NALSAR CCTV Policy

I. Scope

1. This policy explains and regulates the purpose, use, and management of the CCTV system placed in and around NALSAR University of Law (hereinafter, "NALSAR").
2. The purpose of placing the surveillance system by NALSAR is to be in compliance with the Andhra Pradesh Public Safety (Measures) Enforcement Act, 2013 and therefore shall not be used for any purpose save for complying with the duly authorized directives of the empowered Centre and State agencies or the processing of internal complaints in compliance with this policy.
   2.1. In no circumstance shall the live feed of the internal cameras be activated or used.
   2.2. The external cameras shall face outwards of the NALSAR Campus and is only for the purpose of monitoring of approaches to and egress from the NALSAR Campus.
3. The ownership of the personal data of all data subjects shall rest with the respective data subjects themselves, except as required for the execution of this policy.
4. NALSAR recognizes the right to privacy and protection of personal data of every data subject.
5. The CCTV system has been installed by NALSAR with the sole purpose of complying with the law and in accordance with the conditions laid down in this policy. The use of the CCTV system shall be in strict adherence with this policy and is applicable to every data subject.
6. This policy shall be notified to incoming or prospective students, staff, etc. along with the prospectus of NALSAR.
7. Nothing in this policy shall prevent NALSAR from complying with duly authorized directives of the Centre and State agencies.
8. No CCTV or any similar system shall be installed within the NALSAR Campus unless their installation is in accordance with this policy.
9. The usage of footage under this policy is to be governed by principles of notice, consent, proportionality, and legitimate purpose.
10. In cases wherein the definition of a term is ambiguous, vague or in dispute, the definitions under Information Technology Act, 2000 and its corresponding regulations shall apply.

II. Definitions

1. "*access*" with its grammatical variations and cognate expressions means gaining entry into, instructing or communicating with the logical, arithmetical, or memory function resources of a computer resource or the CCTV system
    a. The term "*access*" includes physical access and virtual/remote access.
        i. "*physical access*" includes actual hands-on, on-site access to the CCTV system and/or network hardware, or other parts of a hardware installation.
        ii. "*virtual/remote access*" includes access to the surveillance system and/or network hardware, or other parts of a hardware installation through satellite, microwave, or terrestrial transmission or any other means other than physical access.
2. "*authorized person*" includes the following persons:
    a. Any person who is presently a member of the FRC;
    b. Any person who is presently a member of the MRB; and
    c. Any person who is presently a member of a disciplinary committee that is allowed access by a duly constituted FRC by the procedure given in this policy.
3. "*CCTV*" means any closed circuit television camera that is owned, leased, rented, or used by NALSAR.
4. "*CCTV system*" includes
    a. Any CCTV, computer resource, or equipment used by NALSAR which is installed or placed within or around the NALSAR Campus for the purpose of video, image or audio monitoring and surveillance of any persons or locations; and
    b. The data or a collection of data or any combination of data derived, extracted, or taken from any resource given under Section II 4 (a).
5. "*disciplinary action*" indicates any proceeding initiated by a disciplinary committee.
6. "*Concerned CCTV footage*" means only the footage that pertains to the data that has been requested by a disciplinary committee.
7. An area is said to be under "*coverage"* when it is visible through any recording or monitoring device connected to the CCTV system.
8. "*data*" includes any representation of information, which is being prepared or has been prepared, in a manner with the intention to be processed, is being processed, or has been processed, in a computer database, computer system, computer network, or from the CCTV system and may be in any form including but not limited to electronic form and printouts etc., or stored internally in

the memory of a computer, or any other medium such as cloud storage, hard drives, pen drives, DVDs, etc.

