

1. Introduction

Cyber law

Cyber law is the part of the overall legal system that deals with the Internet, cyberspace, and their respective legal issues. Cyber law covers a fairly broad area, encompassing several subtopics including freedom of expression, access to and usage of the Internet, and online privacy. Generically, cyber law is referred to as the Law of the Internet.

2. The First cybercrime

In 1820, Joseph-Marie Jacquard, a textile manufacturer in France, produced the loom. This device allowed the repetition of a series of steps in the weaving of special fabrics. This resulted in a fear amongst Jacquard's employees that their traditional employment and livelihood were being threatened. They committed acts of sabotage to discourage Jacquard from further use of the new technology. This is the first recorded cyber-crime!

3. Why are cyber laws needed?

Like any law, cyber law is created to help protect people and organizations from malicious people on the Internet and help maintain order. If someone breaks a cyber law or rule, it allows another person or organization to take action against that person or have them sentenced to a punishment.

Cyber law is formed to maintain discipline and justice in the cyber world. This area in the legal system is introduced because the crime related to computers and other technology was increasing rapidly. These types of crimes were not falling under the category of any existing legal category therefore a separate section was formed named Cyber Law.

“The electronic transaction and digital signature Act. -The ordinance” is popularly known as the cyber law of Nepal. The government of Nepal had passed this law on 30th Bhadra, 2061 B.S (15th September 2004 A.D). Electronic transaction act, 2063 was passed by the government in 2008 A.D. (2063 B.S.).

4. Areas Encompassing in Cyber Laws

These laws cover many areas & activities occurring online and serve a variety of purposes. Some laws are formed to protect to defend people online from malicious activities, some laws explain the policies of using computers and the internet in a company. All these wide categories fall under the cyber laws. Some of the wide range areas encompassing the cyber laws are:

i. Scam/ Treachery

Cyber laws exist to protect people from online frauds and scams, these laws prevent any financial crimes and identity theft that happen online.

ii. Copyrighting Issues

The Internet is the source of multiple types of content, but it is not right to copy the hard work of any other person. There are strict policies in cyber laws against copyright that protects the creative work of companies and individuals.

iii. Online Insults and Character Degradation

Online platforms like social media are the best platform to speak your mind freely but there is a thin line between the liberation of using the right to speak and defaming someone online. Cyber laws address issues like online insults, racism, gender targets to protect a person's reputation.

iv. Online Harassment and Stalking

Harassment is a violation of both civil and criminal laws. This crime is a major issue in cyberspace. The legal system has some strict laws to prohibit these despicable crimes.

v. Data Protection

People using the internet risk their privacy while being online and often rely on cyber laws and policies to protect their secrets. Also, companies should maintain the confidentiality of the data of their users.

5. Cyber Law in NEPAL

a) Why Cyberlaw in Nepal?

When the Internet was developed, the founding fathers of the Internet hardly had any inclination that the Internet could transform itself into an all-pervading revolution that could be misused for criminal activities and which required regulation. Today, many disturbing things are happening in cyberspace. Due to the anonymous nature of the Internet, it is possible to engage in a variety of criminal activities with impunity, and people with intelligence, have been grossly misusing this aspect of the Internet to perpetuate criminal activities in cyberspace. Hence there is a need for Cyber laws in Nepal.

b) What is the importance of Cyberlaw?

Cyberlaw is important because it touches almost all aspects of transactions and activities on and concerning the Internet, the World Wide Web, and Cyberspace. Initially, it may seem that Cyber laws are a very technical field and that it does not have any bearing to most activities in Cyberspace. But the actual truth is that nothing could be further than the truth. Whether we realize it or not, every action and every reaction in Cyberspace has some legal and Cyber legal perspectives.

c) Does Cyberlaw concern us?

Yes, Cyberlaw does concern us. As the nature of the Internet is changing and this new medium is being seen as the ultimate medium ever evolved in human history, every activity of yours in Cyberspace can and will have a Cyber legal perspective. From the time you register your Domain Name, to the time you set up your web site, to the time you promote your website, to the time when you send and receive emails, to the time you conduct electronic commerce transactions on the said site, at every point of time, there are various Cyberlaw issues involved. You may not be bothered about these issues today because you may feel that they are very distant from you and that they do not have an impact on your Cyber activities. But sooner or later, you will have to tighten your belts and take note of Cyberlaw for your benefit.

6. Advantages and Disadvantages of Cyberlaw

a) Advantages:

- i. Regulating the quality of contents available in the online media.
- ii. Safeguarding people's interest in online media platforms.
- iii. Providing security and assistance to the online content developers.

b) Disadvantages:

- i. Online streaming platforms are not yet under the control of this cyber law.
- ii. Online media is not so far capable enough to track the fake-IDs and leads.

7. Conclusion

Implementing laws in cyberspace is an important step to create a safe and secure environment for people on cyber platforms. To protect from cybercrimes, computer forensic science should focus on ethical hacking training and implementing cyber security plans addressing people, process, and technology issues that arise nowadays. Strict cyber laws are the need of this era where technology is growing at rapid speed because the budgets have not been increased to keep up with this rate of technology change.

8. Bibliography

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