

Chapter- 25

Introduction to IT Act: Scope and Application

This act came into force w.e.f. 17th October, 2000.

IT ACT, 2000

It is the primary law in India dealing with

→ **Cybercrime**

→ **Electronic Commerce (e-commerce)**

Cybercrime

Criminal activities carried out by means of computers or the internet.

Electronic Commerce (e-commerce)

Buying and selling of goods and services, or transmitting of funds or data, over an electronic network, primarily over the internet.

IT Act, 2000 is based on United Nations Model Law on electronic commerce (UNCITRAL Model- United Nations Commission on International Trade Law).

This act provide legal recognition to the transactions carried out by means of electronic data interchange and other means of electronic communication.

Scope

This act came into force w.e.f. 17th October, 2000. It extends to whole of India and also applies to any offence or contravention committed outside India by any person (irrespective of his nationality) provided such offence involves a computer, computer system or network located in India.

Exclusions from this Act:

This act is not applicable to the following:

- A negotiable instrument (other than a cheque)
- A power of attorney (the authority to act for another person in specified or all legal or financial matters)
- A trust
- A will
- Any contract for the sale of immovable property
- Any document or transactions notified by central government

Objectives of the IT Act

1. It provides legal recognition to any transaction which is done by electronic way or use of internet.
2. To give legal recognition to digital signature for accepting any agreement/ document/ message via computer.
3. To facilitate e-filing of documents with the government departments and e-payments.
4. Any company can store their data in electronic storage.
5. To Stop computer crime and protect privacy of internet users.
6. To give legal recognition for keeping books of accounts by bankers and other companies in electronic form.
7. To give more power to RBI and Indian evidence act for restricting electronic crime.

Amendments in IT Act

The main focus of amending this act is to provide adequate protection to computer and internet users against computer related offences and cyber-crimes.

→ For better working and administration a major amendment was made in 2008.

→ It introduced the section 66A which penalized sending of offensive messages.

→ It also introduced penalties for cyber terrorism.

Various other sections were also added to provide adequate protection to computer users and internet users.