

Cybercrime & IT Act 2000

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Cybercrime Definition

What is cybercrime?

- Any criminal activity carried out with computer as a tool or computer as a target or computer as a source.
- Basically any illegal activity carried out with the help of computer or any smart device using internet (cyberspace) is called as cyber crime.



Types of cybercrimes

- Against Individual .
- Against Property .
- Against Government.

Examples:

1. **Hacking:** This is a type of crime wherein a person's computer is broken into so that his personal or sensitive information can be accessed.
2. **Theft:** This crime occurs when a person violates copyrights and downloads music, movies, games and software.



Examples of cybercrimes

1. **Cyber Stalking:** This is a kind of online harassment wherein the victim is subjected to a barrage of online messages and emails. Typically, these stalkers know their victims.
2. **Identity Theft:** This has become a major problem with people using the Internet for cash transactions and banking services. In this cyber crime, a criminal accesses data about a person's bank account, credit cards, Social Security, debit card .
3. **Malicious Software:** These are Internet-based software or programs that are used to disrupt a network. The software is used to gain access to a system to steal sensitive information or data or causing damage to software present in the system.
4. **Child soliciting and Abuse:** This is also a type of cyber crime wherein criminals solicit minors via chat rooms for the purpose of child pornography.



Examples

7. Cyber terrorism: This is the politically motivated use of computers and information technology to cause severe disruption or widespread fear in the state or nation.



Cyber laws in India

- **Cyber** crimes can involve criminal activities that are traditional in nature, such as theft, fraud, forgery, defamation and mischief, all of which are subject to the **Indian Penal Code**.
- The misuse of computers has also given birth to a gamut of new age crimes that are addressed by the **Information Technology Act, 2000**.

ITA 2000



Information Technology Act 2000

- The **Information Technology Act, 2000** (also known as **ITA-2000**, or the **IT Act**) is an Act of the Indian Parliament and notified on 17 October 2000.
- It is the primary law in India dealing with cybercrime and electronic commerce or e-commerce.
- The original Act contained in **13 chapters and 94 sections**. The laws apply to the whole of India. Persons of other nationalities can also be indicted under the law, if the crime involves a computer or network located in India.
- The Act provides legal framework for electronic governance by giving recognition to electronic records and digital signatures.



Contd..

- The formations of Controller of Certifying Authorities was directed by the Act, to regulate issuing of digital signatures.
- It also defined cyber crimes and prescribed penalties for them. It established a Cyber Appellate Tribunal to resolve disputes rising from this new law.
- The Act also amended various sections of Indian Penal Code, 1860, Indian Evidence Act, 1872, Banker's Book Evidence Act, 1891, and Reserve Bank of India Act 1934 to make them compliant with new technologies.



Regulatory Authorities

1) Department of Electronics and Information Technology

2) Controller of Certifying Authorities (CCA)

The IT Act provides for the Controller of Certifying Authorities (CCA) to license and regulate the working of Certifying Authorities. The Certifying Authorities (CAs) issue digital signature certificates for electronic authentication of users.

3) Cyber Appellate Tribunal

The Cyber Appellate Tribunal has, for the purposes of discharging its functions under the IT Act, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908.

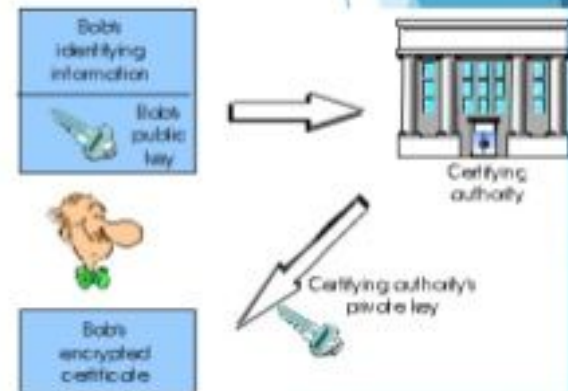
4) Indian Computer Emergency Response Team (ICERT)

The purpose of the ICERT is, to become the nation's most trusted referral agency of the Indian Community for responding to computer security incidents as and when they occur

CERTIFYING AUTHORITY

- ▶ Section 24 under Information Technology Act 2000.
- ▶ Certifying Authority" - granted a license to issue Digital Signature Certificates.
- ▶ Central responsibility -
 - ❑ issue
 - ❑ renew and
 - ❑ provide directories of Digital Certificates.
- ▶ Equivalent - the passport issuing office in the Government.
- ▶ a user's certificate - acts as a proof.
- ▶ License-
 - ❑ Controller of Certifying Authority,
 - ❑ Ministry of Information Technology, and
 - ❑ Government of India

Information Technology Act, 2000



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