

IT Act 2000

Due to the anonymous nature of the internet, people with filthy and intelligent minds have been grossly misusing the internet to commit crimes and other criminal activities in cyberspace. Hence, it was necessary to farm and enforce a law that would provide adequate legal protection and recourse against the people who are causing security threats to the resources of e-commerce of any legal organization. Therefore, the IT Act 2000 was passed by the Government of India.

The important issues that are dealt with by the Information Technology Act 2000 include data protection, the legality of the products, the services being offered online, protection of the customer's privacy policy, online advertising compliance, and compliance with the provisions of the IT Act 2000.

Objectives of Information Technology Act 2000

In 1996, the UNCITRAL (United Nations Commission on International Trade Law) adopted the model of electronic commerce i.e e-commerce in order to bring uniformity in law in various parts of the world. Later on, the General Assembly of the United Nations also recommended that all of its members consider this model of law before making any changes to their own laws.

The provisions or objectives of the Information Technology Act 2000 [IT Act 2000] can be summarized as follows:

- To provide legal recognition for all the transactions that are carried out by the means of electronic data interchange or electronic commerce in place of paper-based methods of communication.
- To grant legal recognition to digital signatures for the authentication of any matter or information, that requires authentication under any law.
- To facilitate the electronic filing of Government documents with the respective departments. Also, it facilitates the electronic storage of data.
- To provide legal sanction for the transfer of funds electronically to and between financial institutions and banks.

- To grant legal recognition for keeping the books of accounts in an electronic format for the bankers.
- To promote legal infrastructure and e-commerce along with secure information systems. At the same time, amend the Indian Penal Code, Bankers Book Evidence Act, 1891, and RBI Act, 1934.
- To enforce certain laws that would manage and reduce cyber-crimes at national and international levels. The IT Act 2000 governs all internet activities in India and it is applicable to all online transactions. It provides for the penalties and prosecution for all the non-compliances.

Positive Aspects Of IT Act 2000

Considering the viewpoints of e-commerce industry in India, the Information Technology Act 2000 contains many beneficial aspects which are as follows:

- The implications for electronic businesses would be that email will be an accepted of the communication system in India that can be acknowledged in a court of law. Section 4 of the IT Act 2000 confers all legal recognition of electronic records. It states that where any law requires any matter or information that should be in writing or in printed or typewritten form, then such requirement shall be deemed to be satisfied if it is in an electronic form.
- The IT Act 2000 has granted legal recognition and definition for the concept of the digitally secure process which is mandated to have been passed through a process of security procedure, as prescribed by the Government on a given date. A legal infrastructure is granted by the Information Technology Act 2000 to the e-commerce companies to run all electronic commerce with the help of this act. With the coming of the various provisions of the IT Act, 2000 digital signatures are now getting legal validity. Section 3 of the Information Technology Act 2000 contains various provisions related to the authentication of electronic records by attaching the digital signature.

- Section 35 of the IT Act 2000 allows an open door for the entrance of any kind of companies in the corporate sphere in the business of being the authority to certify and issuing of legal validated signatures certificates as prescribed by the Central Government. It also heralds e-governance by issuing notifications on the e-web.
- Section 6 of the Information Technology Act 2000 lays down the foundation for e-governance or electronic governance. It provides that the filing of any form, document, application, creation or retention or preservation of records, permit, receipt, or payment in the government offices and its agencies must be done through the means of electronic form.

Defects Of Information Technology Act 2000

The IT Act had its own advantages and dis-advantages. While it increased the security in cyberspace, it caused the conflict of jurisdiction amongst the population. The following points mentioned below analyze the defects of IT Act 2000 briefly.

- The Information Technology Act, 2000 may cause a sense of conflict in the jurisdiction. Moreover, e-commerce is totally based on the system of names (domain). This act does not look after the rights and liabilities of the domain owners.
- This act does not provide the protection for the IPR (Intellectual Property Rights). This is because the issues related to computer programs and relations are very common.
- While the IT Act promotes safety in cyberspace. It does not provide security in various kinds of cybercrimes such as: cyberstalking, cyber threat, cyber room abuse and the rest of it.
- Lastly, the main issue of the Information Technology Act, 2000 was about its implementation. It does not lay down any kind of parameters for its regulation and parameters.