9. "*data subjects*" includes all natural or legal persons whose data is processed.
10. "*discussion rooms*" includes any room in the entirety of the Academic Block that is not an office or a bathroom or a classroom.
11. "*disciplinary committee*" refers to the Redressal Committee, Proctorial Board or Internal Complaint Committee, as is applicable as per the Hostel Rules.
12. "*FRC*" means the Footage Release Committee.
13. "*exterior boundary walls*" indicates the zones marked as such in Annexure 1.
14. "*external camera*" refers to any CCTV that is placed on the exterior boundary walls and is not facing the inside of the NALSAR Campus.
15. "*information*" includes any message, text, image, sound, voice, code, or any identifiable unique information that is collected through the CCTV system.
16. "*internal camera*" refers to any CCTV other than an external camera.
17. "*footage*" includes any data recorded or streamed by the CCTV system.
18. "*local storage*" includes the internal and external storage on the CCTV.
19. "*live feed*" refers to monitoring of an area using the CCTV system which occurs in real-time.
20. "*monitor*" with its grammatical variations and cognate expressions, includes to view or to inspect or listen to or record information by means of any monitoring device.
21. "*MRB*" means Monitoring and Regulating Body.
22. "*notice*" means an electronic and/or physical communication, the receipt of which by the addressee is confirmed through a read-receipt.
23. "*personal data*" includes all information relating to an identified or identifiable person.
24. "*policy*" refers to NALSAR CCTV Policy.
25. "*public record*" means a record which is made available in the NALSAR Library.
26. "*processing*" with its grammatical variations and cognate expressions means any operation with data, irrespective of the means applied and the procedure, and in particular the collection, storage, use, revision, disclosure, archiving or destruction of data.
27. "*restricting*" with its grammatical variations and cognate expressions means any action which results in or causes to result in denial of access and/or use to any person from using the CCTV system.
28. When referencing CCTV system, "*use*" includes but is not limited to

a. Access, archiving, copying, collecting, concealing, deleting, destroying, disclosure, downloading, examining, extracting, monitor, obtaining, restricting, retaining, revising, removing, securing, sharing, stealing, storing, tampering or uploading of data from the CCTV or the memory cards placed in the CCTV, and/or placed, recorded, moved, transferred, shared or sent to any other medium such as text, image, cloud storage, hard drives, pen drives, CDs, DVDs, etc.

III. Notice and Consent

1. There shall be a public notice board at the entry and exit points of NALSAR indicating that a CCTV system is being used on the NALSAR Campus.
2. Prior to the release of any footage for a disciplinary action, the accused shall be privately notified by the FRC within a period of 3 days from the filing of the complaint. The notice can be communicated in electronic form and shall contain a declaration of intention of usage of the Concerned CCTV Footage, the reasons necessitating their usage, and a declaration that the usage of the same shall be limited to only that which is absolutely necessary, and not in violation of the privacy of any person concerned.
3. The notice given to the accused shall include the following:
    a. The date and time-period of the recording of Concerned CCTV Footage; and
    b. The location of the concerned CCTV;
    c. The relevant persons and committees the Concerned CCTV Footage may be divulged to after due consideration; and
    d. The period and purpose for which it may be utilized.
4. On occasion of the release of any footage by the FRC to the concerned disciplinary committee or any duly empowered Centre or State agency, insofar as allowed by the law in force at the time and with due and necessary regard for the privacy of the concerned data subjects, the time of the Request under Section VI (3) and the reasons provided that necessitated the release of the Concerned CCTV Footage as enumerated under Section III (2) shall be released as public record within 2 weeks of the conclusion of the relevant proceedings.

IV. Camera Coverage

1. CCTV to be used for the purposes specified in this policy may be installed in any location except in the following:

a. Hostel compounds;
b. Living quarters or other residential facilities;
c. Restrooms and bathing facilities;
d. Classrooms and discussion rooms;
e. Offices of faculty and staff members;
f. Inside the Mess;
g. Inside the Library.

2. The list specified in Section IV (1) is not exhaustive, and any CCTV installation may further be contested on the grounds that their presence would violate data subjects' right to privacy, be inconsistent with the maintenance of the smooth running of a residential life, negatively affect the preservation of an environment that encourages free academic and intellectual inquiry, or be inconsistent with any other values important to the NALSAR community.
3. The prohibitions in Section IV (1) also prohibits installation of any CCTV system that would allow the coverage of the interior of the designated locations.

Illustration: It is not allowed to install cameras outside of the Residential Complex while facing the interior of same, though it is allowed to install cameras outside residential complex facing the exterior.

4. Cameras positioned to allow the coverage of the entry point of the listed locations may be allowed, subject to the conditions enumerated under Section IV (1) and Section IV (3).

V. Footage Storage and Live Feed

1. Live feed monitoring
    a. Live feed monitoring shall only be conducted for the external cameras as specified in Annexure 1.
    b. Such monitoring shall only be conducted by the MRB, as per the purposes specified in Section I and under the conditions specified in Section VI.
2. Internal Cameras
    a. Footage recorded by internal cameras, as specified in Annexure 1, within the NALSAR Campus shall be stored only on the local storage hosted on the camera itself except as specified in Section V (5).
    b. Access to the local storage on the camera shall be restricted through all reasonable

physical and technical means, including lock-and-key mechanisms, encryption of the local storage, etc.

