

BROWSING CENTRE (TAMIL NADU) RULES / CONDITIONS

In exercise of the powers conferred by the Sec.39 of the Tamil Nadu city Police Act.1888, the Commissioner of Police, Greater Chennai City police makes the following rules / conditions, namely,

1. Title : “The Browsing Centre (Tamilnadu) Rules/Conditions”.
2. Definition : In these rules, unless the context otherwise requires;
 - a) “**Act**” – means the TNCP., ACT. 1888.
 - b) “**Browsing Centre**” – means and includes any establishment by what so ever name called where the general public have an access to the internet in any of its forms, PROTOCOLS either on payment or free of charges for any purpose including recreation or amusement and a browsing centre shall be deemed to be a public place as defined under Sec-3 of Tamil Nadu City Police, 1888.
 - c) “**Log Register**” – means a register maintained by the Browsing centre licensee / Browsing centre Owner / Net Service Provider for browsing / using the Browsing centre.
 - d) “**User/ Browser**” – means any person who accesses the internet in any of its forms or protocols which are now in existence and also means a person who uses the computer in a browsing centre.
3. Responsibility of the Browsing centre owners
 - a) A Browsing centre owner is required to obtain a license from the Commissioner of Police, as defined under Sec -34 (1) of the Madras City Police Act, 1888 and he shall attach and furnish relevant documents with the application form as per Schedule -I. He shall fulfill every condition required to obtain the license, failure to which, the competent authority may not issue the license
 - b) A browsing centre owner is required to execute undertaking as per Schedule-II and indemnity bond on the necessary Stamp paper before obtaining the license.
 - c) It shall be the responsibility of the Browsing centre owner or employee or attendant after satisfying himself with the identity of

the browser ensure that each browser makes the entries in a Log Register maintained for this purpose as per schedule-III.

- d) A log register for browsers shall be maintained by the browsing centre owner and shall remain in his possession for a minimum period of three years and the same will be provided to law enforcement agencies on demand. Any lapses or failure in this connection shall be considered as an offence and the owner shall be booked by the law enforcement agency for committing the offence.
- e) All the computers in the browsing centre shall be equipped with the safety software so as to avoid access to the web sites relating to pornography, obscene, terrorism and other objectionable materials. A competent authority is empowered to download any necessary software to block, monitor or retrieve any content or material of the website.
- f) The information regarding Internet Service Provider certificate, Internet Protocol address, total bandwidth, and other services provided through Internet service like video conferencing, Internet Protocol telephony should be furnished to the competent Licensing authority.
- g) Information regarding the identity of the hardware or storage media of the computers in the browsing centre shall be supplied to the licensing authority and any replacement, repair shall be acknowledged to the licensing authority with the code, make and numbers of the hardware.
- h) The browsing centre owner shall be responsible for storing and maintaining backups of logs and internet records for at least six months in following manner.
 - a) Internet browser cache
 - b) Web site history
 - c) Internet cookies
 - d) Modem logs
 - e) Internet downloads
 - f) Proxy logs
 - g) Other logs created by network software.
 - i) Personal Identification

- i) Every browser visiting a browsing centre shall be required to produce any authentic photo Identity card (school or college identity, Passport, Voters card, Permanent Account Number card, Driving License)
 - i) Children without photo identity card shall be accompanied by an adult with a photo Identity card.
 - ii) Each browser who visits the browsing centre with or without any photo identity card shall be photographed using a web camera hooked on to one of the computer or computer systems in the browsing centre and the browser shall be explained that this photograph shall be taken and loaded into the hard disk of the computer for the verification of law enforcement agencies whenever required. If the intending browser does not agree, he shall not be allowed to use computer system and computer network in the browsing centre or access to the internet.
- j) Such browser who cannot produce a valid photo identity card shall be denied access to the computer system in the browsing centre.
- k) All time clocks in the browsing centre system shall be synchronized with the Indian standard time.
- l) Log Register and soft copy of photographs of the visitors shall be maintained for a minimum period of three years and shall be provided to law enforcement agencies on demand.
- m) Law enforcement agencies are authorized to check or inspect any browsing centre to ensure compliance of the rules.
- n) The Licensing Authority shall reserve the right to impose any condition subject to the changing circumstances and future development in the technology.
- o) The licensing Authority shall reserve the right to impose any other condition if it appears that the location of the Browsing centre is likely to cause obstruction, inconvenience, annoyance, risk, danger to the residents, passersby or adds to the traffic problem in the locality or harm national interests or cause law and order problem.

p) Physical Layout of the Browsing Centre

- i) All browsing centres that have cubicle or partition be required to ensure that minors are not allowed to use computer in cubicles or behind partitions.
- ii) All 'open' computer shall face 'outward' i.e. must be facing the common space of the browsing centre.
- iii) The owner of the Browsing centre shall take sufficient precautions so that computers and computer systems in the Browsing centre are not used for any illegal or criminal activity.

q) Grant of premises license for Browsing centre License

- i) Any application for premises license shall be accompanied by site and location plan.
- ii) The plan shall be furnished along with the diagram of internal computer network setup.
- iii) In case of premises situated in basements, mezzanines and terrace, an applicant shall submit "No Objection Certificate" from the building communication and health authorities.
- iv) The licensing authority may not issue a premises license if a premise appears to likely cause obstruction, inconvenience, annoyance, risk, danger or damage to the resident or passersby or add to traffic problem in the locality or may harm national interest or cause law and order problem.

