

Software Project Management

Assignment - 2

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• Information Technology Act 2000 (India)

- The info. technology act 2000, also known as IT Act is an act proposed by the indian parliament reported on 17th October 2000.
- The IT Act is based on the United Nations model law on electronic commerce 1996 which was suggested by the General ~~Secr~~ Assembly of UN by a resolution dated on 30 Jan, 1997.
- The main objective of this act is to carry lawful & trustworthy electronic, digital and online transactions and reduce the number of cyber crimes.

IT Act, 2000 has two schedules.

(i) First schedule

It deals with documents to which the Act shall not apply.

(ii) Second schedule

It Deals with electronic signature or electronic authentication method.

• The offences & the punishments in IT Act 2000.

1. Tampering with the computer source documents
2. Directions of controller to a subscriber to extend facilities to decrypt information.
3. Publishing of information which is obscene in electronic form.

4. Penalty for publishing digital signature, certificate false in certain particulars.
5. Penalty for breach of confidentiality and privacy.
6. Hacking for malicious purpose.
7. Penalty for mis-representation.
8. Confiscation.
9. Power to investigate offences.
10. Protected systems.
11. Penalties for confiscation not to interfere with other punishments.
12. Act to apply for offence or contravention committed outside India.
13. Publication for fraud purposes.
14. Power of controller to give directions.

• Few sections & punishments under IT Act, 2000:

Section 43:

This section of IT Act, 2000, states that any act of destroying, altering or stealing computer system, network or deleting data with malicious intentions without authorization from owner of the computer is liable for the payment to be made to owner as compensation for damages.

Section 66:

Hacking of a computer system with malicious intentions like fraud will be punished with 3 years imprisonment or the fine of 5 lak. or both.

Section 66E:

This section is for violation of privacy by transmitting image or private are is punishable with 3 years imprisonment or 2 lac, fine or both.

Section 67:

This section states publishing obscene information or pornography or transmission of obscene content in public is liable for ~~the~~ imprisonment up to 5 years or fine of 1 lac or both.

Salient Features of IT Act:-

- Digital signature has been replaced with electronic signature to make more technology neutral act.
- It elaborates on offences, penalties and breaches
- It outlines the justice dispensation systems for cyber crimes.
- It provides for the constitution of the cyber regulations Advisory committee.
- It is based on the Indian Penal Code, 1860, Indian Evidence Act, 1872, the bankers books evidence 1891, the reserve bank of india act, 1934 etc.

Applications of the IT Act:-

- Negotiable instrument rather than a cheque as defined in section 13 of the negotiable instruments Act, 1881.

- A power of attorney as defined in section 1A of the powers of attorney Act, 1682.
- A trust as defined in section 3 of the Indian trusts act 1882.
- Any such class of documents or transactions as may be notified by the central govt.
- Any contract for the sale or conveyance of immovable property or any interest in such property.