

Internet and Democracy

Module 4- Digital Democracy in India

Information and Technology Act (India)- 2000

Key Provisions

- In 2000, the Indian Parliament passed the Information Technology Act, 2000. It serves as India's main legal framework for issues involving e-commerce and cybercrime.
- The legislation was passed in order to promote e-governance, to give legal backing to electronic transactions, and to combat cybercrime.
- According to this rule, foreign nationals may also be held accountable for any offence involving a computer or network that is located in India.
- The law specifies punishments for numerous digital/electronic frauds and cybercrimes. Also, it grants digital signatures legal recognition.

Information and Technology Act (India)- 2000

Section 43 (Penalty and Compensation)

Section 43 of the Act covers instances such as

- (a) computer trespass, violation of privacy etc.
- (b) unauthorised digital copying, downloading and extraction of data, computer database or information;. theft of data held or stored in any media,
- (c) unauthorised transmission of data or programme residing within a computer, computer system or computer network (cookies, spyware, or digital profiling are not legally permissible),
- (d) data loss, data corruption etc.,
- (e) computer data/database disruption, spamming etc.,
- (f) denial of service attacks, data theft, fraud, forgery etc.,
- (g) unauthorised access to computer data/computer databases and
- (h) instances of data theft (passwords, login IDs) etc.

Information and Technology Act (India)- 2000

Section 66 A (Amendment in IT Act in 2008)

- Anyone accused of sharing potentially offensive content on social media could be detained under Section 66A.
- According to the aforementioned provision, a person may be found guilty if it is proven that they sent "material that is excessively insulting or has menacing nature."
- Also, sending false information using a computer or other electronic device with the intent to cause irritation, inconvenience, danger, obstruction, insult, harm, criminal intimidation, enmity, hatred, or ill will was declared illegal.
- The maximum sentence for the aforementioned offence was three years in prison plus a fine.

Information and Technology Act (India)- 2000

Section 69 A

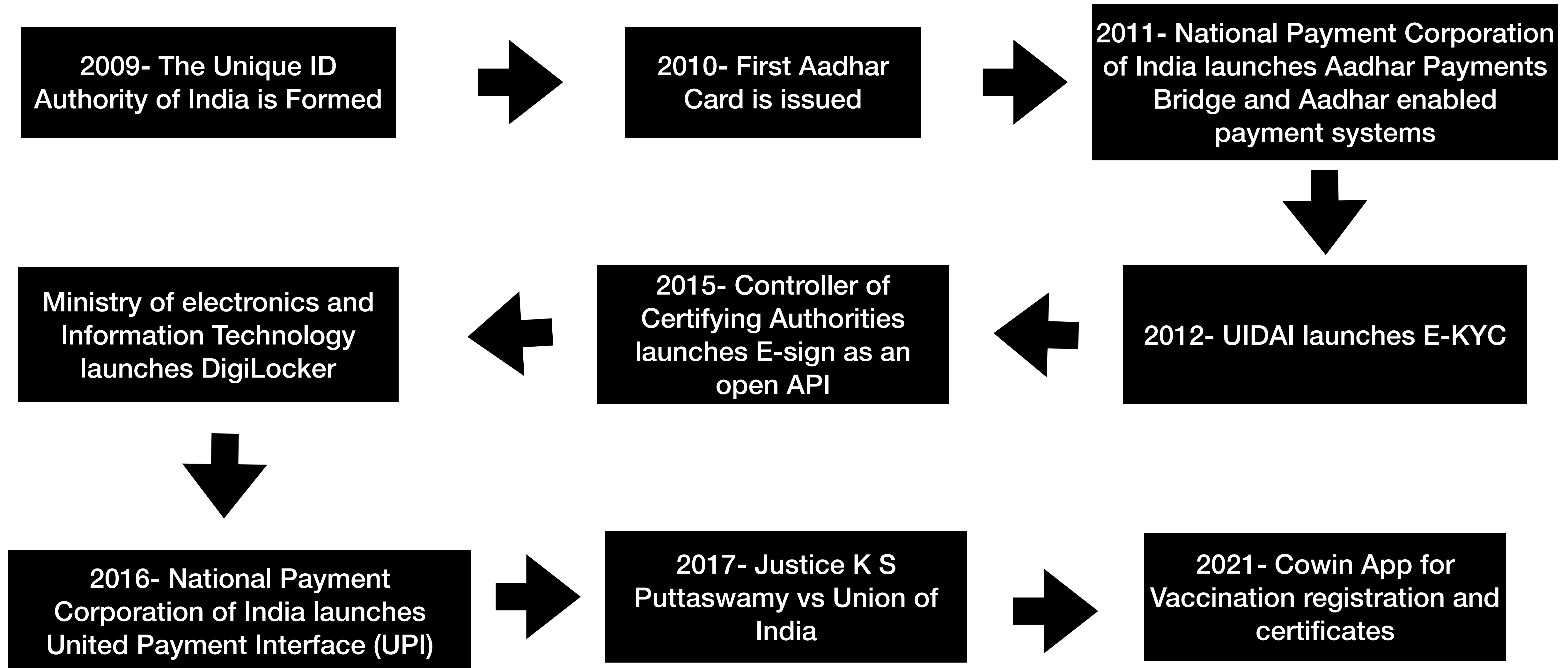
- If it is necessary or advantageous to do so in the interest of the sovereignty or integrity of India, the defence of India, the security of the State, friendly relations with foreign states, or public order, or for preventing incitement to the commission of any cognizable offence, or for investigating any offence, Section 69A gives the authorities the right to intercept, monitor, or decrypt any information generated, transmitted, received, or stored in any computer resource.
- Additionally, it gives the government the authority to block websites in the national interest. The procedural safeguards for blocking any site were also included in the law.
- The Supreme Court sanctioned the validity of this provision on the ground that national security takes precedence over individual privacy.

