

INDIA- A CYBERCRIME REGULATION PERSPECTIVE

A PRESENTATION
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INFORMATION TECHNOLOGY ACT, 2000

- A OVERALL E-COMMERCE ENABLING LEGISLATION
- HAVING CERTAIN PROVISIONS ON REGULATING CYBERCRIMES
- CHAPTER XI

INFORMATION TECHNOLOGY ACT, 2000(contd)

- DAMAGE TO COMPUTER SOURCE CODE
- HACKING- ONE OF THE WIDEST POSSIBLE KNOWN DEFINITIONS OF HACKING

OBSCENITY

- PUBLISHING , TRANSMITTING AND CAUSING TO BE PUBLISHED OBSCENE ELECTRONIC INFORMATION

PROTECTED SYSTEM

- BREACH OF PROTECTED SYSTEM, INTENTIONAL OR UNINTENTIONAL
- HIGHEST QUANTUM OF PUNISHMENT- 10 YEARS IMPRISONMENT

BREACH

- BREACH OF CONFIDENTIALITY AND PRIVACY
- CYBERCRIMES CONCERNING USE OF DIGITAL SIGNATURE CERTIFICATES

LIABILITY OF NETWORK SERVICE PROVIDERS

- NETWORK SERVICE PROVIDERS MADE LIABLE FOR THIRD PARTY DATA OR INFORMATION MADE AVAILABLE BY THEM
- TWO EXCEPTIONS
- PROOF OF NON -KNOWLEDGE OR EXERCISE OF ALL DUE DILIGENCE

CORPORATE LIABILITY

- IF ANY COMPANY COMMITS AN OFFENCE , ALL PERSONS RESPONSIBLE FOR RUNNING THE AFFAIRS OF THE COMPANY SHALL ALSO BE GUILTY OF THE SAME OFFENCE
- TWO EXCEPTIONS- PROOF OF NON – KNOWLEDGE OR EXERCISE OF ALL DUE DILIGENCE

AMENDMENTS

- GOVERNMENT HAS TABLED THE INFORMATION TECHNOLOGY (AMENDMENTS) BILL 2006 BEFORE THE PARLIAMENT
- PARLIAMENT HAS REFERRED IT TO PARLIAMENTARY STANDING COMMITTEE

AMENDMENTS (contd)

- SOME NEW CYBERCRIMES LIKE IDENTITY THEFT COVERED
- INVASION OF PERSONAL PRIVACY BY AN ELECTRONIC DEVICE WITH AN INTENTION/ KNOWLEDGE TO INVADE PRIVACY

AMENDMENTS (contd)

- CYBERSTALKING
- CYBER HARASSMENT
- CYBER DEFAMATION
- CYBER NUISANCE

AMENDMENTS (contd)

- AMENDMENTS LIKELY TO BE PASSED SOON
- HERE LIES AN OPPORTUNITY FOR INDIA TO BE IN SYNC WITH INTERNATIONAL TRENDS AND BEST PRACTICES TO MAKE ITS LEGISLATION FAR MORE EFFECTIVE AGAINST CYBERCRIMES.

THAT WAS A PRESENTATION BY
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