3. Access to the footage recorded by internal cameras shall only be allowed by permission of the FRC as per the procedure given in Section VI.
4. The MRB will be the only body with the keys, physical or and technical, to the CCTV system.
5. For security purposes, a single backup of total footage from internal cameras may be kept with the MRB. Such a backup shall also be protected through all reasonable physical and technical means, including lock-and-key mechanisms, encryption of the storage, etc.
6. No footage from internal cameras or external cameras, including backups, shall be stored beyond the time period specified in Section XI.
7. Unless specifically requested to do so by the Centre or State agencies in compliance with the law in force at the time, the CCTV system installed or placed under this policy shall not be configured or activated to record audio.

VI. Accessibility to Footage

1. No individual shall view, release, make available or use the CCTV system except in accordance with the the procedures enumerated under this section.
2. The MRB shall consist of an authorised representative in charge of restricting access to the CCTV system and of monitoring the external cameras, supported by a staff as necessary.
    a. The authorised representative and the supporting staff members of the MRB shall be selected by the Vice-Chancellor in consultation with the Executive Body of the SBC.
3. Footage shall only be requested in circumstances that the disciplinary committee deems to be exceptional and extraordinary in nature and which cannot be resolved by any means other than by accessing the Concerned CCTV Footage. The procedure under Section VI (4) must be followed.
    a. The Request must be made by means of an official notice to the Vice-Chancellor, who shall communicate it to the FRC for the Request. The concerned disciplinary committee must submit in the request the reasons which necessitate access to the Concerned CCTV Footage.
        i. This request shall be placed on public record.
4. Any footage shall only be released to the concerned disciplinary committee after due consideration regarding the necessity of the release of the footage in question by the FRC.

a. In cases wherein there is a complaint by a student, the FRC shall consist of:
    i. One (‘1’) student and two (‘2’) teachers.
        1. The teachers are to be selected by the Vice Chancellor.
        2. The student is to be selected by a process of nomination initiated by the student executive council from a pool of volunteers whose names are requested at the beginning of the semester.
        3. Neither the student nor the teachers shall be a part of any disciplinary committee.
b. In cases wherein there is a *suo motu* complaint, Request or disciplinary action undertaken by NALSAR, the FRC shall consist of:
    i. Two (‘2’) students and one (‘1’) teacher
        1. The student is to be selected by a process of nomination initiated by the student executive council from a pool of volunteers whose names are requested at the beginning of the semester.
        2. The teacher is to be selected by the Vice Chancellor.
        3. Neither the students nor the teacher shall be a part of any disciplinary committee.

Explanation 1: An individual may be a member of the FRC in the circumstances enumerated under both Section VI (4) (a) and Section VI (4) (b) if the respective appointment authorities deem it necessary.
Explanation 2: The existing FRC shall continue to exist until the new FRC is constituted for the next semester. *Provided,* that in cases wherein the student would have graduated by the next semester, the selection process shall take place for that post.

c. Such footage shall only be used by the concerned disciplinary committee making the request for access to the same, and even so only in accordance with the purpose for which it is released and in relation to the action for which it is released.
d. No person with any direct interest or involvement in the ongoing disciplinary actions shall be a member of FRC under Section VI (3) (a) or Section VI (3) (b).

5. The FRC must mandatorily come to a decision on the release of the Concerned CCTV Footage within a period of 3 working days from the date of the filing of the request for release by the concerned disciplinary committee, failing which the footage cannot be used as evidence.

VII. Misuse and Abuse

1. Authorized persons are permitted to access the CCTV system only on the following conditions and for the following purposes:
    a. By the FRC
        i. Only to analyse whether the footage in question contains the act which the data subject has been alleged of committing.
    b. By the MRB
        i. Only for monitoring the border and entry and exit points of the NALSAR Campus;
        ii. For the upkeep of the CCTV system and deletion of the data in accordance with Section XI of the policy.
    c. By the concerned disciplinary committee, for the purpose of the concerned action, as allowed by the FRC as under Section VI (3) (c).
2. Save for the provision enumerated under Section VII (3), any use of the CCTV system other than for the purpose laid down under Section VII (1) shall be considered 'Misuse' and the penalties specified in this policy shall apply.
    a. Misuse also includes direct use and indirect use
        i. "*direct use*" with its grammatical variations and cognate expressions includes but is not limited to
            1. employing any means, which includes but is not limited to actions which results in or causes to result in
                a. installing, placing or introducing any computer virus, computer contaminant, exploit, keylogger, malware, spyware, trojan, virus, vulnerability or rootkit into the CCTV system.
        ii. "*indirect use*" with its grammatical variations and cognate expressions includes but is not limited to
            1. aiding and/or abetting and/or facilitating and/or incentivising and/or assisting any other person to use the CCTV system, or
            2. aiding and/or abetting and/or facilitating and/or incentivising and/or assisting any other person to employ any means, which includes but is not limited to actions which results in or causes to result in

a. installing, placing or introducing any computer virus, computer contaminant, exploit, keylogger, malware, spyware, trojan, virus, vulnerability or rootkit into the CCTV system.

