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## CYBER SECURITY LEGISLATIONS

### INTRODUCTION:

As we live in an era that is dominated by digital technologies and interconnected networks, the cyber laws have expanded their scope in the past years, coping with the dynamic world. There are various legislations that play a major role in combating all such offences in the cyber space.

### UNDERSTANDING CYBER LAW AND ITS NEEDS:

Cyber law is a multifaceted field of law which deals with legal aspects in regards with electronic devices, internet and information systems. The evolving world in the field of technology is a boon as well as bane. It is a boon as it ensures connectivity, access to information, etc. and it is a bane as it is not utilized in a proper way or is in wrong hands like falsifying documents, cyber bullying, etc. The growth of such offences underlays the base for its necessity and the important role Cyber Law plays in our current society. National Crime Records Bureau (NCRB) reported over 52,000 cybercrime cases only in India at the year of 2021. Cyber Law ensures that cybercriminal activities are deteriorated, the rights and privacy of individuals are protected and ensure the safety and security of the electronic documents and communication systems. It also helps combat cyber offences and safeguard the interests of individuals. It also enhances the data protection and promote international cooperation in fighting cross border cyber threats and cyber bullying.

Cyber Laws Legislations in India:

Cyber Laws in India acts as a crucial framework to address various challenges, and issues in the digital space. These legislations address a wide array of aspects such as electronic transactions, data protection, cybercrimes, and cyber security.

1. Information Technology Act, 2000:

This act stands as the base and considered as the primary legislation that governs cyber related activities in India. Information Technology Act, 2000 recognized the legality of electronic transactions, facilitating E – Commerce, and regulating Digital Signatures. This act also laid down the various types of Cybercrimes such as unauthorized access to the system, unauthorized disclosure of information, Tampering Computer source documents, Identity theft and Impersonation, Cyber fraud, Cyber Terrorism, Cyber harassment, etc. There were several amendments, out of which 2008 amendment is considered as one of the most important one as it extended the scope the act addressing cyber threats and enforcing stricter penalties for cybercrimes.

2. Indian Penal Code, 1860:

The Indian Penal Code has a broader legal framework that can be applied to various criminal activities in relation to the Cyber Space crimes. It addresses various offences such as cheating, where an individual is deceived by another via online schemes or other related transactions. It also deals with criminal breach of trust where an individual abuse their access to confidential information or financial assets that are electronically stored and transferring funds unauthorizedly from online accounts. Defamation and criminal intimidation are also addressed under the Indian Penal Code, 1860. All these laws under the aforesaid act aims at protecting the individuals whose rights have been violated by the others or whose rights are at stake in the cyber space.

3. The Information Technology (Amendment) Act, 2008:

As mentioned earlier, the 2008 amendment is marked as a significant milestone in the development of cyber laws in India. As the use of technology increased, the need for fortifying the defenses against cyber threats such as hacking, malware, and cyber espionage has increased rapidly. During the period prior to amendment, the cases for cyber terrorism has increased and the same was addressed in the 2008 amendment. The act also provided for legal mechanisms to identify, investigate, and prosecute the said individuals or groups engaged in the cyber

terrorism activities. An Indian Computer Emergency Response Team (CERT-In) was also formed via its establishment in the said amendment. It services as the national nodal agency for cyber security situations, and is responsible for coordinating responses to cyber threats, providing early warnings, and disseminating information.

#### 4. Cyber Regulations Appellate Tribunal (CRAT):

The Cyber Regulations Appellate Tribunal (CRAT) was established under the IT Act in order to address disputes arising due to cyber related offences. It has the power of an appellate authority for decisions mad by the lower officials, i.e., the Adjudicating officers. This tribunal plays a very vital role as it ensures the effective enforcement of cyber laws in India.

#### 5. Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016:

The Aadhaar Act, 2016 lays down a unique identification system of identifying and differentiating each individual from another in India, called as Aadhaar. It primarily focuses on providing a unique identification number to each resident of India. Though the act addresses concerns related to data privacy and security, it imposes stringent safeguards in order to protect all Aadhaar related documentation.

#### Conclusion:

In conclusion, the comprehensive legal frameworks that has been laid down combats a wide array of cyber offences by listing down various offences, its penalties, establishing Cyber Regulations Appellate Tribunals, and CERT-In. These legislative efforts when put together with the on-going advancements in cybersecurity technologies, plays a very vital role in safeguarding individual's rights, as well as promoting trust in the digital platform.