

Regulations of CCTV Camera Systems in Pocket A, Sector 37, Faridabad

Residents of Pocket A, sector 37 Faridabad have implemented the RWA -37 scheme of installation of CCTV cameras on 50-50 partnership basis. We the residents of Pocket agree to adhere to the following rules regarding the use, maintenance and expansion of CCTV cameras in the pocket.

Though certain neighbouring states have come up with notifications with the powers of Lt. Governors, but in the absence of similar rules in Haryana, the following rules shall remain in force unless, Govt of Haryana, or Central govt, comes up with any rules for a similar subject by legislative or other means.

1. Definitions

- a. 'Public Space' means any space where general public has access and has been notified by the appropriate authority.
- b. 'Data' shall have the same meaning as defined under clause (o) of the sub-section (1) of section 2 of the Information Technology Act, 2000(21 of 2000)
- c. 'Data Controller' means the entity, which has control over the data collected by CCTV Systems.
- d. 'Personal information' shall have the same meaning as defined under clause (i) of sub-rule (1) of rule 2 of Information Technology Rule, 2011 frame by the Central Govt under section 8 read with section 43A of Information Technology Act, 2000(21 of 2000)

2. Purpose of the installation?

Surveillance of public space. Personal safety and security. Security of private premises.
Management of public order. Traffic management.

3. Details of the installations:

- a. Name of the Owner/Person or Establishment: RWA , Sector 37, Faridabad.
- b. Name of the data controllers: Vikas Bansal, House No, Sandeep Chhabra, House No, Anu Gera House No, Dinesh Ganotra , House No.....
- c. Type of Establishment: Resident Welfare Association.
- d. Details of Company who has installed the CCTV camera System: _____
- e. Camera Locations: See attached diagram.
- f. Recording mechanism: N-DVR
- g. No of days for which the footage is stored: Minimum 7 days. It may increase upon less activities observed by cameras. Presently cameras are operating between 15 to 25 fps, with no video management. So far 16 cameras are operative, however, a provision of another 16 is in process.
- h. Details of the authorized persons who have access to the data collected:
- i. Whether any private security agency has been hired to monitor the CCTV information? No, but we do have hired guard agency to operate the barricades etc, but they do not have access to this data.

4. Rules and regulations

- a. The owner and authorized persons will take utmost care that the right to privacy of the residents is not violated.
- b. Who can have access to the footage?
 - i. Anyone who is the resident of the Pocket, provided, he/she or his/her owner of the house has paid the camera and security guard dues. If anyone has not paid, but is willing to pay, will be allowed after clearance of all dues.
 - ii. Law enforcement agencies.
 - iii. Anyone who is a member of RWA Sector 37, provided he/she is paid all dues of the respective pocket dues of guards and other collections. The resident should be vouched by anyone from that pocket, or anyone nominated by president RWA.
- c. The data controller (as mentioned in the 1 c), will first ensure with the help of authorized person as mentioned in section 3 h, that the access to the data is the purpose as mentioned in section 2. The specificities to the access to the data are given below:
 - i. There is a high degree of probability that a serious crime has been or will be committed.
 - ii. Evidence of such a crime would be obtained by accessing the protected information sought.
 - iii. Any excess information collected will be properly destroyed or returned.
 - iv. Information is accessed only by the specified authority and used for the purpose for which authorisation was given.
- d. Who can have copy of the footage?

After having satisfied the conditions as laid in section 4c above, anyone who is above 18 years of age, and is willing to sign an undertaking that the use of the footage in social media will be solely his/her responsibility. The authorized person may personally access the maturity of the requesting person/party and may deny the footage in case he /she deem fit. In case of dispute the requesting party may approach RWA. The decision of president RWA will be final.

- e. CCTV cameras have become the eyes and ears of establishment to prevent criminal activity. Indian law does not determine what privacy is, but only the situations where privacy will be afforded legal protection. Surveillance footage may be misused stalking or personal abuse. The authorized persons will make all efforts to ensure the prevent of such misuse.
- f. Even though a minimum of 7 days data is retained, however, in case some particular data is copied separately, the authorized person will make sure that that data is not retained indefinitely , that data is not shared and disclosed to unauthorized third parties and that unauthorised parties do not have access to collected and intercepted data.
- g. In case of some statistics is being collected like the number of vehicles entering, number of visitors etc, the data collector should notify all individuals of its information practices, before any personal information (if any) is collected about them.

- h. Data controllers to notify individuals when their personal data has been breached, when such data has been legally accessed by third parties and when the data controller's privacy policy changes.
- i. Individuals should have the right to access their personal information which is being held by a data controller and to make correction or to delete information when it is inaccurate.
- j. Authorized persons should safeguard, prevent loss, unauthorized access, destruction, use processing, storage, modification, de-anonymization, unauthorized disclosure (ethical accidental or incidental) or other reasonably foreseeable risks.
- k. Given the rate of technological changes, rules that limit the right to privacy should be subject to periodic review by means of a participatory legislative or regulatory process.