3. The following acts shall specifically constitute "*abuse*" and shall be deemed a violation of this Policy:
    a. The leaking of the Concerned CCTV Footage to any non-party to the ongoing disciplinary proceedings; or
    b. Using the Concerned CCTV Footage that has been released for a particular disciplinary purpose to institute a subsequent complaint against the same or another student or for any other purpose whatsoever; or
    c. Any tampering or unsolicited destruction of footage or the CCTV system; or
    d. Usage of CCTV system by any authorized person that is for any purpose not in consonance with the provisions of this Policy.

VIII. Penalties

1. In the event of any Misuse by any authorized or unauthorized person, the authorization of the offender shall immediately be revoked, and he/she shall be disqualified from the FRC or the MRB, whichever is applicable, and barred from being a member of any future FRC or MRB, and shall be liable to pay a fine of Rs. 1000 payable within a period of 30 days.
2. In the event of any Abuse by any authorized or unauthorized person, the authorization of the offender shall immediately be revoked, and he/she shall be disqualified from the FRC or the MRB, whichever is applicable, and barred from being a member of any future FRC or MRB, and shall be liable to pay a fine of Rs. 3000 payable within a period of 30 days.
3. In the event of any vandalism of the CCTV, a fine equivalent to the damage caused to the CCTV shall be imposed on the offender which shall be payable within a period of 30 days.

IX. Appeals

1. The Appeal process will be commensurate to the concurrent Appeals process set out in the Hostel Rules. The final appeal in any case will lie with the Vice Chancellor.
2. Following the intimation of notice under Section IV, the accused shall be allowed to make a representation to the Vice-Chancellor against the release of the Concerned CCTV Footage. Should the Vice-Chancellor be satisfied with the same, the Concerned CCTV Footage shall in no

way be used for the concerned proceedings.

3. The complainant shall have the right to appeal to the Vice-Chancellor on the occasion that the FRC does not come to a decision within 3 working days from the filing of the complaint. The Vice-Chancellor shall then have the power to direct the FRC to come to a decision within 24 hours.

X. Rights of the Accused

1. The Accused shall not be made to sign a document of admission in exchange for non-review of the Concerned CCTV Footage and as such this document of admission will have no value as evidence.
2. The Accused shall have a right against coercion with respect to any admission or confession being submitted in lieu of NALSAR restricting access to the relevant footage or any other footage.
3. Technical failures in the CCTV system is no bar for the disciplinary proceeding to be delayed.
4. The Accused has the right to ask for removal of the footage, if the FRC decides that the footage need not be released, or after the concerned disciplinary committee has taken its final decision.

