Outline

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IT Act, 2000

Research will be carried out on the IT Act of 2000. It is the law which deals with electronic commerce and cybercrime in India. The law was notified in 17th October 2000 with the objectives of facilitating and delivering lawful electronic, online and digital transactions as well as mitigates cyber-crime which has been on the rise. The Act has numerous features such as elaboration of the penalties, breaches and offences related to IT, an outlined of the justice dispensation for cybercrimes as well as replacement of the digital signature with the electronic signature (NARANG, M. M.2000). I tend to agree with most elements of these Act like the legal recognition of electronic signatures, electronic filing of documents with different government agencies as well as legal recognition of the electronic books of accounts kept by bankers. However, I disagree with the changes being made of section 66A on offensive messages which seem to be controversial (Blythe, S. E.2006). In this paper we will therefore look at the IT Act of 2000, reasons for having the act, the adequacies, inadequacies as well as some of the proposed changes to this act.

The United Nations Commissions on Trade Laws adopted the electronic commerce trade laws in 1996 so as to ensure uniformity in the law that governs E-commerce in different nations. The general assembly further directed that all nations should consider the model laws before making any adjustments on their laws. India was to 12th country to adopt the cyber law after it was passed in the year 2000. The acts provides for the recognition of any data used electronic commerce. The law applies in the whole of India as well as to any person outside India who commits the offences specified in the act.

The act has its adequacies as well as the inadequacies. From the Indian e-commerce perspective, the act provides numerous positive aspects. Some of them are legal validity of digital signatures and emails being considered as valid forms of communication making communication easier (Worthy, B. (2010). Notifications can also be given by the government through and issues of security which are crucial in electronic communication have also been addressed. The inadequacies I find most profound in this cat is the restriction of free speech among individuals found under section 66A.

We will generally look at the IT Act and what the act has managed to addressed and some of the challenges associated with this act in the world of e-commerce associated with rapid advancements in technology.

References

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