

WELCOME

WHAT IS CYBER CRIME?



Criminal activities carried out by means of computers or the Internet/ or any other digital media

**Cyber law or internet law
is a term that deals with
the legal issues related to
the use of cyber space.**



OBJECTIVES OF IT ACT

- ❖ Legal recognition of electronic documents
- ❖ Legal recognition of digital signatures
- ❖ Offences and contraventions
- ❖ Justice dispensation systems for cyber crimes

IT AMENDMENT ACT 2008

IT (Amendment) Act was passed in December 2008. ITAA 2008 provides additional focus on information security.

OFFENCES AND PENALTIES

Section 65 to 74 describes for offences and prescribes penalties for the offences.

Section 65

**Tampering with Computer Source Code (conceals,
destroys, alters)**



Imprisonment upto
3 years
Or
fine upto Rs. 2 lakhs

Section 66

Computer Related Offences

- **Computer Related Offences downloads, copies or extracts any data, computer data base or information from such computer, computer system.**
- **Imprisonment upto 3 years or fine upto Rs. 5 lakhs**

'CHILLING EFFECT...WOULD BE TOTAL'

What Is Section 66A?

➤ Section 66A of the amended IT Act 2008 allowed anyone sending 'grossly offensive or menacing' messages through a computer or any other communication device to be jailed for up to 3 years, if convicted

Who Introduced It?

➤ It was added as an amendment to the IT Act in 2008, and notified in Feb 2009, during the UPA's tenure. BJP had opposed it, but when it formed the govt, asked SC to let it stay and promised to curb its misuse

What The Court Said

➤ Section violative of Article 19(1)(a) of Constitution guaranteeing freedom of speech and expression... Public's right to know is directly affected by Section 66A

“ How can law enforcement agencies decide what is offensive? **What may be offensive to a person may not be offensive to another** Such is the reach of the Section... the chilling effect on free speech would be total

The court, however, allowed govt to block websites if their content has potential to create communal disturbance, social disorder or affect India's relationship with other countries

INFAMOUS CASES

➤ **Shaheen Dhada** and her friend **Renu Srinivasan** (in pic) were detained for 10 days after Shaheen's Facebook post questioned a spontaneous shutdown in Mumbai for the cremation of Bal Thackeray in 2012 and Renu 'liked' it

➤ Jadavpur University prof **Ambikesh Mahapatra** was arrested for **forwarding caricatures on Bengal CM Mamata Banerjee** on Facebook

➤ Activist **Aseem Trivedi** was **arrested for drawing cartoons** lampooning Parliament and the Indian Constitution
➤ Tamil Nadu businessman **Ravi Srinivasan** was booked for an allegedly offensive **tweet against Karti Chidambaram**

➤ A **Class 11 student** in UP was arrested for **posting an 'objectionable' comment attributed to SP's Azam Khan**



“ I am very happy today, I feel that justice has been granted to me after two years. Now no one has to be afraid of saying right things

—RENU SRINIVASAN

Section 66-A

Sending offensive messages through electronic means



Imprisonment
upto 3 years and
fine

Section 66-B

Dishonestly receiving stolen computer resources or communication device.



