

ICT Law Regime in India

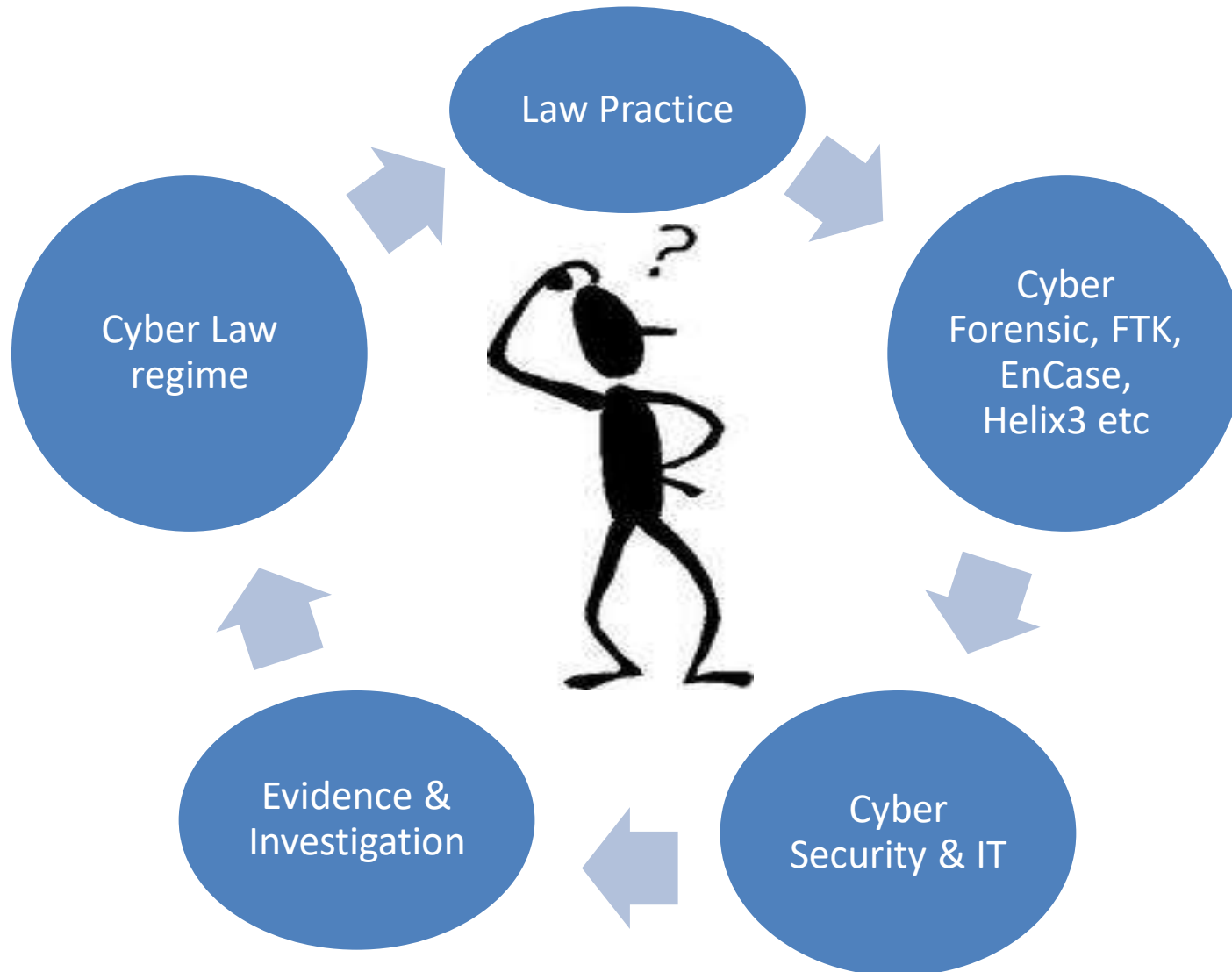
“Cyber Law” is a vast study

- It is not the IT Act but, It includes, and is comprised of many Acts, legislations like Evidence, IPC & Cr.P.C.
- The IT Act in itself, is a challenging study.
- Understanding the difference between http & https is beyond the comprehensive capacity for any Lawyer.
- Cyber forensic, Cyber security, Cyber law, anatomy of cyber attacks !

School of Law(SOL)

Course Code : BALB4015/BBLB4015/BLLB2013

Course: ICT Law



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Introduction

The Information Technology Act is the Second Law in India governing the field of Technology.

The First one was in the year 1885.
That was the Indian Telegraph Act 1885

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However, The first recorded Cyber crime incident is believed to be recorded in the year 1820 !