4. Inspection : An officer not below the rank of Inspector of Police is authorized to check or inspect browsing centre and the computer or network established there at any time for the compliance of these rules. The owner must supply every related document, registers and any necessary information to the inspecting officer on demand.

SCHEDULE-I

APPLICATION FORM FOR PREMISES LICENSE FOR A BROWSING CENTRE

From

To

The Commissioner of Police,
Greater Chennai.

Sub: Application for the grant of premises/performance license for
Browsing centre providing services of internet/internet
connectivity in a public place.

Sir,

I, _____ the
undersigned, Shri/Smt./Kum

Owner/Proprietor of Browsing centre (as defined under Sec -34 (1) of
the Tamil Nadu City Police Act, 1888) definition of public place, by
name

hereby apply for grant of premises license at the following address. The
place belongs to me/us taken on rent/is on lease/leave and license.

Details are as follows:

1. Full Name of Applicant Owner
2. Address
3. Telephone number(s)
4. Fax

5. E-mail
6. Occupation
7. Date of Birth
8. Nationality
9. Name of Browsing centre
10. Address of Browsing Centre (or, if at more than one location, of each location; use separate sheet, if necessary)
11. Other name, if any, of the establishment
12. Whether premises are owned, leased, rented or Taken on lease and license by applicant-owner? (Specify)
13. If on rental, lease or leave and license, period of tenancy/lease/license.
14. Approximate Sq.ft. area of premises
15. Telephone numbers at the browsing centre with the name and address of the telephone subscriber (use separate sheet if necessary)
16. E-mail address of the browsing centre
17. Exact nature of activities at the browsing centre, (attach separate sheet if required) (eg. Also serving Beverage and snacks, etc.)
18. Name and address of conductor or operator of Browsing centre if other than applicant-owner
19. Number of branches with address and telephone numbers
20. Whether a similar license has been applied for, if so, give details.

Copies of documents attached (tick all that are applicable)

- i. Shops & Establishments License
- ii. Eating house license (if applicable)
- iii. Grade License (if applicable)
- iv. Copy of partnership deed, if partnership firm
- v. Rent Receipt, if the place is on rent/lease
- vi. Tax assessment/paid receipts
- vii. Owner of the Browsing centre has to ensure that no dangerous/harmful electrical appliances are fitted in the Browsing centre.
- viii. Document for fire safety equipment installed and its maintenance.
- ix. Bill of telephone(s) installed in the browsing centre.
- x. Ownership document if the place is owned by the applicant
- xi. Copy of memorandum & articles of association (if applicable)
- xii. Certificate mentioning that the owner of the browsing centre is the member of the Association. The Association has to submit the detailed list of the member of their Association with the Memorandum of Article.
- xiii. Certificate from the ISP regarding particulars of ISP connection including user name and allocation of static (fixed) IP address. This has to be (regularly maintained in the logbook maintained in the browsing centre) by the Browsing centre Owner.

- xiv. Certificate from the ISP that the Applicant is allowed to share, resell, distribute the ISP services in any matter(if applicable)
- xv. Full particulars of number of machines installed, along with hardware configurations of each client and server machine, all peripherals (list modems, scanners, web cams, microphones, audio systems and Hard-disk) with make and brand. The details are to be furnished with the form and then thereafter as and when it is changed the changes are to be maintained in the logbook of the cyber face by the Browsing centre Owner.
- xvi. To prevent minors from viewing the pornographic sites they will be allowed only on the computers which are installed in open space, no closed cabins will be allowed in the browsing centre and the height of the partitions should not be more than 2.5 feet from the top of the screen.
- xvii. Particulars of internal networking computer and other peripherals and the site map of the network along with Ethernet addresses.
- xviii. Particulars of Hardware/Software Engineer/consultant.
Copies of above documents are attached herewith.
If any other documents are required the same will be submitted as soon as we are informed.

Thanking you,

Yours faithfully,

SCHEDULE-II

PROFORMA OF UNDERTAKING

(On appropriate amount of stamp paper)

I, _____ S/o, D/o, W/o
_____ an adult Indian inhabitant, aged _____
years residing at _____

do hereby solemnly affirm and state as follows:

A . I say that I am the sole proprietor/Partner/Owner of M/s
_____ situated at
postal address _____

B. I say that I have familiarized myself with the laws and regulations in force which concern the operation of my Browsing centre and accordingly I hereby give the following undertaking:-

1. That I shall permit use of Browsing centre only against production of a suitable photo ID Card (like Driving License, Election Photo ID Card, Passport, PAN Card, other authorized ID card, etc.). I shall ensure that no unauthorized or illegal activity takes place within the said premises. In case of minors they will be allowed only after producing a certificate from school/college and ID of his/her parents.
2. That if it comes to my knowledge that a person is viewing some illegal/unauthorized/terrorist related sites then I will inform the police about it.
3. That I will obtain the premises license as prescribed by the Commissioner of Police, Greater Chennai and act accordingly.

SCHEDULE-III

Format for Browser Register

Sl. No.	Computer No.	User's Name, Age, sex, address, Telephone No. & E-mail address	Signature	In time	Out time	Details of Identity	Issue of Identity	Remarks

Notes: 1. Said details are to be filled by the user/client of the browsing centre.

2. The said register is to be maintained for a minimum period of three calendar years.

Commissioner of Police,
Greater Chennai.