Imprisonment upto 3 years and/or
fine upto Rs. 1 lakhs

Section 66-C

Identity Theft



Imprisonment up to 3
years and/or fine up to
Rs. 1 lakhs

Section 66-E

Violation of Privacy

Imprisonment up to
3 years or fine up to
Rs. 2 lakhs



Section 66-F Cyber Terrorism



Imprisonment extend
to imprisonment for
Life

Section 67

Publishing or Transmitting obscene material in electronic form

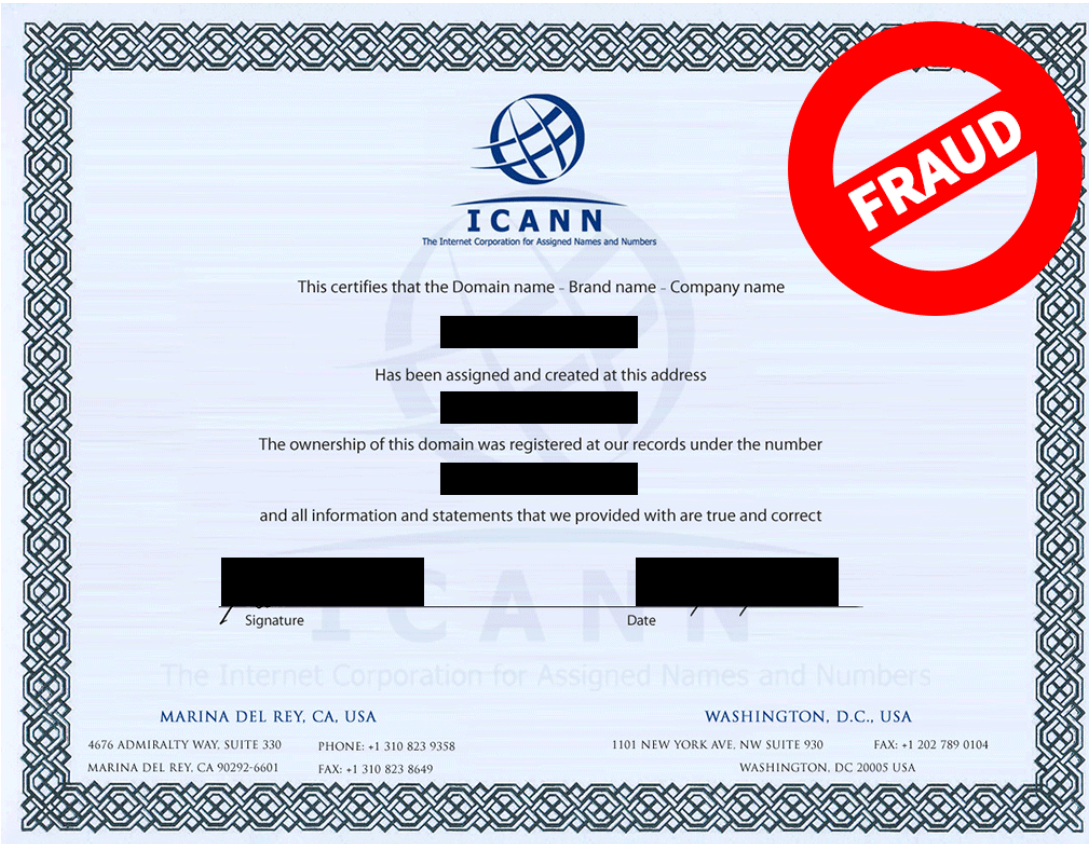


On first Conviction
Imprisonment upto 3
years or fine upto Rs. 5

On subsequent Conviction Imprisonment upto 5 years or fine upto
Rs. 10 lakhs

Section 71

Misrepresentation to the Controller to the Certifying Authority



Imprisonment
upto 2 years
or
fine upto Rs. 1
lakhs

Section 72

Breach of Confidentiality and privacy

- Imprisonment upto 2 years
or fine upto Rs. 1 lakhs



Section 72-A

Disclosure of information in breach of lawful contract



Imprisonment upto 3 years

or

fine upto Rs. 5 lakhs

Section 74

Publication of fraudulent purposes

The screenshot shows the Cambodia e-Visa website. A large red 'X' is drawn over the central content, with the text 'Fraudulent Website' written across it. Below the 'X', the URL <http://www.visa-cambodia.com/> is displayed in red. The website header includes the 'e-Visa Kingdom of Cambodia' logo and navigation links for HOME, APPLY E-VISA, FAQ, and CONTACT US. The main content area features a banner for 'Apply for a Cambodia visa online!' and a table of entry and exit points.

Entry Point	Entry	Exit
Phnom Penh (Mekong)	Yes	Yes
Siem Reap International Airport	Yes	Yes
Preah Vihear (Kob Keo)	Yes	Yes
Choeung Chhn (Otdar Meanchey)	No	Yes
Dong Krasang (Kampong Battambang)	No	Yes
Poi Pong (Prey Meanchey)	Yes	Yes
From (Pailin)	No	Yes
O Smach (Otdar Meanchey)	No	Yes
Bavet (Svay Rieng)	Yes	Yes
Kaom Samnor (Kandal Mekong)	No	Yes
Dong Kralo (Stung Treng)	No	Yes
Sihanoukville	No	Yes

Imprisonment
upto 2 years
Or
fine upto Rs. 1
lakhs

Authority

- Section 78 provides for power to investigate the offences under the Act by a police officer not below the rank of Deputy Superintendent of Police.

Cyber cell Kochi City

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THANK YOU