**E-GOVERNMENT INTITATIVES IN NEPAL**

Almost two decades after the first initiative towards e-Governance through the IT policy of 2000, Nepal has so far struggled with implementation of e-Governance due to political instability and the digital divide caused by socio-economic issues such as lack of infrastructure, low-income level and low-literacy rate among others. However, this case study showed that with trend towards foreign labor, Nepal has seen a huge demand for communication resulting in improvement in the communication infrastructure. With access to mobile technology, possibility of citizen reach and interaction through the means of mobile communication has become realizable.

## Cyber Laws

Cyber laws are fundamental. They provide security to not only the intellectual property of IT companies but also helps to maintain the privacy of internet users. They check the programs of corporates to make the internet a neutral platform, help to create standard models of use which helps to create tailored facilities to the citizens to boost the economy, and so on.

Different countries have different cyber laws and cyber laws regulating bodies. In Nepal cyber law is called as Electronic Transaction Act (ETA) 2063, which was passed in 2004. The bill deals with issues related to digital signature, intellectual property, cybercrime, etc. The Act is dived into 12 sections and 80 clauses. This law keeps an eyeball on issues which are related to computer networks and cybercrime. It brings cyber criminals under the justice of law and penalizes them just like other crimes. As per the Act, if anyone is found violating cybercrime, he/she will be punished for a minimum of 6 months to a maximum of 3 years in jail and has to pay minimum 50 thousand to maximum three lakhs as a penalty.

[**The Electronic Transactions Act, 2063 (2008)**](http://www.lawcommission.gov.np/en/archives/category/documents/prevailing-law/statutes-acts/the-electronic-transactions-act-2063-2008)

1. This Act may be called “The Electronic Transactions act, 2063 (2008)”.
2. This Act shall be deemed to have been commenced from 24 Bhadra 2063 (sep.2, 2006).
3. This Act shall extend throughout Nepal and shall also apply to any person residing anywhere by committing an offence in contravention to this Act.

**What is electronic Transaction?**

The electronic transaction is:

* Transactions of electronic records data by using any types of electronic means.
* Contains electric records and valid digital medium.
* The exchange of all types of records which are in the form of electronic.

**Objectives of the Electronic Transaction Act 2063**

1. To make legal provision for authentication and regulation of electronic data.
2. To make a reliable date generation, communication, and transmission.
3. To make a secured and authentic means of electronic communication.
4. To regulate all the relating matters of electronic transactions.

**Scopes of the Electronic Transaction Act 2063**

1. Creation and use of digital signature
2. Control cyber/computer-related crimes.
3. Protection of intellectual property.
4. Protection of confidentiality.
5. Regulations of an electronic transaction by establishing regulating bodies  – such as

* Office of Certificate Control (OCC)
* Certificate Agencies (CA)
* Subscribers

**Major provisions of the Electronic Transaction Act 2063**

1. It has the provision relating to electronic records and digital signature.

2. It has the provision relating to dispatch, receive an acknowledgment of electronic records.

3. It has the provision of few regulating bodies and their functions, rights, and duties such as –

**Office of Certificate Control (OCC)**

* Certification Agencies (CA)
* Subscriber

4. It has the provision relating the use of digital signature and certificate.

5. It has the provision relating to government use of the digital signature.

6. It has a provision relating to the computer network and network services providers.

7. It has the provision relating to computer-related crimes and punishments.

8. Provision of IT tribunal is defined as the first jurisdictional and appellate jurisdiction. IT tribunal (सूचना प्रविधि न्यायाधिकरण)

* First Jurisdictional (पहिलो क्षेत्राधिकार)
* Appellate Jurisdictional (पुरावेदकीय क्षेत्राधिकार)

9. It defines a few documents which this act is not applicable for

* All the negotiable instrument defined by the “Negotiable Instrument Act 2034”
* All the documents related to the ownership of properties (dhanipurja, laalpurja etc.).
* Any documents which are used as a primary document in the court process

### Cyber crime

Cybercrime is a crime committed by using cyber means/computer technology. Cybercrime is also known as computer-related crime. All the illegal activities committed by using or with the application as computer technology such as –

* Damage to computer and computer system.
* Acts to gain illegal access into the system.
* Use as weapons to commit other crimes.
* Acts against the provision of cyber law.

Some examples of cyber/computer crimes are

* Creating fake documents
* Blackmailing/social media abuse
* Distribution of pornography materials
* Misuse of electronic cards
* Piracy of intellectual properties
* Spreading computer viruses/malware

**CONCLUSION**

Democratizing land reform itself offers a better chance of success, in the sense of looking to public will. This requires structuring reform as a people’s program in which every village community is empowered to control its own land relations, within the parameters of broad national principles and more exacting inclusive process. This offers a more workable route out of the quagmire of broken promises, breakdown in the rule of land-related law, and a narrowness of objective and remedy than back to business as usual with some tinkering can achieve. Correctly empowered communities will have a better chance of breaking the chains of the embedded landlord-State allegiances which limit change. With control over their own community land registers, they will be better able to ensure the long-term occupancy and rights of each household are registered and disputes around these more quickly resolved. A community based approach, working in an incremental manner, and on an area by area basis, will also be better able to tackle the rights and governance grievances which embrace much of the public land estate, including existing and future protected areas. Relieved of powers to manage land distribution itself and the opportunities for rent-seeking which afflict current systems, district authorities will be better able to neutrally facilitate delivery and monitor, with accountability systems firmly embedded in local populations, not upwards to central government.