

# INFORMATION AND TECHNOLOGY ACT, 2000

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# INTRODUCTION

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- In 1996, the United Nations Commission on International Trade Law (UNCITRAL) adopted the model law on [electronic commerce \(e-commerce\)](#) to bring uniformity in the law in different countries.
- Further, the General Assembly of the [United Nations](#) recommended that all countries must consider this model law before making changes to their own laws. India became the 12th country to enable cyber [law](#) after it passed the Information Technology Act, 2000.
- The Information Technology Act, 2000 or ITA, 2000 or IT Act, was notified on October 17, 2000. It is the law that deals with cybercrime and electronic commerce in [India](#).

# OBJECTIVES OF IT ACT, 2000

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- Grant legal recognition to all transactions done via electronic exchange of data or other electronic means of communication or **e-commerce**, in place of the earlier paper-based method of communication.
- Give legal recognition to digital signatures for the authentication of any information or matters requiring legal authentication
- Facilitate the electronic filing of documents with Government agencies and also departments
- Facilitate the electronic storage of data
- Give legal sanction and also facilitate the electronic transfer of funds between **banks** and financial institutions
- Grant legal recognition to bankers under the Evidence Act, 1891 and the **Reserve Bank** of India Act, 1934, for keeping the books of accounts in electronic form.

# CHAPTERS OF I.T. ACT 2000

- **Chapter II**

Any contract which is done by subscriber. If he signs the electronic agreement by digital signature. Then it will be valid.

- **Chapter III**

This chapter explains the detail that all electronic records of govt. are acceptable unless any other law has any rules regarding written or printed record.

- **Chapter IV**

This chapter deals with receipts or acknowledgement of any electronic record. Every electronic record has any proof that is called receipt and it should be in the hand who records electronic way.

- **Chapter V**

This chapter powers to organization for securing the electronic records and secure digital signature. They can secure by applying any new verification system.

- **Chapter VI**

This chapter states that govt. of India will appoint controller of certifying authorities and he will control all activities of certifying authorities.

“Certifying authority is that authority who issues digital signature certificate.”

- **Chapter VII**

In this chapter powers and duties of certifying authority is given. Certifying authority will issue digital signature certification after getting Rs. 25000. If it is against public interest, then C.A. can suspend the digital signature certificate.

- **Chapter VIII**

This chapter tells about the duties of subscribers regarding digital signature certificate . It is the duty of subscriber to accept that all information in digital signature certificate that is within his knowledge is true .

- **Chapter IX**

If any body or group of body damages the computers , computer systems and computer networks by electronic hacking , then they are responsible to pay penalty upto Rs. 1 crore . Fore judgment this , govt. can appoint adjudicating officer .

- **Chapter X**

Under this chapter, cyber regulation appellate tribunal can be established. It will solve the cases relating to orders of adjudicating officers.



- **Chapter XI**

For controlling cyber Crime, Govt. can appoint cyber regulation advisory committee who will check all cyber crime relating to publishing others information. If any fault is done by anybody, he will be responsible for paying Rs. 2 lakhs or he can get punishment of 3 years living in jail or both prison and penalty can be given to cyber criminal.

- **Chapter XII**

Police officers have also power to investigate dangerous cyber crime under IPC 1860 , Indian Evidence Act 1872 and RBI Act 1934

## **SHORTCOMING OF I.T. ACT 2000**

- Infringement of copyright has not been included in this law.
- No protection for domain names.
- The act is not applicable on the power of attorney, trusts and will.
- Act is silent on taxation.
- No, provision of payment of stamp duty on electronic documents.



Thank You!