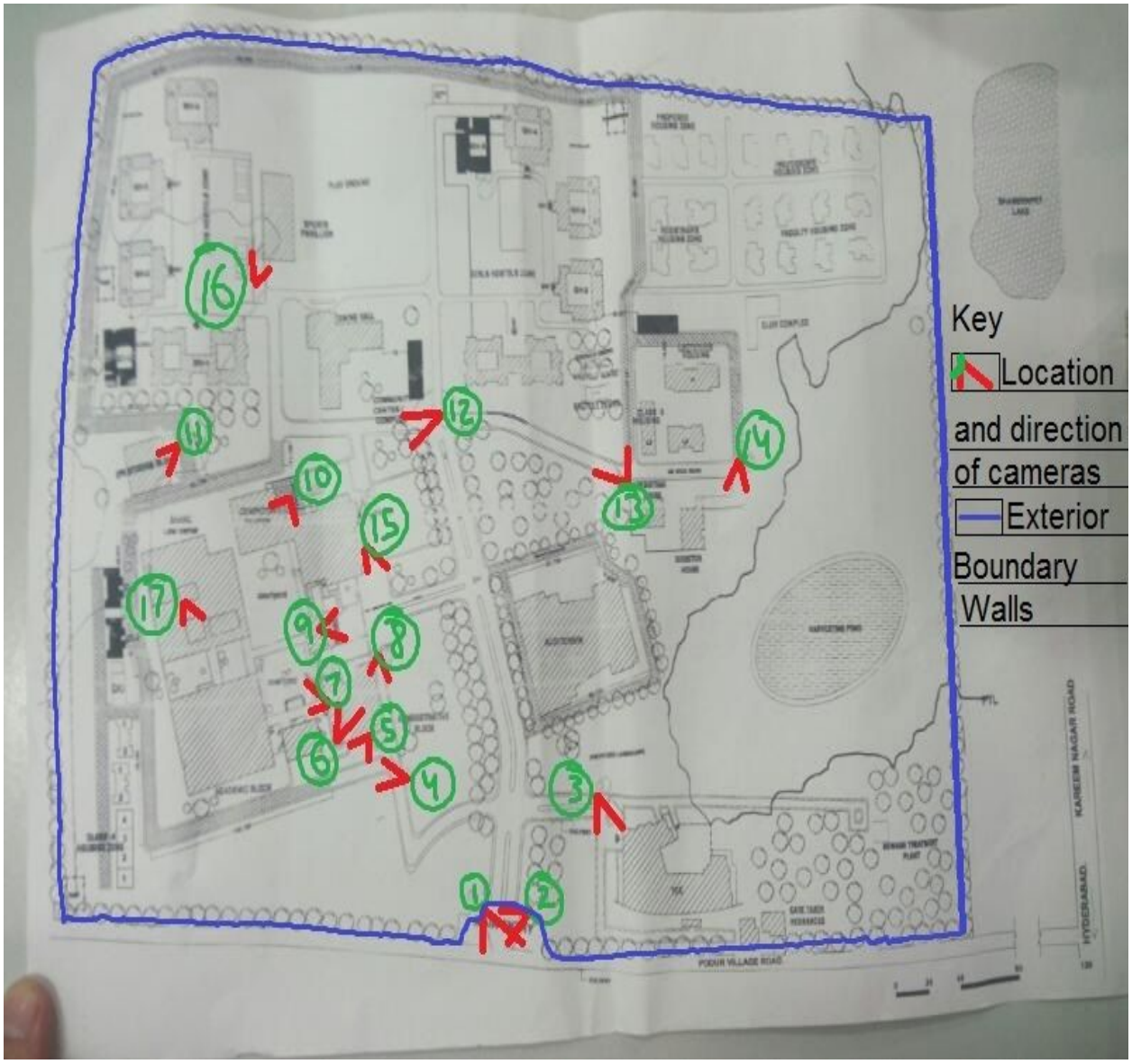
XI. Security

1. NALSAR shall undertake all reasonable practices to ensure that the CCTV system is secure, and shall follow reasonable and necessary data security measures at all points of time.
2. The data accessed by the disciplinary committees shall be used only for the purpose for which the footage has been requested as per Section VI.
3. Excluding the duly authorized directives of the Centre and State agencies, the data collected by the CCTV system shall not be transferred to any third party without the express notice to the data subject and such data subject's consent regarding the same.
4. No data collected from the CCTV installations shall be stored by NALSAR beyond thirty days.
    a. The MRB shall be responsible for deleting the data.
    b. *Provided*, any footage which has been retained by NALSAR beyond thirty days shall be allowed for purposes specified in the Policy. Such footage shall be deleted once the relevant use of that footage is completed.
5. NALSAR shall allow the student body to audit the security of the CCTV system every two years and ensure that the reasonable and necessary data security measures are being followed.

XII. Amendment

1. Any amendment to this Policy shall be made only after:
    a. an invitation for comments on the proposed amendment(s); and
    b. a consultation with the General Body through an Open House meeting; and
    c. a committee created by the SBC for the purpose of mooting the amendments for the purpose specified.
2. Any amendment to this Policy, including but not limited to any addition, replacement or movement, of the CCTV system as given in Annexure 1, shall be passed by a simple majority of a General Body meeting of NALSAR students.
3. This Policy as a whole may be reviewed once every three years by a committee formed by the SBC.
4. Any changes to the structures on NALSAR campus shall including the construction of new buildings and changes to the boundary wall shall be duly updated in Annexure 1.

Annexure 1


Key
Location
and direction
of cameras
Exterior
Boundary
Walls
KAREEM NAGAR ROAD
HYDERABAD
POOJA VILLAGE ROAD