Difficult to believe ? **Any guesses ?**

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In the year 1820, Sir Joseph-Marie Jacquard, created an automated loom.

This device was blended with analogical technology in the weaving of special fabrics.

This resulted in a fear amongst Jacquard's employees that their traditional employment and livelihood were being threatened. They committed acts of sabotage to discourage Jacquard from further use of the new technology.

This was the first recorded cyber crime !

Because :

Cyber space is a completely different sphere of human existence.

No regards for any Government or territory.

To facilitate international norms.

Cyber Law needs to be specific.

Conventional Laws will muddle up the cyber law structure.

UNCITRAL model law on ecommerce

IT act2008

Intention of the IT Act 2000

- ◎ The Act begins with :
- ◎ “An Act **to provide legal recognition** for transactions carried out by means of electronic data interchange and other means of electronic communication, commonly referred to as "electronic commerce", **which involve the use of alternatives to paper-based methods of communication and storage of information**, to facilitate electronic filing of documents with the Government agencies...”

Evolution of the Act

The General Assembly of the United Nations by its resolution A/RES/51/162, dated the 30th January, 1997 had adopted the Model Law on E - Commerce adopted by the UNCITRAL,

The said resolution recommended *that* all member States give favourable consideration to the said Model Law when they enact or revise their laws, in view of the **need for uniformity of the law applicable to alternatives to paper-based methods of communication and storage of information**; i.e. amongst member nations to promote international trade and commerce via electronic means.

Hence, the same was adopted and enforced in India.

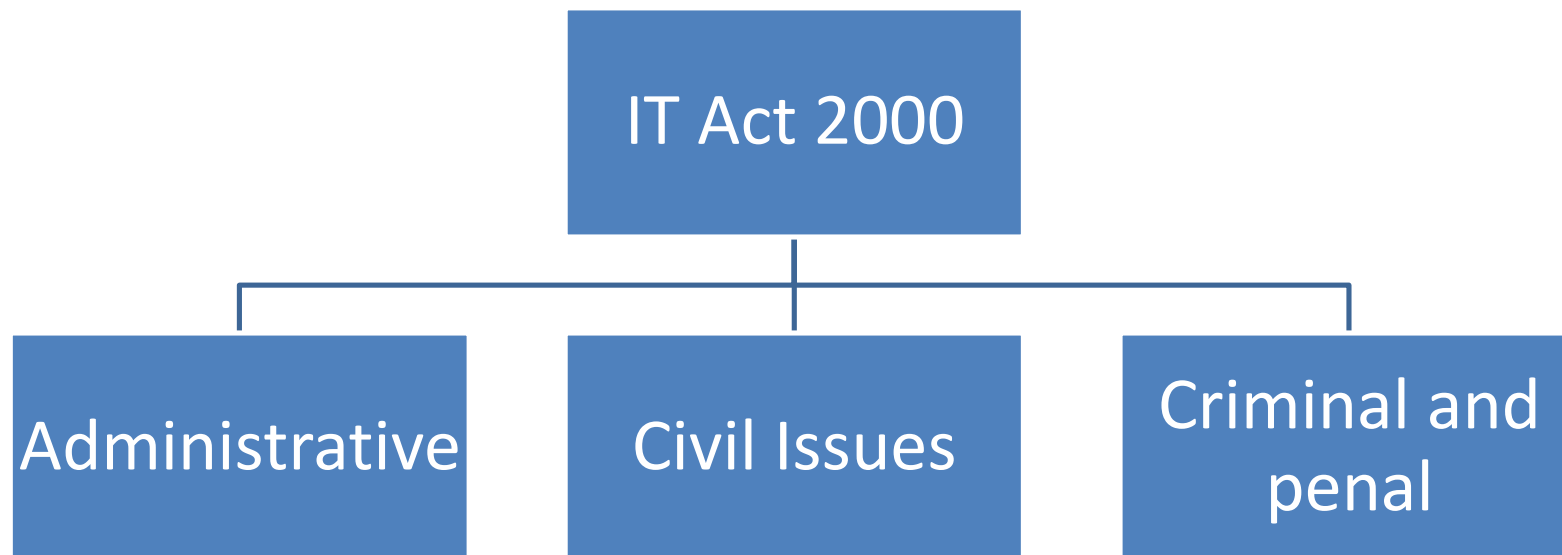
Cyber Law in India

Aided by many other Acts and Statutes.

- 1) The Indian Penal code
- 2) The Evidence Act
- 3) the code of Criminal procedure.
& many others

The Information Technology Act

The Act can be broadly classified into 3 aspects :



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