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UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
Online End Semester Examination December, 2020

Course: Information Technology Law
Semester: XI
Programme: B.tech LL.B (IPR)
Course Code: LLBL667

Time: 03 hrs.   Max. Marks: 100
Instructions: Attempt all questions

SECTION A

Instructions-
1.Attempt all questions
2. Each Question will carry 5 Marks

S. No.	True or False	Marks	CO
Q 1	William Gibson coined the term Cyberspace in his novel Neuromancer.	5	CO1
Q2	The Information Technology Act 2000 is based on the TRIPs agreement of the World Trade Organization.	5	CO2
Q3	The digital signature makes use of two kinds of key i.e. public and private key.	5	CO1
Q4	Section 79 of the IT Act bestows blanket protection on the Intermediary from any liability.	5	CO2
Q5	Knowledge + material contribution=Vicarious liability of intermediary.	5	CO1
Q6	Information Technology Act has never been amended.	5	CO1

SECTION B

Instruction-
1. Each question will carry 10 marks
2. Write short / brief notes
3. Attempt all questions

Q7	Discuss the authentication of Electronic Record under Information Technology Act? Explain with the help of diagram.	10	CO2
Q8	Explaining the concept of e-governance differentiate it from e-government.	10	CO2
Q9	How can vicarious liability of an intermediary be established with regard to copyright infringement in cyberspace? Discuss the 'Fonovisa test' in detail.	10	CO4
Q10	Explaining the concept of e-contracts describe the various types of agreements formed through websites. Also explain the rule regarding receipt and attribution as given under the IT Act.	10	CO2
Q11	Discuss the main issues of consumers in e-commerce? Explain the relevant legal provision of Consumer Protection Act, 2019 to combat the same.	10	CO3

SECTION-C

Instructions-
1. The Question carries 20 Marks.
2. Attempt all parts of the question.

| Q 12 | *"The doctrinal foundation of the right to privacy in India rests on the trilogy of decisions in __M.P. Sharma vs. Satish Chandra, Kharak Singh vs. State of U.P.__ and __Govind vs State of Maharashtra.__ Of these, the decision in M.P. Sharma does not adjudicate on constitutional protection of a privacy right. Further, Kharak Singh, while rightly acknowledging that 'life' under Article 21 is not a right to "animal existence", suffers from an internal inconsistency that where on the one hand the regulation permitting domiciliary visits was struck down on the rationale of privacy without expressly using the term, on the other it recorded the absence of constitutional protection of privacy. These two contradicting views cannot co-exist and the two decisions, to the extent that they hold that the Constitution of India does not protect privacy, are overruled."*

Stressing on the concept of 'privacy'

Answer the following questions :
   a. Which section deals with the punishment for violation of privacy under Information Technology Act?
   b. What is the maximum punishment provided for violation of privacy under the Information Technology Act?
   c. Explain the Justice K.S. Puttuswamy v. Union of India with respect to validity of AADHAR Act?
   d. Explain the key highlights of Draft Personal Data Protection Bill, 2018. | 3

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4 | CO4 |