

Roll No: -----



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, December, 2017

Program/course:

B. Tech. (ET) LL.B. (Hons.) IPR

Subject: The Information Technology Law

Code :LLBL 667

No. of page/s:4

Semester – XI

Max. Marks : 100

Duration : 3 Hrs

SECTION A

Objective type / Short Answer type memory based general questions

5 questions *2 marks -10 marks

All questions are Compulsory

1. Which of the following are Cyber Crimes:
 - a. Data Spying
 - b. Data Diddling
 - c. Data Leakage
 - d. All of the above

2. Definition of 'Certifying Authorities' is defined under which section of the Information Technology Act, 2000:
 - a. Section 2 (1) (d)
 - b. Section 2 (1) (p)
 - c. Section 2 (1) (g)
 - d. None of the above

3. Definition of 'originator' is defined under which section of the Information Technology Act, 2000:
 - a. Section 2 (1) (y)
 - b. Section 2 (1) (zg)

- c. Section 2 (1) (a)
 - d. None of the above
4. Under the Information Technology Act, 2000 'asymmetric crypto system' as defined under Section 2 (1) (f) means:
- a. License to issue digital certificate
 - b. Interconnection of computer systems
 - c. Secure Key Pair consisting of Private key and Public key
 - d. All of the above
5. Which of the following section deals with composition of Cyber Appellate Tribunal under the Act:
- a. Section 48
 - b. Section 49
 - c. Section 49 A
 - d. None of the above

SECTION B

Short Answer Type Conceptual questions

Attempt any two questions. One question carries 10 Marks

(2 question*10 Marks -20 marks)

1. Whether e-Contracts are valid in India? Explain the validity of various types of e-Contracts with relevant cases.
2. Define the term "Intermediary" as given under the Information Technology Act, 2000. Write a note on comparative differences on the 'Liability of Intermediaries' before and after the amendment in the Information Technology Act, 2008.
3. With the help of diagram explain the 'Authentication of Electronic Records' using the concept Asymmetric Crypto System, Encryption, Private Key and Public Key.

Section C

Analytical questions

Attempt any two questions. One question carries 10 Marks

(2 question *10 Marks -20 marks)

1. What do you understand from 'Cyber Crimes'? Explain the classification of Cyber Crimes. Differentiate between Cyber Wrong and Cyber Offences with the relevant sections.
2. Discuss the concept of 'E- Commerce'. What are various types of E-Commerce? Explain the role of e-Commerce in the development of e-Market in India.
3. Analyze the role of UNCITRAL Model Law, 1996 in the enactment of the Information Technology Act, 2000?

Section D

All Questions are compulsory

Application based questions/ Case study (2 questions *25 marks-50 marks)

1. Mr. Karnakur Kumar Pandey is a highly qualified individual. He lives in Rajasthan with his family and completed his B. Tech. Computer Science and MBA from Bangalore. He set up three companies M/S Lokus Technologies Ltd., M/S Bozen Ltd. and M/S OLW Technologies Ltd. in the year 2016 which was duly registered under the Companies Act, 1956 (as amended in 2013) in Rajasthan. These companies provide Internet services to the users. These companies deal with online shopping websites and online services. Within a short span of 6 months, Mr. Karnakur Kumar Pandey became very popular. The complaint against Mr. Karnakur Kumar Pandey was that he had used the network facilities provided by his companies for arranging the supply of banned Narcotics Drugs and Psychotropic Substance to persons within India as well as outside India with the help of e-Commerce website. The domain name was www.goodpharmahelp.com. Entries of monetary transactions from the UK, USA and EU into the account of M/S Lokus Technologies Ltd. were shown in the records. When officers of the Narcotics Control Bureau (NCB) conducted a search at the residence of Mr. Karnakur Kumar Pandey argued that he is Network Service Provider and he is not involved in any offence.

On the basis of this definition problem, answer the following questions. Yes/No is not acceptable. Justify your answer with Sections and case laws.

1. Identify the name of Parties involved.
 2. Under which section of the Information Technology Act, 2000 as amended in 2008 case will be filed against Mr. Karnakur Kumar Pandey?
 3. Whether charges will be framed against Mr. Karnakur Kumar Pandey under the Narcotics Drugs and Psychotropic Substance Act, 1985?
 4. Which is the appropriate authority to adjudge this case?
 5. What do you mean Network service providers in the context of this problem?
-
2. Tulika Khanna, aged 25 years graduated from ALPINE College of Business, Mathura. She was working as Assistant Manager in the Tata Indicom Private Limited at Mathura since 2007. Company provided her laptop, printer, mobile and data cards. Prior to 2007, she was working in the Airtel Private Company at Bangalore. She is having an email id tulika@gmail.com. She is also having facebook profile. She came in contact of accused Harshit Srivastava through facebook and they became friends. Then they met face to face, but later period, she did not like nature him and she unfriend him. Next day when she opened her email account referred above, and found that she received one mail from email id love12346@gmail.com, which was unknown. When she opened this email she found flimsy, insulting, humiliating and vulgar comment on her, but she neglected to the same. When she came

back at home and opened her email account as usual at about 11 p.m. found same style email. She received about 15 such emails having vulgar and shameful comments on her. The emails were displaying nude photographs, pornographic postures, so she took out prints of all these emails and reported this fact/complaint to Cyber Cell at Mathura.

