

Information Technology Act 2000: Explained

Published on Friday, January 06, 2017



Introduction

Information Technology Act 2000 is an enacted to the whole of India. The Act has been drawn from the Model Law on Electronic Commerce adopted in 1996 by UN Commission on International Trade Law (UNCITRAL). The Information Technology Act is also called as Cyber Law.

The Major Provisions of Act

The act has been grouped under various provisions which are as follows:

Electronic Records or Contracts

The provision electronic records help to maintain the records in an electronic form rather than the traditional method of paper based and oral testimony.

Electronic Form

It means information generated sent, received or stored in media, magnetic, optical, computer memory, micro film.

Digital Signature

It is defined as “authentication of an electronic record by a subscriber by means of an electronic method or procedure, in accordance with the provisions of Act”.

It means that any information which has to be affixed by a signature is linked to the digital form so their authentication can be verified.

Submission Of Information

Customers can submit their record their information to banks in digital form so that they can open an account or for other transactions.

Payment Charges Through Electronic Means

Banks can make payment or receive payments or other charges by way of electronic means.

Publication of Rules in Electronic Form

Rules, regulations, orders, bye-laws or notifications can be issued or published in electronic form.

Issue of Digital Certificate

When a person wants a digital certificate, it makes an application to a Certifying Authority (CA) for issue of the certificate.

Retention of Electronic Records

The requirement of any law prescribing retention of records for a particular period, shall considered to be met, when the records are kept in electronic form.

○ Computer Crimes or Cyber Crimes

- A person is said to have committed a cyber crime when,
- He secures access to a computer system
- Where he downloads or copies data base or information from computer system
- He introduces virus into a computer system
- He damages computer system
- He disrupts a computer system
- He causes denial to a computer system to any authorized person
- Where a person discloses electronic records which are kept
- Charges for tampering with or manipulating any computer system

○ Important Terms

Computer Virus

- Any instruction, information, data or program that destroys, damages, degrades or spoils the performance of a computer system.

Hacking

- Hacking is an offence and one will have to pay up to Rs. 2 lac or undergo imprisonment up to three years for hacking.
- Hacking means concealing, destroying or causing another to destroy or alter any computer code used for a programmer or computer network.