

Name:

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, December 2018

Course: Information Technology Law

Course Code: LLBL 512

Semester: IX

Programme: B.A., LL.B. (Hons.) Energy Laws/ BBA LL.B. (Hons.) Corporate Law/B. Com. LL.B. (Hons.)

Taxation Law

Time: 03 hrs.

Max. Marks: 100

Instructions:

SECTION A

S. No.	Attempt any Five (5) questions 5*2=10 Marks	10 Marks	CO
Q 1	Digital Privacy	2	CO 1
Q 2	Cyber Appellate Tribunal	2	CO 3
Q 3	Click Wrap contract	2	CO 4
Q 4	Identity Theft	2	CO 4
Q 5	Cyber Stalking	2	CO 5
Q 6	Public Key Infrastructure	2	CO 1
Q 7	Artificial Intelligence	2	CO 5

SECTION B

	Attempt all question 2*10=20 Marks	20 Marks	
Q 8	<p>“The Information Technology Act, 2000 (hereinafter the IT Act, 2000) read with the Information Technology (Intermediaries guidelines) Rules, 2011 govern the liabilities of an intermediary. The said Act and the allied Rules and case laws provide for two mechanisms for the intermediaries to take benefit of the exemptions.”</p> <p>Explain the definition of an Intermediary, also highlight the nature and extent of the liability of an intermediary.</p>	10	CO 1
Q 9	<p>A number of developing countries have pursued policies to formulate a consistent legal and regulatory framework to support electronic transactions across state, national and international borders. The development of the appropriate legal framework has required substantial re-thinking of traditional legal approaches on the basis of the</p>	10	CO 2

	UNCITRAL Model Law on e-commerce. In view of this, explain the nature and scope of E-commerce regime.		
SECTION-C			
	Attempt any two questions (2*10=20 Marks)	20 Marks	
Q 10	<p>“e-Contracts have become a part and parcel of our lives. Be it buying a product from the market or hiring a taxi, we are governed by contracts in our daily lives of which some we know and some we unknowingly become a part of. In today’s times, everything from shopping a product online to the signing of an international treaty over the internet constitutes an e-contract.”</p> <p>Do you agree with this statement? If yes, analyse the provisions on Attribution, Acknowledgment and Dispatch of electronic record as provided in the IT Act, 2000 as amended in 2008.</p>	10	CO 3
Q 11	<p>Society is all too familiar with the characteristics of physical crime, whether the target be an individual or a business. In the case of theft or fraud or ransom, they have to gain access to your premises. There is normally clear evidence of the result like broken locks, empty safe and a helpful trail of forensic evidence, fingerprints, and muddy footprints. In cyber space, none of these characteristics applies. The attacker can be thousands of miles away. There is no evidence of anything going missing, because everything is still exactly as you left it.</p> <p>In light of the above excerpt, explain the nature of Cyber Crime in contrast with Conventional crimes.</p>	10	CO 2
Q 12	<p>The IT Act, 2000 has both civil and criminal remedies for offences and wrongs committed under the Act. Explain the concept of Cyber Contraventions and Cyber Offences as laid down in the IT Act, 2000. Also, point out the difference between the two with relevant cases.</p>	10	CO 4
SECTION-D			
	Attempt all question 2*25=50 Marks	50 Marks	
Q 13	<p>Sonia, a 20 year old girl was a student of Pondha University. On the fateful morning of 25th October, Sonia’s day dawned as usual with a quick reaching out to the mobile to check WhatsApp messages. The ordinariness of her everyday life shattered with it. She saw a bevy of messages of her nude pics being circulated online – her “ex” had</p>	25	CO 5

