**Archives at NCBS**

**Notice and takedown policy**

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1. **What is a notice and takedown policy and why do we need it?**

A notice and takedown policy is a page on your website, which explains your policy and process when a person wishes to make a complaint about any material which has been published online. This material can be archival items, a catalog entry or any other information. The person can complain on the grounds of a possible violation of their rights. On this webpage the complainant can see the process they will go through if they wish the material to be taken down.

1. **What to do when you get a complaint**

The first thing you must do when you receive a complaint is takedown the material concerned and send a receipt via email or letter to the complainant containing:

* An acknowledgement of receiving their complaint
* An explanation on how the complaint will be processed
* A statement on how the item will be removed from the website while the situation is being reviewed

1. **Reviewing the complaint**

If possible, you should contact the person who donated the material to the archive. They, as the contributor, might possess information or evidence that is able to swiftly clear up the matter.

Material should be taken down if it falls under one of the following:

* Online access to the material is in breach of copyright law
* The material is personal information about someone who is still alive and continued online access would be unlawful or unfair to them
* The material is defamatory or obscene
* The material was put online in error

In some cases there is room for negotiation, especially in cases of copyright. The negotiation process concludes when one of the following three is agreed upon by all parties:

* The material is returned to the Archives at NCBS website unchanged
* The material is replaced on the Archives at NCBS website changes
* The material is permanently removed from the Archives at NCBS website

Until an agreement which both the complainant and Archives at NCBS have agreed on has been reached the material will remained off the website.

1. **Statement for on website**

How to request the removal of material from the Archives at NCBS website

Archives at NCBS is committed to making archival material available online. This is done in good faith and every effort has been made to identify and contact the rights holders. However, sometimes material published online may be in breach of copyright laws, contain sensitive personal data, or include content that may be regarded as obscene or defamatory.

If you are concerned you have found material about you on our website for which you have not given permission, is obscene or defamatory and in terms of copyright law is not covered by a limitation or exception, please contact us with the following information

* Your contact details (including email address and phone)
* Details that describe the material (title, collection name, number of items, etc.)
* The exact and full URL where you found the material
* The reason for your request including but not limited to copyright law, privacy laws, data protection, obscenity, defamation etc.
* If the request relates to copyright, provide proof that you are the rights holder

Contact Details:

Archives, National Centre for Biological Sciences (NCBS)  
Tata Institute of Fundamental Research  
GKVK Campus, Bellary Road, Bangalore - 560065  
Karnataka, India.  
Phone: +91-80-2366-6011

Email: [archive@ncbs.res.in](mailto:archive@ncbs.res.in)

Notice and Takedown policy

Once you have contacted us, we will implement our “Notice and Takedown’ policy as follows

1. We (Archives at NCBS) will acknowledge your complaint by sending you a receipt by email or letter and make an initial assessment of the validity and plausibility of the complaint.
2. Upon the receiving of a valid complaint the material will be removed from the Archives at NCBS website pending an agreed solution
3. If necessary and possible, we will contact the contributor who deposited the material and inform them their donated material is the subject of a complaint and the specifics of the allegation
4. We will make the effort to ensure the issue is swiftly resolved and all involved in the dispute are satisfied with one of the following outcomes:
   * The material is returned to the Archives at NCBS website unchanged
   * The material is replaced on the Archives at NCBS website changes
   * The material is permanently removed from the Archives at NCBS website.

If the complainant and the other parties are unable to agree a solution, the material will remain unavailable on the Archives at NCBS website until a time when a resolution has been reached.

1. **Reclosure**

The aim of Archives at NCBS is to make material available for access by the public. Although unlikely, it is possible a person makes a complaint about archival material triggering the ‘Notice and Takedown’ policy and the matter is extreme enough to constitute the reclosing of material. In the case of a reclosure release dates must be agreed upon by Archives at NCBS and the complainant, and whether it will be a full or partial closure. The circumstances of reclosure can include the following:

* The material is personal information about someone who is still alive and continued online access would be unlawful or unfair to them
* The material was put online in error and removal is required to rectify a mistake
* Changes in the law since the material was made available