
Meeting Minutes of Accessibility Committee, District Court Bahraich

The Accessibility Committee meeting for District Court Bahraich took place on 01.06.2024 at 10:30 AM in the chambers of Sushri Kavita Nigam, Special Judge SC/ST Act, Bahraich. The meeting was chaired by Sushri Kavita Nigam, with Shri Krishna Kumar- VII, ACJM Bahraich, and Shri Badshah Pandey, Advocate, in attendance. The presence of System Officers added valuable insights to the discussion of technical points.

During the meeting, members deliberated on the points outlined in the SOP received from the Hon'ble Supreme Court of India, emphasizing the need to provide robust support and special accommodations for lawyers, judges, and litigants with disabilities. While the aforesaid measures must be implemented with urgency and seriousness, it is important to recognize that, in many High Courts and District Courts, hard copy [physical] filing is still the norm.

The District Court Bahraich and Bar Association Bahraich should ensure that a disabled lawyer can choose to file documents electronically. Currently, physical filing is the standard practice. While some lawyers may have assistance from their attorney or clerk, not everyone can afford this help. Placing the burden on the disabled lawyer to manage physical filing goes against the Rights of Persons with Disabilities Act, 2016. To address this, the court registry can keep a list of disabled lawyers practicing in the court. When a lawyer on this list files a case, they should have the option to file digitally. This digital filing option should cover the entire legal process. Overcoming accessibility barriers is an on-going challenge that requires continuous institutional attention.

As mentioned above, a disabled lawyer/litigant/judge can request the Committee to enable him/her to access any filings in digital format that comply with the accessibility protocols outlined in this Standard Operating Procedure as well as to make their own filings using the e-filing.

As per the request of System Officer, the official email address of the Committee is required for this process and it should be widely publicized on the website of the Bahraich District Court. A disabled lawyer, litigant, or judicial officer can contact the Committee via email to request access to accessible filing. Upon verifying that the requesting party's name is contained in the database of disabled lawyers maintained by the concerned Court, the Accessibility Committee should issue an order directing the registration section

to comply with the request for providing accessible filings in a given matter within a reasonable time period as prescribed by the Accessibility Committee. System Officer directly supports these individuals as per the SOP.

The composition of the Committee and its contact details must be publicized on the website of the District Court Bahraich. Any accessibility challenges faced by the disabled in accessing the justice system can be brought to the Committee's attention and must be dealt with in a swift and effective fashion, in a manner consistent with the Rights of Persons with Disabilities Act, 2016, and the rules framed thereunder. The Committee should also publish, on a half yearly basis, data as to how many requests for accessible filings/court documents or any other reasonable accommodation were made to it and how many amongst them were disposed of.

As technology proceeds at a rapid pace, so do the standards to ensure accessibility as per the verification of this committee. Relevant courts, should conduct regular trainings for lawyers and court staff on: [a] creating accessible documents and [b] dealing with the needs of persons with disabilities with appropriate care and sensitivity. System Officer has provided detailed instructions on how to prepare accessible court documents in accordance with the standard operating procedure (SOP) that was received.

Procedure for Preparing Accessible Court Documents:

1. The original text material and documents [including main petition or appeal, interlocutory applications etc.] can be prepared electronically using Microsoft Word or LibreOffice Writer software.
2. When creating a document, there are a few basic steps that should be followed in order to ensure the document is accessible. The core steps needed for accessibility are:
 - a. Use headings (Build-in Heading styles available in Styles tab must be used).
 - i. Headings should form an outline, using the “Heading 1” style for the main heading, and “Heading 2” for sub-headings. If there are additional levels of headings within the document’s outline, using “Heading 3”, “Heading 4”, etc.
 - ii. Use lists (Build-in lists styles must be used)
 - iii. Use meaningful hyperlinks. Ensure that the text of the hyperlink serves the purpose.

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- iv. Provide an image description of pictorial evidence. In other words, add 'Alt Tag' to images, shapes, smart art or charts.
 - v. Using accessible fonts:
 - vi. For newspaper cuttings and other forms of evidence that are illegible/ image-based, provide a plain text transcript of the same.
 - vii. Text in the document should not be underlined, as it hampers smooth access for the disabled.
 - viii. These include Arial and Calibri. Font size 13. Line spacing 1.5. Gap between two paragraphs should be 20 cm. Cursive fonts should not be used.
 - ix. All capitals in the text, mostly used in title of the applications are also a challenge to accessibility of text. Thus sentence case should be used and small caps should be avoided.
 - x. The paragraphs in the document should be left-aligned. Although justified text may look more visually appealing, it must be avoided as extra spaces within lines make it inaccessible for users.
 - xi. Identify document language.
 - xii. Use tables wisely, by clearly labelling column and row headers. The headers must be in the first row only. If need be, more detailed labelling for CSV type formatting would be good [e.g. spreadsheets found on data.gov.in]. Do not use 'merged cells' or 'split cells' or do not put in blank lines.
 - xiii. Regional/vernacular content must be rendered in unicode font.
 - xiv. Use sufficient colour contrast between the foreground text and background colour. Use accessibility checker or applications like Color Contrast to analyse the document for insufficient colour contrast.
 - xv. Use the Accessibility Checker for ensuring that the document contains no errors or warnings.

3. The documents should be converted into Portable Document Format (PDF) using any PDF converter or in-built PDF conversion plug-in provided in the software.

4. Fonts in PDF documents should not be compressed. To this end, when optimizing PDFs for size, ensure that this is done without unembedding the fonts or their subsets. When compressed fonts are used, the screen reader used by the visually challenged reads multiple words together, without spaces.