	<p>apparently carried out his threat and continued to threaten her with further sharing of pictures online.</p> <ul style="list-style-type: none"> • Is there an offence committed against Sonia? If yes, mention the relevant provisions of the Information Technology Act, 2000. • Mention the punishment prescribed for the same. • Is there a provision for enhanced punishment on subsequent conviction? If yes, mention the same. 		
Q 14	<p>Mr Tanraj sends information which is offensive, annoying, defamatory and insulting in nature to Mr Shankar, through Finstagram, a popular social media application. Suggest Shankar if he can proceed for any kind of remedy under the IT Act, 2000. If there is no remedy available under the said Act, explain why it is so. Explain in the light of the recent Supreme Court's judgement, where it has stepped to the fore with a delightful affirmation of the value of free speech and expression. Also, discuss the theories involved in the said judgement.</p>	25	CO 5

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SECTION A

S. No.	Attempt any Five (5) questions 5*2=10 Marks Define the terms:	10 Marks	CO
Q 1	Name different types of e-Governance	2	CO 1
Q 2	What is Cyber Terrorism?	2	CO 3
Q 3	Browse Wrap contract	2	CO 4
Q 4	Phishing	2	CO 4
Q 5	Private key	2	CO 5
Q 6	What do you understand from Artificial Intelligence?	2	CO 1
Q 7	Free Speech in Internet	2	CO 5

SECTION B

	Attempt all question 2*10=20 Marks	20 Marks	
Q 8	‘Since 2014, the Government of India has announced various initiatives namely, Digital India, Make in India, Start-up India, Skill India and Innovation Fund. The timely and effective implementation of such programs will likely support the e-commerce growth in the country.’ In the light of this statement, explain the nature and scope of e-Commerce in India.	10	CO 5
Q 9	Explain the definition of an ‘Intermediary’, also mention the nature and extent of the liability of an intermediary under the IT Act, 2000 prior as well as post 2008 amendment.	10	CO 2

SECTION-C

	Attempt any two questions (2*10=20 Marks)	20 Marks	

Q 10	<p>‘With the advance use of internet and electronic commerce, online contracts have assumed importance mainly in terms of reach and multiplicity. The IT Act, 2000 as amended in 2008 has given legal recognition to online contracts.’</p> <p>In light of the relevant provisions explain the essential elements and process of the formation and completion of an online contract.</p>	10	CO 3
Q 11	<p>Today, there are so many digital threats in the world. Most of the time you never know to whom you're going to connect with an insecure network. In anonymous cyberspace, how far you are safe in posting day to day selfies. Analyze the nature of emerging cyber crimes in India in the context of digital privacy with the reference of case laws.</p>	10	CO 5
Q 12	<p>The IT Act, 2000 has both civil and criminal remedies for offences and wrongs committed under the Act. Explain the concept of Cyber Contraventions and Cyber Offences as laid down in the IT Act, 2000. Also, point out the difference between the two.</p>	10	CO 4
SECTION-D			
	Attempt all question 2*25=50 Marks	50 Marks	
Q 13	<p>Gitika, a 22 year old girl was a student of Doonga University. On the fateful morning of 25th October, Gitika’s day dawned as usual with a quick reaching out to the mobile to check WhatsApp messages. The ordinariness of her everyday life shattered with it. She saw a bevy of messages of her nude pics being circulated online – her “ex” had apparently carried out his threat and continued to threaten her with further sharing of pictures online.</p> <ul style="list-style-type: none"> • Is there an offence committed against Gitika? If yes, mention the relevant provisions of the Information Technology Act, 2000. • Mention the punishment prescribed for the same. • Is there a provision for enhanced punishment on subsequent conviction? If yes, mention the same. 	25	CO 5
Q 14	<p>Mr Sameer sends information which is offensive, annoying, defamatory and insulting in nature to Mr Shrikant, through Finstagram, a popular social media application. Suggest Shankar if he can proceed for any kind of remedy under the IT Act, 2000. If there is no remedy available under the said Act, explain why it is so. Explain in the light of the recent Supreme Court’s judgement, where it has stepped to the fore with a delightful affirmation of the value of free speech and expression. Also, discuss the theories involved in the said judgement.</p>	25	CO 5