

# **Information Technology Act, 2000**

# Information Technology Act, 2000

- Known as an IT Act
- is an act proposed by the Indian Parliament reported on 17th October 2000.
- This Information Technology Act is based on the United Nations Model Law on Electronic Commerce 1996 (UNCITRAL Model) which was suggested by the General Assembly of the United Nations by a resolution dated 30th January 1997.
- It is the most important law in India dealing with Cybercrime and E-Commerce.

# Information Technology Act, 2000

- The main objective of this act is
  - to carry out lawful and trustworthy electronic, digital, and online transactions and
  - alleviate or reduce cybercrimes.
- The IT Act has 13 chapters and 94 sections.
- The IT Act, of 2000 has two schedules:
  - **First Schedule:** Deals with documents to which the Act shall not apply.
  - **Second Schedule:** Deals with electronic signature or electronic authentication method.

# Features of The IT Act 2000

- The digital signature has been changed to an electronic signature to make it a greater generation-impartial act.
- It elaborates on offenses, penalties, and breaches.
- It outlines the Justice Dispensation Systems for cyber crimes.
- The Information Technology Act defines in a new segment that a cyber cafe is any facility wherein access to the net is offered by any person inside the normal business to the general public.

# Features of The IT Act 2000

- It offers the constitution of the Cyber Regulations Advisory Committee.
- The Act is based totally on The Indian Penal Code, of 1860, The Indian Evidence Act, of 1872, The Bankers' Books Evidence Act, of 1891, The Reserve Bank of India Act, of 1934, and many others.
- It adds a provision to Section 81, which states that the provisions of the Act shall have overriding effect. The provision states that nothing contained inside the Act shall limit any person from exercising any right conferred under the Copyright Act, of 1957.

# The Offenses and the Punishments in IT Act 2000

- Tampering with the computer source documents.
- Directions of Controller to a subscriber to extend facilities to decrypt information.
- Publishing of information that is obscene in electronic form.
- Penalty for breach of confidentiality and privacy.
- Hacking for malicious purposes.
- Penalty for publishing Digital Signature Certificate false in certain particulars.
- Penalty for misrepresentation.

# The Offenses and the Punishments in IT Act 2000

- Confiscation.
- Power to investigate offenses.
- Protected System.
- Penalties for confiscation are not to interfere with other punishments.
- Act to apply for offense or contravention committed outside India.
- Publication for fraud purposes.
- Power of Controller to give directions.

SECTION	PUNISHMENT
Section 43	<p>This section of the IT Act, 2000 states that any act of destroying, altering, or stealing a computer system/network or deleting data with malicious intentions without authorization from the owner of the computer is liable for the payment to be made to the owner as compensation for damages.</p>
Section 43A	<p>This section of the IT Act, 2000 states that any corporate body dealing with sensitive information that fails to implement reasonable security practices causing the loss of another person will also be liable as a convict for compensation to the affected party.</p>



SECTION	PUNISHMENT
Section 66	Hacking a Computer System with malicious intentions like fraud will be punished with 3 years imprisonment or a fine of Rs.5,00,000 or both.
Section 66 B, C, D	Fraud or dishonesty using or transmitting information or identity theft is punishable with 3 years imprisonment or a Rs. 1,00,000 fine or both.
Section 66 E	This Section is for Violation of privacy by transmitting an image of a private area is punishable with 3 years imprisonment or a 2,00,000 fine or both.

SECTION	PUNISHMENT
Section 66 F	This Section is on Cyber Terrorism affecting the unity, integrity, security, and sovereignty of India through digital mediums is liable for life imprisonment.
Section 67	This section states publishing obscene information or pornography or transmission of obscene content in public is liable for imprisonment of up to 5 years or a fine of Rs. 10,00,000 or both.