Information and Technology Act (India)- 2000

Information Technology Intermediary Guidelines (Amendment) Rules, 2018

- The 2018 Regulations mandate that social media intermediaries publish rules and privacy policies to prevent users from engaging in online content that is paedophilic, pornographic, hateful, offensive on the basis of race or ethnicity, invading of privacy, etc.
- The 2018 Regulations further provide that anytime a request for information or help in cybersecurity is made by a government agency, the intermediaries are required to comply within 72 hours.
- Online intermediaries are required by the Regulations to designate a "Nodal Person of Contact" for round-the-clock coordination with law enforcement authorities and personnel to ensure compliance.

Digital Public Infrastructure in India



Digital Public Infrastructure in India



FEATURES OF NEW eAadhaar

Improved Design with text realignment

Issue Date is the date of Aadhaar Generation.

Larger Image of resident for better visibility

VID printed below the Aadhaar number

भारत सरकार
Government of India

भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

संयोजन क्रम/ Enrolment No.: XXXX/XXXXXX/XXXXXX

आपका आधार क्रमांक / Your Aadhaar No.:
XXXX XXXX 1234
VID : XXXX.XXXX.XXXX.XXXX

मेरा आधार, मेरी पहचान

सूचना

- अधार प्रमाण का प्रमाण है, नागरिकता का नहीं।
- सुरक्षित QR कोड / ऑफलाइन XML / ऑनलाइन ऑथेंटिकेशन से प्रमाण प्रमाणित करें।
- यह एक इलेक्ट्रॉनिक प्रमाण है और इसे सुरक्षित रखें।

यह अधार 5 वर्ष की उम्र तक ही वैध है। 5 वर्ष की उम्र पूर्ण करने पर बायोमेट्रिक को अपडेट करके इसे अपडेट करें। अपडेट पर अधार निष्क्रिय हो जाएगा और वैध नहीं रहेगा।

INFORMATION

- Aadhaar is a proof of identity, not of citizenship.
- Verify identity using Secure QR Code/ Offline XML/ Online Authentication.
- This is electronically generated letter.

This Aadhaar is valid till 5 years of age only. Biometrics are required to be updated on attaining 5 years of age failing which this Aadhaar will be deactivated & will not be valid.

- अधार देश भर में मान्य है।
- अधार कई सरकारी और गैर सरकारी सेवाओं को प्राप्त करने में मदद करता है।
- अधार से मोबाइल नंबर और ईमेल ID अपडेट करें।
- अधार को अपने स्मार्ट फोन पर रखें, mAadhaar App से।

Aadhaar is valid throughout the country.

Aadhaar helps you avail various Government and non-Government services easily.

Keep your mobile number & email ID updated in Aadhaar.

Carry Aadhaar in your smart phone – use mAadhaar App.

Updated information regarding use of Secure QR Code

Emblem and Aadhaar Logo on both sides

Digitally signed Secure QR Code with Photo

Digital Public Infrastructure in India

Aadhaar

- A 12-digit unique identity for every Indian individual, including children and infants
- Unique number (random allocation) for every individual on the basis of demographic and biometric information
- Voluntary service that every resident can avail
- Collects fingerprints, iris scans and facial scans
- Collects four attributes- Name, Date of Birth, Gender, Address
- Does not collect profiling information such as caste, religion, and language
- It is a proof of identity, not citizenship
- Does not replace any other existing ID card

Documents required for Aadhaar-

- Proof of Identity
- Proof of Address
- Proof of Date of Birth

सूचना

- आधार पहचान का प्रमाण है, नागरिकता का नहीं।
- पहचान का प्रमाण ऑनलाइन ऑथेंटिकेशन द्वारा प्राप्त करें।
- यह एक इलेक्ट्रॉनिक प्रक्रिया द्वारा बना हुआ पत्र है।

INFORMATION

- **Aadhaar** is a proof of identity, not of citizenship.
- To establish identity, authenticate online.
- This is electronically generated letter.

Signature Not Verified
Digitally signed by Sandeep Bhardwaj
Date: 2015.04.26 16:34:03 IST

- **Aadhaar** is valid throughout the country.
- You need to enrol only once for **Aadhaar**.
- Please update your mobile number and e-mail address. This will help you to avail various services in future.

Digital Public Infrastructure in India

Aadhaar

Aadhar ecosystem- 66,103 Aadhaar counters and 34,834 Child Enrolment Lite Client devices, 15,002 Village Level Entrepreneurs operating as Banking Correspondents permitted to undertake Aadhaar updates services and 53,750 postmen under India Post Payment Bank to provide mobile number update facility

1.35 billion Aadhar numbers generated till Nov 2022

754 Million bank accounts linked with Aadhar

318 Central schemes and over 720 state DBT schemes notified under section 7 of the Aadhaar Act, 2016

2.31 billion Aadhar enabled transaction in March 2023

Source: Economic
Survey 2023