THE INFORMATION TECHNOLOGY ACT, 2000

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ARRANGEMENT OF SECTIONS

CHAPTER I

PRELIMINARY

SECTIONS

- 1. Short title, extent, commencement and application.
- 2. Definitions.

CHAPTER II

DIGITAL SIGNATURE AND ELECTRONIC SIGNATURE

- 3. Authentication of electronic records.
- 3A. Electronic signature.

CHAPTER III

ELECTRONIC GOVERNANCE

- 4. Legal recognition of electronic records.
- 5. Legal recognition of electronic signatures.
- 6. Use of electronic records and electronic signatures in Government and its agencies.
- 6A. Delivery of services by service provider.
- 7. Retention of electronic records.
- 7 A. Audit of documents, etc., maintained in electronic form.
- 8. Publication of rule, regulation, etc., in Electronic Gazette.
- 9. Sections 6, 7 and 8 not to confer right to insist document should be accepted in electronic form.
- 10. Power to make rules by Central Government in respect of electronic signature.
- 10A. Validity of contracts formed through electronic means.

CHAPTER IV

ATTRIBUTION, ACKNOWLEDGEMENT AND DESPATCH OF ELECTRONIC RECORDS

- 11. Attribution of electronic records.
- 12. Acknowledgment of receipt.
- 13. Time and place of dispatch and receipt of electronic record.

CHAPTER V

SECURE ELECTRONIC RECORDS AND SECURE ELECTRONIC SIGNATURE

- 14. Secure electronic record.
- 15. Secure electronic signature.
- 16. Security procedures and practices.

CHAPTER VI

REGULATION OF CERTIFYING AUTHORITIES

- 17. Appointment of Controller and other officers.
- 18. Functions of Controller.
- 19. Recognition of foreign Certifying Authorities.
- 20. [*Omitted*.].
- 21. Licence to issue electronic signature Certificates.
- 22. Application for licence.
- 23. Renewal of licence.
- 24. Procedure for grant or rejection of licence.
- 25. Suspension of licence.
- 26. Notice of suspension or revocation of licence.

SECTIONS

- 27. Power to delegate.
- 28. Power to investigate contraventions.
- 29. Access to computers and data.
- 30. Certifying Authority to follow certain procedures.
- 31. Certifying Authority to ensure compliance of the Act, etc.
- 32. Display of licence.
- 33. Surrender of licence.
- 34. Disclosure.

CHAPTER VII

ELECTRONIC SIGNATURE CERTIFICATES

- 35. Certifying authority to issue electronic signature Certificate.
- 36. Representations upon issuance of Digital signature Certificate.
- 37. Suspension of Digital Signature Certificate.
- 38. Revocation of Digital Signature Certificate.
- 39. Notice of suspension or revocation.

CHAPTER VIII

DUTIES OF SUBSCRIBERS

- 40. Generating key pair.
- 40A. Duties of subscriber of Electronic Signature Certificate.
- 41. Acceptance of Digital Signature Certificate.
- 42. Control of private key.

CHAPTER IX

PENALTIES, COMPENSATION AND ADJUDICATION

- 43. Penalty and compensation for damage to computer, computer system, etc.
- 43A. Compensation for failure to protect data.
- 44. Penalty for failure to furnish information, return, etc.
- 45. Residuary penalty.
- 46. Power to adjudicate.
- 47. Factors to be taken into account by the adjudicating officer.

CHAPTER X

THE APPELLATE TRIBUNAL

- 48. Appellate Tribunal.
- 49. [*Omitted*.].
- 50. [*Omitted*.].
- 51. [*Omitted*.].
- 52. [*Omitted*.].
- $52A.\ [Omitted.].$
- 52B. [*Omitted.*].
- 52C. [*Omitted.*].
- 52D. Decision by majority.
- 53. [*Omitted*.].
- 54. [*Omitted.*].
- 55. Orders constituting Appellate Tribunal to be final and not to invalidate its proceedings.
- 56. [*Omitted*.].
- 57. Appeal to Appellate Tribunal.
- 58. Procedure and powers of the Appellate Tribunal.
- 59. Right to legal representation.
- 60. Limitation.
- 61. Civil court not to have jurisdiction.
- 62. Appeal to High Court.
- 63. Compounding of contraventions.

64. Recovery of penalty or compensation.

CHAPTER XI

OFFENCES

- 65. Tampering with computer source documents.
- 66. Computer related offences.
- 66A. Punishment for sending offensive messages through communication service, etc.
- 66B. Punishment for dishonestly receiving stolen computer resource or communication device.
- 66C. Punishment for identity theft.
- 66D. Punishment for cheating by personation by using computer resource.
- 66E. Punishment for violation of privacy.
- 66F. Punishment for cyber terrorism.
- 67. Punishment for publishing or transmitting obscene material in electronic form.
- 67A. Punishment for publishing or transmitting of material containing sexually explicit act, etc., in electronic form.
- 67B. Punishment for publishing or transmitting of material depicting children in sexually explicit act, etc., in electronic form.
- 67C. Preservation and retention of information by intermediaries.
- 68. Power of Controller to give directions.
- 69. Power to issue directions for interception or monitoring or decryption of any information through any computer resource.
- 69A. Power to issue directions for blocking for public access of any information through any computer resource.
- 69B. Power to authorise to monitor and collect traffic data or information through any computer resource for cyber security.
- 70. Protected system.
- 70A. National nodal agency.
- 70B. Indian Computer Emergency Response Team to serve as national agency for incident response.
- 71. Penalty for misrepresentation.
- 72. Penalty for Breach of confidentiality and privacy.
- 72A. Punishment for disclosure of information in breach of lawful contract.
- 73. Penalty for publishing electronic signature Certificate false in certain particulars.
- 74. Publication for fraudulent purpose.
- 75. Act to apply for offence or contravention committed outside India.
- 76. Confiscation.
- 77. Compensation, penalties or confiscation not to interfere with other punishment.
- 77A. Compounding of offences.
- 77B. Offences with three years imprisonment to be bailable.
- 78. Power to investigate offences.

CHAPTER XII

INTERMEDIARIES NOT TO BE LIABLE IN CERTAIN CASES

79. Exemption from liability of intermediary in certain cases.

CHAPTER XIIA

EXAMINER OF ELECTRONIC EVIDENCE

79A. Central Government to notify Examiner of Electronic Evidence.

CHAPTER XIII

MISCELLANEOUS

- 80. Power of police officer and other officers to enter, search, etc.
- 81. Act to have overriding effect.
- 81A. Application of the Act to electronic cheque and truncated cheque.
- 82. Controller, Deputy Controller and Assistant Controller to be public servants.

SECTIONS

- 83. Power to give directions.
- 84. Protection of action taken in good faith.
- 84A. Modes or methods for encryption.
- 84B. Punishment for abetment of offences.
- 84C. Punishment for attempt to commit offences.
- 85. Offences by companies.
- 86. Removal of difficulties.
- 87. Power of Central Government to make rules.
- 88. Constitution of Advisory Committee.
- 89. Power of Controller to make regulations.
- 90. Power of State Government to make rules.
- 91. [*Omitted.*].
- 92. [*Omitted*.].
- 93. [*Omitted*.].
- 94. [*Omitted.*].

THE FIRST SCHEDULE.

THE SECOND SCHEDULE.

THE THIRD SCHEDULE [Omitted.].

THE FOURTH SCHEDULE [Omitted.].

References:

1. https://www.indiacode.nic.in/