

B.Com. (Hons): Semester-V
SEC-2

BCM562: CYBER CRIMES & LAWS

Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test – 12Marks
Tutorials: 1- hr/Week	Teachers Assessment – 6Marks
	Attendance – 12 Marks
Credits: 5	End Semester Exam – 70 Marks

Course Objective

This paper intends to create an understanding towards the cyber crimes and to familiarize the students with the application of cyber laws in business.

Course Learning Outcomes

After completing the course, the student shall be able to:

- O1: identify cyber risk associated with online activities
- O2: prepare them for safe working in the vertical having varied access points, data sources, network and system related issues, especially in online transactions
- O3: generate and preserve electronic evidences for personal and professional use.
- O4: work in virtual space safely and with business process or products conforming to the regulatory framework and not falling under the ambit of cyber crimes.
- O5: analyse the cases and find pertinent facts for resolutions.
- O6 : understand GDPR

Unit I: Cyber Crimes

Introduction- Computer crime and cyber crimes; Distinction between cyber crime and conventional crimes; Kinds of cyber crimes- cyber stalking, cyber terrorism, forgery and fraud, crimes related to IPRs, computer vandalism, cyber forensic.

Unit II: Definitions under IT Act, 2000 and Contemporary Business Issues in Cyber Space

Definitions under IT Act, 2000; Concept of Internet, Web Centric Business, E Business and its significance, Electronic Governance, Instant messaging platform, social networking sites and mobile applications, security risks, Internet of Things (IOT), Cyber jurisdiction, Domain name dispute and their resolution, E-forms; E-Money, regulations of PPI (Pre-Payment Instruments) by RBI, Electronic Money Transfer, Privacy of Data and Secure Ways of Operation in Cyber Space.

Unit III: Electronic Records

Authentication of Electronic Records; Legal Recognition of Electronic Records; Legal Recognition of Digital Signatures; Applications and usage of electronic records and Digital Signatures in Government and its Agencies; Retention of Electronic Records, Intermediaries and their liabilities ; Attribution, Acknowledgement and Dispatch of Electronic Records; Secure Electronic Records and Digital Signatures.

Unit IV: Regulatory Framework

Regulation of Certifying Authorities; Appointment and Functions of Controller; License to issue Digital Signatures Certificate; Renewal of License; Controller's Powers; Procedure to be Followed by Certifying Authority; Issue, Suspension and Revocation of Digital Signatures Certificate, Duties of Subscribers; Penalties and Adjudication; Appellate Tribunal; Offences; Overview of GDPR and Indian data protection regime

Unit V Case Laws

1. **Communication Device-Section 2(ha)** of the Information Technology (Amendment) Act, 2008- 'State v Mohd. Afzal and others (2003), VIIAD (Delhi) 1, 107(2003)DLT385, 2003(71) DRJ178, 2003(3)JCC1669'
2. **Computer Network-Section 2 (j)** of the Information Technology (Amendment) Act, 2008 'Diebold System Pvt Ltd. v The Commissioner of Commercial Taxes, (2006), 144 STC, 59(Kar)'
3. **Electronic Record Sec. 2 (t)**- 'Dharambir v Central Bureau of Investigation 148 (2008) DLT289'
4. **Time and Place of Dispatch and Receipt of Electronic Record-section 13**- 'P.R. Transport Agency v Union of India & others, AIR 2006 All-23, 2006(1) AWC 504, ALL HC'; 'Groff v America Online, Inc., 1998 WL 307001(1998)'
5. **Penalty for Damage to Computer or Computer System- Section 43**- 'Umashankar Sivasubramanian v ICICI Bank, 18.04.2010. (Petition No.2462/2008)'
6. **Tampering with Computer Source Documents-Section 65**- 'Syed Asifuddin and Ors. v The State of Andhra Pradesh & Anr. 2006 (1) ALD Cri 96, 2005 CriLJ4314'
7. **Punishment for sending offensive messages-Sec. 66A**- 'SMC Pneumatics (India) Pvt. Ltd. v Jogesh Kwatra', Suit No.1279/2001'
8. **Punishment for Identity Theft-Section 66C**- 'CBI v Arif Azim Case Judicial Reports (Criminal) 2003 (2) page272'
9. **Punishment for Cheating by Personating by using Computer Resource-section 66D**- 'National Association of Software and Service Companies (NAASCOM) v Ajay Sood. (2005) F.S.R. 38; 119 (2005) DLT 596, 2005 (30) PTC 437Del'
10. **Punishment for Publishing or Transmitting Obscene Material in Electronic form section 67**- 'Avnish Bajaj v State (N.C.T.) of Delhi, (2005) 3 Comp. LJ 364 (Del), 116(2005) DLT427, 2005(79) DRJ576'
11. **Punishment for Publishing or Transmitting of Material Containing Sexually Explicit Act, etc., in Electronic Form-Section 67A**- 'R v Graham Waddon., Southwark [Crown Court, 30/6/1999]'

Suggested Readings

- Arora, Sushma, and Arora R. (2017); Cyber crimes and laws, Taxmann Pvt Ltd, New Delhi.
- Brian, Craig. (2012). Cyber Law: The Law of the Internet and Information Technology. Pearson Education.
- Rattan J, (2015) Cyber Crime and Information Technology, Bharat Law House, Pvt Ltd.
- Sharma J. P., and Kanojia, S. (2018). E Business and Cyber Laws. New Delhi. Bharat Law house Pvt Ltd.

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Additional Readings

- Dietel, Harvey M., Dietel, Paul J., and Steinbuhler, Kate. (2001). E-business and E-commerce for managers. Pearson Education.
- Information Technology Rules & Cyber Regulations Appellate Tribunal Rules with Information Technology Act 2000. Taxmann Publications Pvt. Ltd., New Delhi.
- Joseph, P.T. (2015). E-Commerce-An Indian Perspective. PHI
- Painttal, D. (2016) Law of Information Technology, New Delhi: Taxmann Publications Pvt.Ltd.

Note: Latest Editions of the text books may be used.


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