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Subject - Cyber Law (Information Technology Act)

Date - 30.03.2020

NEEDS AND SCOPE OF CYBER LAW

What Is Cyber Law?

Any laws or regulations which involve how people use Smartphone, computers, and other related technology is nothing but called Cyber Law. It is also called a digital law. As digital technologies changes, electronic communication changes too.

The term cyber **or** cyberspace has today come to signify everything related to computers, the Internet, websites, data, emails, networks, software, data storage devices (such as hard disks, USB disks etc) and even Airplanes, ATM machines, Baby monitors, Biometric devices, Bitcoin wallets, Cars, CCTV cameras, Drones, Gaming consoles, Health trackers, Medical devices, Power plants, Self-aiming rifles, Ships, Smart-watches, Smartphones & more.

Meaning of cyber law

Cyber law is the law governing cyber space. cyber space includes computers, networks,softwares, data storage devices sch as hard disks and USB disks etc the internet,websites, emails and even electronic devices such as cell phones, ATM machines etc.

THE NEED FOR CYBER LAW

“The modern thief can steal more with a computer than with a gun. Tommarow ‘s terrorist may be able to do more damage with a keyboard than with a bomb.”

(National research council, USA”computers at risk”.1991)

- Internet has dramatically changed the way we think, the way we govern, the way we do commerce and the way we perceive ourselves,
- Information technology is encompassing all walks of life all over the world.
- Cyber space creates moral, civil and criminal wrongs. It has now given a new way to express criminal tendencies.
- It has brought transition from paper to paperless world.
- Internet requires an enabling and supportive legal infrastructure in tune with the time.
- Cyberspace is open to participation by all.
- The laws of real world cannot be interpreted in the light of emerging cyberspace to include all aspects relating to different activities in cyberspace.

Scope of cyber law-

The scope of cyber law is huge now a days. Due to large scale use of internet technology the cyber space has also become a place to conduct malicious activities like as-

1. Electronic commerce

The term electronic commerce or E-commerce is used to refer to electronic data used in commercial transactions. Electronic commerce laws usually address issues of data authentication by electronic and/or digital signatures.

2. Electronic Records-

Electronic Record Means Data, Record Or Data Generated, Images Or Sound Stored, Received Or Sent In An Electronic Form Or Micro Film and etc.

An electronic records shall be attributed the originator:

- if it was sent by the originator himself.

- By a person who had the authority to act on behalf of the originator in respect of that electronic record.
- By an information system programmed by or on behalf of the originator to operate automatically.

3. Electronic And Digital Signature-

Electronic Records Are Used To Authenticate Electronic Records.

And Digital Signature Are One Type Of Electronic Signatures.

Digital Signature Satisfy Three Major Legal Requirements.

1. Signer Authentication
2. Message Authentication
3. Message Integrity

The Technology And Efficiency Of Digital Signature Makes Them More Trustworthy Than Hand Written Signature.

4. Cyber Crimes-

The computer may be used in various activities such as; sale of illegal articles (like weapons, wildlife, and Narcotics), financial crimes like EFT frauds, credit card frauds, online gambling, virus attack, web jacking, pornography, salami attacks, forgery, e-mail spoofing, service attack, denial of service attack, cyber terrorism, cyber defamation, cyberstalking, etc. The Indian Cyber Law, as well as the Indian Cyber Police, helps to protect all sorts of things.

- Any Crime With The Help Of Computer And Tele Communication Technology
- Any Crime Where Either The Computer Is Used As An Object Or Subject.

Categories Of Cyber Crime :-

- **Cybercrime Against Person** (Cyber Stalking, Impersonation, Loss Of Privacy, Transmission Of Obscene Material, Harassment With The Use Of Computer)

- **Cybercrime Against Property** (Unauthorized Computer Trespassing, Computer Vandalism, Transmission Of Harmful Programmes, Siphoning Of Funds From Financial Institutions, Stealing Secret Information And Data, Copy Right)
- **Cybercrime Against Government** (Hacking Of Government Website, Cyber Extortion, Cyber Terrorism, Computer Viruses)
- **Some Other Crimes** (Logic Bomb, Spamming, Virusworms, Trojan Horse, E-Mail Bombing, E-Mail Abuse Etc.)

5. Intellectual Property-

Intellectual Property Refers To Creations Of The Human Mind E.G. A Book, A Story, A Song, A Painting, A Design, A Domain Name Etc. The Facets Of Intellectual Property That Relate To Cyber Space Are Covered By Cyber Law.

These Include

- Copyright Law Relating To Computer Software, Source Code, Websites, Cell Phone Content Etc.
- Software And Sources Code Licenses.
- Trademark Law With Relation To Domain Names, Mirroring, Linking, Meta Tags, Framing Etc.
- Patent Law In Relation To Computer Hardware And Software.

6. Data Protection And Privacy Laws –

Data Protection And Privacy Laws Aim To Achieve A Fair Balance Between The Privacy Rights Of The Individual And The Interests Of Data Controllers Such As Bank, Hospitals, Email Service Providers Etc.

These Laws Seek To Address The Challenges To Privacy Caused By Collecting, Storing And Transmitting Data Using New Technologies.