

**GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA**

STARRED QUESTION NO:9

ANSWERED ON:22.11.2006

AMENDMENTS IN I.T. ACT

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Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

:-

- (a) Whether the Government has any proposal to make amendments in IT Act to strengthen data security and check cyber crimes;
- (b) If so, the details thereof ;
- (c) The number of cases of data theft reported during the last two years and the current year, till date; and
- (d) The steps taken by the Government to check recurrence of such cases ?

Answer

MINISTER OF COMMUNICATIONS & INFORMATION TECHNOLOGY (DAYANIDHI MARAN)

(a) and (b): It is proposed to amend the Information Technology Act, 2000, which inter alia provide framework for :

I. An enabling business environment, data protection, privacy and to prevent disclosure of sensitive personal information.

II. New forms of crime like publishing of material containing sexually explicit act in electronic form, video voyeurism, breach of confidentiality and leakage of data by service providers, e-commerce frauds through impersonation commonly known as phishing, identity theft and offensive messages through communication service.

III. To impose duties and liabilities upon service providers including Internet Service Providers and Intermediaries. As a result of the proposed comprehensive amendments, several consequential amendments and draft improvements have also been proposed with regard to a number of provisions and other enactments.

(c) : The primary responsibility for registration, investigation and prosecution of crimes lies with the State Government. As per the data maintained by the National Crime Records Bureau (NCRB), 247 cyber crimes were registered under the Information Technology Act during 2004 and 2005 and 252 persons were arrested. During the same period, 581 cyber crimes were registered under the Indian Penal Code (IPC) and 706 persons were arrested. The Central Bureau of Investigation (CBI) registered six cases during this period. Information on cases relating to data theft is not being maintained separately.

(d) : The Government has taken several steps to check cyber crimes in the country. Major steps are :

(i) A Bill to amend the Information Technology Act, 2000 so as to strengthen the regulatory framework pertaining to data protection and privacy of information has been prepared.

(ii) Initiative to create comprehensive security assurance framework for IT/ITES and BPO operations in the country.

(iii) National Association of Software and Service Companies (NASSCOM) has already setup National Registry of employees in IT services industry in the country.