5. Documents in Electronic Publication [EPUB] format make for a more conducive reading experience. To the extent possible, all documents should be made available in e-Pub format.

6. Documents prepared using automatic workflow methods, such as dynamic PDFs, must be made accessible to persons with disabilities.

7. Generating Accessible PDFs:

(i)- Microsoft Word (Windows) Go to File > “Save As...” and select PDF from the choices provided. By default this produces a PDF that preserves the document’s accessibility features. When saving, select Options and be sure that “Document structure tags for accessibility” is checked. This is checked by default but could become unchecked under certain circumstances.

(ii)- LibreOffice Writer- Open the file you wish to save. Go to "File" and “Export as PDF”.

8. If you select “Minimize Size” to reduce the size of your PDF, be sure to repeat the preceding step, as this option might uncheck the “Document structure tags for accessibility” checkbox.

9. When saving, be sure the radio button labelled “Best for electronic distribution and accessibility” is selected.

Checking Accessibility:

(i) In Microsoft Word :- Select Review Tab -> Select Check Accessibility.

(ii) In LibreOffice Writer:- Select Tools Tab -> Select Accessibility Check.

Review your results. You'll see a list of errors, warnings, and tips with how-to-fix recommendations for each.

10. PDF Remediation :- In exceptional circumstances, for instance where certain documents that are to be enclosed are originally in hard copy form and have to be scanned, they must be in Optical Character Recognition (OCR) enabled PDF format. They should not be scanned using poor quality solutions like Cam Scanner, or by taking pictures of the physical copy. The document should be scanned using an image resolution of 300 dpi (dot per inch). This exception of scanning documents is only allowed if the document that is to be scanned is legible and has not been electronically prepared using Microsoft Word or LibreOffice Writer Software by the advocate or the party concerned. If the document is illegible, it must be typed and directly converted to PDF.

11. Bookmarking :- The text documents prepared in Microsoft Word/LibreOffice Writer as well as scanned documents should be merged as a single PDF file and any PDFs generated through merging or otherwise should be book-marked. Any free open source or paid software can be used to split and merge PDFs and add bookmarks. Preferably headings should be used as bookmarks.

12. Digital Signatures :- All documents should be digitally signed.

13. Pagination: The process of pagination needs to be more accessible and streamlined. The Court need to develop proper mechanism for the same by issuing appropriate practice notes or directions. The properly paginated paper-book can be shared with lawyers. This will ensure that lawyers and judges work with the same pagination and are able to communicate with each other more seamlessly during oral arguments. In addition to improving accessibility, this will also enhance judicial efficiency.

14. The Registration section can publicly display the last page of the filing to enable the lawyers to electronically paginate their filings for, inter alia, any additional documents, interlocutory applications and miscellaneous application.

15. Footers can be used to insert page numbers so that they can be read by screen readers.

16. A tagged PDF includes hidden accessibility mark-ups that, when properly applied, help to optimize the reading experience of those who use screen readers and other assistive technology. Tags can be added to untagged documents using Adobe Acrobat Pro. There are several ways to do this:

(i) add tags from the Make Accessible Action Wizard (Acrobat Pro Latest Version);

(ii) add tags from the Accessibility Checker results; or

(iii) add tags manually via the Tags panel. For example, "Add tags to the Document" feature of Acrobat Pro can be used to add tagging to the document.

(iv) In LibreOffice Writer, Open the file you wish to save. Go to "File" > "Export As" > "Export as PDF". It will open PDF options window. Select "Archive (PDF/A)", "Universal Accessibility (PDF/UA)" and "Tagged PDF (add document structure)" options. Click the Export button. This will create tagged PDF file.

17. Ensure that the tagged PDF's reading order is logical.

18. Set the document's primary language. This helps screen readers to detect the language of the text and switch to the appropriate text to speech synthesizer. When there are parts of the document which are other than in the primary language, make sure to set their appropriate language.

19. Document Size, Page Layout, Line numbers, Page colour, Page Border, Margins and orientation must be insured as per SOP.

20. Add the document title so that it is reported in the toolbar and screen reader pronounces the document title correctly.

21. Use high-contrast colours. Or ensure that the foreground colour of the text against the background colour meets the ratio of 4*5*1. Add the tags as per the content structure such as marking the content as headings, lists, tables, footnotes, endnotes.

22. Ensure that the page thumbnails and tab order are aligned from the page properties as the users of screen readers use tabs to navigate a pdf.

23. Make sure to tag all form fields and include relevant description so that the PDF forms can be filled independently by screen reader users. This will only be relevant if any forms are prescribed in PDF format for e-filing.

24. E-Stamps should be used instead of physical stamps as physical stamps cause difficulty in a screen reader being able to access the text. Whenever physical stamps have to be used, these stamps should not be placed in the pleadings but instead on a separate white paper. Physical stamps should not be placed on judgement copies.

25. Security settings of PDFs must be configured to enable 'copying content for accessibility'. Specifically, in the security tab of the document properties, verify that "copying content for accessibility" is allowed.

26. Avoidance of Use of Water Marks. They make PDFs inaccessible [by coming in the way of the screen reader being able to interact with the textual content directly] and should not be used.

27. Handwritten content cannot be identified by screen readers. Therefore, all such data points must be typed out.

The above mentioned points are the part of Standard Operating Procedure for Preparing Accessible Court Documents

The report is being submitted for the kind perusal of the Court.

(Krishna Kumar-VII)

Member, Accessibility Committee,
ACJM, Bahraich

(Kavita Nigam)

Chairperson Accessibility Committee
Special Judge SC/ST Act, Bahraich

(Badshah Pandey)

Member, Accessibility Committee,
Advocate, Bahraich

(Vaibhav Singh Chauhan)

System Officer, Bahraich