

CYBER LAW AND INFORMATION TECHNOLOGY

R. M. Kamble *

Abstract: Information technology deals with information system, data storage, access, retrieval, analysis and intelligent decision making. Information technology refers to the creation, gathering, processing, storage, presentation and dissemination of information and also the processes and devices that enable all this to be done. The misuse of the technology has created the need of the enactment and implementation of the cyber laws. Today, computers play a major role in almost every crime that is committed. Citizens should not be under the impression that cyber crime is vanishing and they must realize that with each passing day, cyberspace becomes a more dangerous place to be in, where criminals roam freely to execute their criminals intentions encouraged by the so-called anonymity that internet provides. The Paper focuses on new legislation which can cover all the aspects of the Cyber Crimes should be passed so the grey areas of the law can be removed.

Keywords: Cyber Law, Information Technology, Cyber Crime, Computer, Enforcement, Data storage, Internet.

Introduction:

In any field of human activity Success leads to crime that needs mechanisms to control it. Legal provisions should provide assurance to users, empowerment to law enforcement agencies and deterrence to criminals. The law is as stringent as its enforcement. Crime is no longer limited to space, time or a group of people. Cyber space creates moral, civil and criminal wrongs. It has now given a new way to express criminal tendencies. Back in 1990, less than 100,000 people were able to log on to the Internet worldwide. Now around 500 million people are hooked up to surf the net around the globe.

Recently, many information technology (IT) professionals lacked awareness of an interest in the cyber crime phenomenon. In many cases, law enforcement officers have lacked the tools needed to tackle the problem; old laws didn't quite fit the crimes being committed; new laws hadn't quite caught up to the reality of what was

happening, and there were few court precedents to look to for guidance. Furthermore, debates over privacy issues hampered the ability of enforcement agents to gather the evidence needed to prosecute these new cases. Finally, there was a certain amount of antipathy—or at the least, distrust—between the two most important players in any effective fight against cyber crime: law enforcement agencies and computer professionals. Yet close cooperation between the two is crucial if we are to control the cyber crime problem and make the Internet a safe "place" for its users.

Information is a resource which has no value until it is extracted, processed and utilized. Information technology deals with information system, data storage, access, retrieval, analysis and intelligent decision making. Information technology refers to the creation, gathering, processing, storage, presentation and dissemination of information and also the processes and devices that enable all this to be done.

Information technology is affecting us as individual and as a society. Information technology stands firmly on hardware and software of a computer and telecommunication infrastructure. But this is only one facet of the information Technology, today the other facets are the challenges for the whole world like cyber crimes and more over cyber terrorism. When Internet was first developed, the founding fathers hardly had any inkling that internet could transform itself into an all pervading revolution which could be misused for criminal activities and which required regulations. With the emergence of the technology the misuse of the technology has also expanded to its optimum level.

The misuse of the technology has created the need of the enactment and implementation of the cyber laws. As the new millennium dawned, the computer has gained popularity in every aspect of our lives. This includes the use of computers by persons involved in the commission of crimes. Today, computers play a major role in almost every crime that is committed. Every crime that is committed is not necessarily a computer crime, but it does mean that law enforcement must become much more computer literate just to be able to keep up with the criminal element. According to Donn Parker , "For the first time in human history, computers and automated processes make it possible to possess, not just commit, a crime. Today, criminals can pass a complete crime in software from one to another, each improving or adapting it to his or her own needs." but whether this cyber laws are capable to control

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