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Monday, October 16, 2006

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Cabinet

UNION CABINET APPROVES AMENDMENT TO THE INFORMATION TECHNOLOGY ACT, 2000

16:40 IST

The Union Cabinet today gave its approval for the introduction of an Amendment Bill incorporating certain changes in the Information Technology Act, 2000. The Information Technology Act was originally enacted in the year 2000, which primarily aimed to boost e-commerce in the country and also to create an enabling environment for e-governance in the country. It provides a legal framework for transactions carried out using computers and the internet technologies. The Act was enacted keeping in view the technology directions and scenario existing at that time. As the technology is an ever-evolving process for providing efficient and cost effective options, it was felt that a fresh look into the technology driven law needs to be given.

Concerns have been raised both within the country as well as by the customers abroad regarding adequacy of data protection and privacy laws in the country. A need is, therefore, felt to strengthen the legislation pertaining to data protection and privacy. The security practices and procedures would be prescribed to be followed by body corporates and organizations and to enquire personal information of customers.

Further new forms of computer misuse like video voyeurism, identity theft, e-commerce frauds like phishing, frauds on online auction sites, sending offensive emails and multimedia offences have also emerged.

With proliferation of e-governance and other Information technology applications, security practices and procedures relating to such applications are proposed to be prescribed.

There is also an emerging view that IT laws should be technologically neutral in line with the

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recommendations made by UNCITRAL (United Nations Commission on International Trade Law) Model Law on Electronic Signature. Such approach will promote development of alternative technologies for authentication of electronic records and will not warrant legislative changes each time a new and equally effective technology is evolved.

Keeping in view the above, the amendments have been proposed in the Information Technology Act, 2000 by amending some of the existing sections and proposing to insert new sections to address various issues as discussed above.

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