On the basis of this problem, answer the following questions. Yes/No is not acceptable. Justify your answer with Sections and case laws. **(25 Marks)**

1. What remedy is available to Tulika Khanna?
2. Under which section of the Information Technology Act, 2000 as amended in 2008 case will be filed against Harshit Srivastava?
3. Which is the appropriate authority to adjudge this case?
4. Whether Network service providers are liable for delivering vulgar and porn messages to Tulika Khanna?
5. Whether Tata Indicom Private Limited at Mathura is liable for providing abovementioned facilities?

Roll No: -----



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, December, 2017

Program/course:

B. Tech. (ET) LL.B. (Hons.) IPR

Subject: The Information Technology Law

Code :LLBL 667

No. of page/s:4

Semester – XI

Max. Marks : 100

Duration : 3 Hrs

SECTION A

Objective type / Short Answer type memory based general questions

5 questions *2 marks -10 marks

All questions are Compulsory

1. Which of the following section of the Information Technology Act, 2000 deals with 'Electronic Governance':
 - a) Section 3
 - b) Section 4
 - c) Section 9
 - d) None of the above

1. Definition of 'Subscriber' is defined under which section of the Information Technology Act, 2000:
 - a) Section 2 (1) (d)
 - b) Section 2 (1) (p)
 - c) Section 2 (1) (zg)
 - d) None of the above

2. Definition of 'access' is defined under which section of the Information Technology Act, 2000:
- a) Section 2 (1) (y)
 - b) Section 2 (1) (k)
 - c) Section 2 (1) (a)
 - d) None of the above
3. Which of the following are Cyber Crimes:
- a) Salami Attack
 - b) Spamming
 - c) Phishing
 - d) All of the above
4. Under the Information Technology Act, 2000 'asymmetric crypto system' as defined under Section 2 (1) (f) means:
- a) License to issue digital certificate
 - b) Interconnection of computer systems
 - c) Secure Key Pair
 - d) All of the above

SECTION B

Short Answer Type Conceptual questions

Attempt any two questions. One question carries 10 Marks

(2 question*10 Marks -20 marks)

1. According to McConnel International Report, "Cybercrime are harmful acts committed from or against the computer". Keeping in view this statement, explain the nature and classification of Cyber Crimes with relevant examples.
2. Write a note on Adjudicating Officer. What are powers and jurisdiction of Adjudicating Officer under the Act?
3. Internet is beyond boundaries which does not identify borders. Internet is anonymous and global in nature'. In the light of this fact, explain various theories of Jurisdiction in Cross-Border Jurisdictional disputes on the Internet.

Section C

Analytical questions

Attempt any two questions. One question carries 10 Marks

(2 question *10 Marks -20 marks)

1. Analyze the role of UNCITRAL Model Law, 1996 in the enactment of the Information Technology Act, 2000?
2. Discuss the concept of 'E- Commerce'. What are various types of E-Commerce? Explain the role of e-Commerce in the development of e-Market in India.
3. What is the concept of e-Contract? Whether E-Contract is recognized in India? Briefly explain various types of e-Contracts with relevant cases.

Section D

All Questions are compulsory

Application based questions/ Case study (2 questions *25 marks-50 marks)

1. Mr. Karnakur Kumar Pandey is a highly qualified individual. He lives in Rajasthan with his family and completed his B. Tech. Computer Science and MBA from Bangalore. He set up three companies M/S Lokus Technologies Ltd., M/S Bozen Ltd. and M/S OLV Technologies Ltd. in the year 2016 which was duly registered under the Companies Act, 1956 (as amended in 2013) in Rajasthan. These companies provide Internet services to the users. These companies deal with online shopping websites and online services. Within a short span of 6 months, Mr. Karnakur Kumar Pandey became very popular. The complaint against Mr. Karnakur Kumar Pandey was that he had used the network facilities provided by his companies for arranging the supply of banned Narcotics Drugs and Psychotropic Substance to persons within India as well as outside India with the help of e-Commerce website. The domain name was www.goodpharmahelp.com. Entries of monetary transactions from the UK, USA and EU into the account of M/S Lokus Technologies Ltd. were shown in the records. When officers of the Narcotics Control Bureau (NCB) conducted a search at the residence of Mr. Karnakur Kumar Pandey argued that he is Network Service Provider and he is not involved in any offence.
 1. Identify the name of Parties involved.
 2. Under which section of the Information Technology Act, 2000 as amended in 2008 case will be filed against Mr. Karnakur Kumar Pandey?
 3. Whether charges will be framed against Mr. Karnakur Kumar Pandey under the Narcotics Drugs and Psychotropic Substance Act, 1985?
 4. Which is the appropriate authority to adjudge this case?
 5. What do you mean Network service providers in the context of this problem? Justify answer with relevant Sections and case laws.
2. The definition of 'Computer' as defined under Section 2 (1) (i) of the under the Information Technology Act, 2000 as amended in 2008 is as follows:

"Computer" means any electronic magnetic, optical or other high-speed data processing device or system which performs logical, arithmetic, and memory functions by manipulations

of electronic, magnetic or optical impulses, and includes all input, output, processing, storage, computer software, or communication facilities which are connected or related to the computer in a computer system or computer network.”

On the basis of this definition problem, answer the following questions. Yes/No is not acceptable. Justify your answer with Sections and case laws. (25 marks)

1. In the light of this definition, whether ATM is computer or not? Justify with relevant case laws.
2. What are features of a Computer and ATM on the basis of this definition?
3. Whether Washing Machine and Mobile Phone is a Computer?
4. What are offences where ATM is used as a ‘Tool’ of cybercrime?
5. Mention landmark decisions.