessible to other persons who may require access to them. In addition, the local hard drive is not automatically backed up. Users are responsible to ensure an adequate back up.

#### **7.3.2.4 Workgroup Shared Directories and Files**

If no Electronic Records or Document Management System (ERDMS) is available to users, the most effective way to manage e-mail messages is in electronic workspaces through the use of shared directories and files on the network. Users should establish these electronic workspaces based on the departmental file numbering structure. This will maintain a link between messages and attachments, and any other related records in the department

#### **7.3.2.5. Retaining Hard Copy Files**

If no other option is available and to ensure the retention and filing of e-mail records in an appropriate departmental file numbering system, users may print and file e-mail records. Each department should determine if the accompanying metadata needs to be retained when emails are printed. Users should consult NIC or the information technology support personnel to ensure that all metadata (the detailed information, in addition to name, date, time and email address, attached to each email) are printed with the messages. Lotus Notes does not have this capability, so third-party software would be required.

The loss of transmission and receipt data (metadata) is a concern for the evidential value of printed copies of e-mail messages.

### 7.3.2.6 Electronic Records and Document Management System (ERDMS)

The ERDMS provides greater control for the management, identification and retention of departmental records, documents and e-mail messages, and allows for the life-cycle management of records in electronic format. It also facilitates the sharing of records with a broader audience.

### 7.3.3 Managing Attachments

Records and documents transmitted as attachments to emails are subject to records retention requirements. It is possible to remove the attachment from the email, but if it is a primary document, certain restrictions must be respected. Attachments to email may be detached as long as:

- A note is placed in the email communication detailing the new location of the attachment;
- The attachment is stored on backed up media;

Attachments detached from the original email communication become separate records and must be retained according to the department Records Retention Schedule. After detachment takes place, the email communication may be viewed as a separate record and classified appropriately.

## 8. Accessing E-Mail

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### 8.1 Access to E-mail by Administrators

**The internal Departmental instruction should clearly specify the administrative set up for managing the e-mail system and the level of sharing of information between the users and the administrator. For example, if users are not available or are away from the office and managers or co-workers require access to department related-e-mail, access may be provided as required through the E-mail Administrators. To avoid these situations, e-mails of departmental nature must be saved in the appropriate folders on the shared drive for access by others.**

### 8.2 Remote Access to E-mails

Employees may detach records from Outlook/Lotus Notes to perform work remotely; however, when the work is completed, the records detached must be returned or emailed back to Outlook/Lotus Notes before sign off. All documents must be retained on department equipment.

- Do not save any records accessed through remote email on a home or remote PC.
- Always log out or sign off after remote usage.
- Departments should make all remote users aware of their risk of discovery by using the e-mail system remotely.

Employees using email remotely should be registered with their department. Registration policies should be developed by each department for this purpose.

### 8.3 Provide Access to Business-Related E-mail During Absences

MS Outlook and Lotus Notes have various options which can be applied to give others access to e-mail records on an ongoing or temporary basis. These options include:

- Storing e-mail records in shared public folders
- Providing access rights to others to specific mailbox folders
- Automatically forwarding e-mail to another individual
- Requesting an E-mail Administrator to give another individual full access to your e-mail account.

For assistance with these various options in MS Outlook/Lotus Notes, contact NIC or the departmental IT coordinator. Users should be encouraged to use other filing options outside of MS Outlook and Lotus Notes, as identified in section 4.3.2. Options for Retaining E-mails Electronically, to allow others access to e-mail records according to their business needs.

## **9. Managing E-mails When Employees Leave the Government**

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### **9.1 Filing E-mail When Leaving the Organization**

Prior to leaving the Department or transferring to another organizational area, users should ensure that all the official e-mails are properly filed and are accessible to their senior. The e-mails not fit for retention should be deleted in accordance with the Departmental instructions.

## **10. Retention and Disposition of E-mail messages**

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As with any departmental record, e-mail records may have various retention periods depending on their content. It is not possible to apply one rule to delete all e-mail messages after a defined period of time. Normally, e-mails are processed either in the e-file or in the paper file and, in such cases, therefore, their retention period will depend upon the nature and subject of the file and the retention schedule needs not be applied to the e-mails individually.

E-mail records may only be disposed of in conjunction with approved retention schedules. Retention schedules currently used for departmental paper-based records can be applied to e-mail records maintained in electronic format.

### **10.1 Deleting E-mail Messages**

It is the responsibility of the originator or recipient of the e-mail messages to determine which e-mails are records and must be retained and which can be deleted. The e-mails may be deleted, if Departmental instruction permits, immediately after they have been printed and filed or copied in other system with its attachments and other requisite details. Users should perform regular clean-ups of the e-mail "in-box" and "sent items" folder by filing e-mail records and by deleting the others. Regular clean-ups will prevent receipt of "mailbox full" messages, and will allow users to find and share records faster.

MS Outlook allows users to easily delete e-mail messages by highlighting the message and clicking on the delete button. If an e-mail is deleted accidentally, it can be restored from the deleted items folder by highlighting the item and dragging it to the appropriate folder.

Deleted messages remain in the deleted items folder unless they are deleted directly from this folder or until the user exits MS Outlook, at which time they are automatically deleted. They will not be automatically deleted if the "Empty the 'Deleted Items' folder upon exiting" option under Tools/Options is not selected.

E-mail messages may still be stored on departmental file servers or back-up tapes even after they are deleted from the desktop. Back-ups are performed on the e-mail system on a regular basis. Also, other recipients or senders may keep electronic or paper copies of the e-mail messages, and/or may have forwarded them to others. *Users should not assume that because they have deleted the e-mails from computer files they no longer exist.*

## **11. E-Mail System Management and Back-up**

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### **11.1 E-Mail System Logs**

Individuals monitor their own e-mail for retention purposes, but “systems” also have records that need to be managed according to the Records Retention Schedules. The best practice managing system logs must be applied and a records series (e-mail system logs) included in the Records Retention Schedule.

### **11.2 E-mail Archiving**

Archived e-mail in Outlook/Lotus Notes is no different than any other e-mail and is subject to Records Retention and Disposition Schedules. E-mail archiving is simply moving inactive email out of the active database to another database or server to free up mail server storage space. Departments should develop policies and procedures to support e-mail archiving which ensure:

- That the original folder structure is maintained.
- Compliance with the Records Retention Schedules.

### **11.3 Back-up Business Recovery Tape Management.**

E-mail copied into back up tapes is managed by the systems administrators but is not considered a primary copy. The data on these tapes must be managed based on documented and established retention policies by each department. Backup tapes fit the statutory requirement of the definition of a record. However, backup tapes for business recovery cannot be used for records management purposes, since there are no business rules applied to them. (i.e. Archiving or preservation). Each department must develop their own policy, define the retention period for backup tapes and add the item and retention period to their department Records Retention Schedule. The best practice regarding backup/business recovery tapes is to retain these tapes the *minimum* amount of time to perform the necessary business recovery objectives, then erase.