

Comprehensive Cybercrime Law FAQs – India

Q: What is cybercrime?

A: Cybercrime refers to criminal activities involving computers, networks, or digital devices as tools, targets, or both.

Q: What is the Information Technology Act, 2000?

A: The IT Act, 2000 is India's primary law governing cyber activities, digital transactions, and cyber offences.

Q: What is Section 43 of the IT Act?

A: Section 43 covers unauthorized access, downloading data, introducing viruses, or damaging computer systems and allows compensation to victims.

Q: What is Section 65 of the IT Act?

A: Section 65 punishes tampering with computer source code required by law.

Q: What is Section 66 of the IT Act?

A: Section 66 applies when acts under Section 43 are done dishonestly or fraudulently, leading to imprisonment and/or fines.

Q: What is Section 66B of the IT Act?

A: Section 66B punishes dishonestly receiving stolen computer resources or communication devices.

Q: What is Section 66C of the IT Act?

A: Section 66C deals with identity theft such as misuse of passwords, digital signatures, or OTPs.

Q: What is Section 66D of the IT Act?

A: Section 66D covers cheating by personation using computer resources, including phishing scams.

Q: What is Section 66E of the IT Act?

A: Section 66E punishes violation of privacy through capturing or sharing private images without consent.

Q: What is Section 66F of the IT Act?

A: Section 66F defines cyber terrorism involving threats to national security through digital systems.

Q: What is Section 67 of the IT Act?

A: Section 67 punishes publishing or transmitting obscene material electronically.

Q: What is Section 67A of the IT Act?

A: Section 67A deals with publishing sexually explicit material online.

Q: What is Section 67B of the IT Act?

A: Section 67B punishes child sexual abuse material in electronic form.

Q: What is Section 69 of the IT Act?

A: Section 69 grants authorities power to intercept, monitor, or decrypt digital information under legal procedure.

Q: What is Section 70B of the IT Act?

A: Section 70B establishes CERT-In and empowers it to handle cybersecurity incidents.

Q: What is Section 72 of the IT Act?

A: Section 72 punishes breach of confidentiality and privacy by persons with authorized access.

Q: What is Section 72A of the IT Act?

A: Section 72A punishes unlawful disclosure of personal information obtained under a lawful contract.

Q: What is IPC Section 419?

A: IPC Section 419 punishes cheating by personation, including fake online identities.

Q: What is IPC Section 420?

A: IPC Section 420 covers cheating and dishonestly inducing delivery of property, common in online fraud.

Q: What is IPC Section 463?

A: IPC Section 463 defines forgery, including creation of fake digital documents.

Q: What is IPC Section 465?

A: IPC Section 465 prescribes punishment for forgery.

Q: What is IPC Section 468?

A: IPC Section 468 covers forgery done for the purpose of cheating, including fake online certificates.

Q: What is IPC Section 469?

A: IPC Section 469 punishes forgery intended to harm reputation, such as fake defamatory posts.

Q: What is IPC Section 471?

A: IPC Section 471 punishes using forged electronic documents as genuine.

Q: What is IPC Section 499?

A: IPC Section 499 defines defamation, including defamatory content posted online.

Q: What is IPC Section 500?

A: IPC Section 500 prescribes punishment for defamation.

Q: What is IPC Section 503?

A: IPC Section 503 defines criminal intimidation, including online threats.

Q: What is IPC Section 506?

A: IPC Section 506 prescribes punishment for criminal intimidation.

Q: What is IPC Section 507?

A: IPC Section 507 punishes criminal intimidation by anonymous communication online.

Q: What is IPC Section 509?

A: IPC Section 509 punishes words or gestures intended to insult the modesty of a woman, including online abuse.

Q: What is IPC Section 354C?

A: IPC Section 354C defines voyeurism, including sharing private images without consent.

Q: What is IPC Section 354D?

A: IPC Section 354D defines stalking, which includes cyberstalking.

Q: What is POCSO Section 11?

A: POCSO Section 11 defines sexual harassment of children, including through digital means.

Q: What is POCSO Section 12?

A: POCSO Section 12 prescribes punishment for sexual harassment of a child.

Q: What is POCSO Section 13?

A: POCSO Section 13 defines use of a child for pornographic purposes.

Q: What is POCSO Section 14?

A: POCSO Section 14 prescribes punishment for using a child for pornography.

Q: What is POCSO Section 15?

A: POCSO Section 15 punishes storage of child sexual abuse material.

Q: What is Section 65A of the Indian Evidence Act?

A: Section 65A provides special provisions for electronic evidence.

Q: What is Section 65B of the Indian Evidence Act?

A: Section 65B specifies how electronic records are admitted as evidence in court.

Q: What is Section 38 of the Aadhaar Act?

A: Section 38 punishes unauthorized access to Aadhaar data.

Q: What is Section 41 of the Aadhaar Act?

A: Section 41 punishes unlawful disclosure of identity information.

Q: What is Section 63 of the Copyright Act?

A: Section 63 punishes copyright infringement, including digital piracy.

Q: What is Section 65A of the Copyright Act?

A: Section 65A punishes circumvention of digital protection measures (DRM).

Q: What is the purpose of cyber laws in India?

A: Cyber laws regulate digital activities, protect users from online crimes, and ensure legal recognition of electronic transactions.

Q: Can traditional criminal laws apply to cybercrime?

A: Yes, traditional criminal provisions like cheating, forgery, intimidation, and defamation apply when committed through digital means.

Q: Do Indian laws punish online financial fraud?

A: Yes, online financial fraud is prosecuted using IT Act provisions along with IPC sections related to cheating and fraud.

Q: Are there laws for child safety online?

A: Yes, the IT Act and POCSO Act both contain provisions targeting child sexual abuse material and online exploitation.

Q: Can authorities monitor digital communications legally?

A: Yes, under specific legal procedures, authorities may intercept or monitor digital communications for national security or investigation.

Q: Are electronic records valid in court?

A: Yes, electronic records are admissible in court if they meet the requirements of the Indian Evidence Act, especially Section 65B.

Q: What is identity theft in cyber law?

A: Identity theft involves fraudulent use of someone else's digital credentials and is punishable under IT Act Section 66C.

Q: What is phishing under Indian cyber law?

A: Phishing is treated as cheating by personation using computer resources and is punishable under Section 66D of the IT Act.

Q: What is cyberstalking?

A: Cyberstalking involves repeated online harassment or monitoring and is punishable under IPC Section 354D.

Q: Is sharing private images without consent illegal?

A: Yes, it is punishable under IT Act Section 66E and may also invoke IPC provisions related to privacy and modesty.

Q: What is cyber terrorism?

A: Cyber terrorism involves digital attacks threatening national security and is punishable under IT Act Section 66F.