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ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

SECTION 67 OF INFORMATION TECHNOLOGY ACT 2000

AUTHORED BY - JUHI JOSHI & DIWANSHI CHANDEL

INTRODUCTION

Globalization, liberalization and communication convergence technologies will be implemented in the millennium world. During this time, due to the rapid development of science and technology, the ugly faces of criminal police are unfortunately higher and higher to cause more and more human tragedy. People have become more and more aware of freedom than obligations, moral standards, decency, law, and order in society. In this world, all available to click, crimes are also committed in one click. Therefore, cybercrime is the dark side of technology. This is a crime in which a computer is either a tool or a destination. The term WWW, short for World Wide Web, has become concerned all over the world due to the growth of cybercrime. Crime in developing countries is an obstacle to its development. It not only negatively affects all members of society, but also reduces the country's economic growth. Computer technology has guaranteed human life. It made human life more enjoyable and comfortable. It not only added speed to human life, but also increased accuracy and efficiency. However, this computer was exploited by criminals. This illegal use of computers for criminal testing leads to cybercrime. To combat cybercrime, India armed the Information Technology Act of 2000. This law changed dramatically in 2008. The changed information technology laws are not only more effective than previous laws, but stronger and more stringent than previous laws. However, according to Indian law, cybercrime itself was not defined by any law. The law dealing with crimes related to such crimes in India is the Information Technology Act of 2000, which was changed in the form of the IT Change Act of 2000. However, these two important laws do not include the definition of cybercrime. If it is practical, it is not easy to define this term at all. To define such a crime, when such a type of crime can be seen, it is a combination of crime and computer. Therefore, when using cybercrime crimes, we can say that we can explain cybercrime. It is inappropriate to define cybercrime as an act punished by information technology law. Many other cybercrimes, such as cyber-honored deficits and email orientation, are also handled under Indian criminal law. A major change was made in 2008. Section 66A introduced the program "Aggressive Nazi Chiten". Section 69 has also been introduced. This allowed the authorities to "intercept, monitor

or or decrypt information about computer resources." He was also featured for child porn, cyberterrorism and voyeurism. It was adopted on December 22, 2008 by Lok Sabha without discussion. The next day it was adopted by Raja Sabha. It was signed on February 5th, 2009 by the then President (Pratibha Patil). Another limitation imposed in accordance with sections 292, 293, 294, 509 of the Indian Penal Code of 1860, etc., is therefore a crime against morality, decency, law, and order, and is prohibited. During the Information Technology Period, Section 67 of Section 67A of Information Technology Act 2000 is prohibited by Information Technology Act modified by Indian Information Technology (Modified Application). It has international influence not only in India but also in the world, and is banned worldwide. In a democratic society, freedom of speech and expression is necessary, but restrictions are required. From India to Professor M.D. Shah¹ in 1993, the court found this freedom to be the fundamental and fundamental right of those who have acquired as humans for birth. And in democratic countries, except for Article 2, paragraph 2, all attempts to suffocate this right are in violation of democracy and Article 19(1)). Therefore, it can be said that this universe's rights, whether in the natural world or the cyber world, does not exist. If a right is granted, society will be ruined, so the rights are subject to reasonable restrictions. Cybercrime is a crime committed on a super highway with new technologies such as hacking and phishing. Identity theft, cyber fraud, cyberporgraphia, cyberterrorism, flowing viruses, operational source code, etc. The list is not exhaustive. In the 2000 Indian law, one bill chapter deals with crime and only a few control and precautions in IT regulations. Section 67 in particular deals with cyberporgrafie in the form of flowing indecent material, which is a crime. This section was changed in 2006, and a new section 67A was inserted through such changes. Here we must refer to section 67 of the IT Act 2000 where §292, 293, and 294 prohibit publications and honoration in Prohibited Section 499, which is not just in Section 67 of the IT Act 2000, where indecency is likely to be pursued before the Sezmenc Code of India of 1860. Article 19(2) of the Indian Constitution 1950, Article 19(2) prohibits obscene, immoral, and obscene language, expression and publication. Before we discuss that, we present the relevant constitutional provisions of India.

Information Technology Act (IT), 2000:

The Information Technology Act (IT), Section 67 of 2000 provides for criminal sanctions, with no exceptions as in Section 292 of the Indian Criminal Code (IPC) of 1860. Section 248 Chapter 5 Cyberporn 292 provides that, in whole, the publication or possession of obscene material must be assumed before there is a punishment. Section 67 does not mention possession of attack material and may claim loading in accordance with this section if some of the materia

It has been proven to be obscene. To protect children's porn IPCs, we provide special sections according to section 293. Convention Title 3 deals with content-related crimes. The crime prohibits violations related to cyberpornographs and child pornography in cyberrooms. Section 67 of IT ACT Indian was not sufficient. Because if a person is uploaded or Porn 249 cyberporgrafie material is available, it must be treated as a crime. However, British and American laws, IPC provides that even possession of pornographic material on a computer or device is prohibited as a criminal offence. In accordance with section 75 of the IT Act since 2000, in question of jurisdiction, India has a connection with computer activities to apply Indian law to foreign countries. Today, the Internet is being entered into our salons and in our salons about the convergence of new technology and communication. B. Computers with Internet connection, pocket PCs, wireless, mobile phones, TVs, etc. The drawback of the technological revolution is the increased crime rate in society. B. Using intelligent or webcams for live sex or pornographic photos of child abuse, sexual harassment, digital exploitation of children and women, video clips, friends, school friends, actors, actresses, teachers, teachers and other cybercrimes. In the modern technological age of India, examples are not exhaustive. This problem is not only facing India, but the US, UK, Canada, Australia and the whole world as well. The international concern in modern social phenomena is how the situation is prevented and controlled. But it even disliked the 2000 drafters and legislators to mention online child abuse and child exploitation while designing, adopting and adopting the law. Section 67 prohibits spreading of pornographic material that corrupts young people through obscene exposure. So you can say that young people mean children. But it's not child pornography.

Cyber

Porn formed 12 Indian Law School students in Pune city in February to spread awareness of changes in section 67 of IT 67 from 2000 to the DPS MMS clip controversy. However, the Information Technology Act (change) of 2006 has been changed. Sections 67, 67A and other sections introduced exceptions to similarities and child pornography in art, literature and cyberspace as criminal offences. Therefore, the drawbacks of existing laws can be repaired by implementing the amendment law. Section 67 provides that if all people who are published or published in electronic form are appealing to perverted or approved interests, or their effects tend to be removed, and that perhaps an estimation of a widening deficiency estimate is likely to expand corrupt corruption who can hear or hear the liberation that is likely to begin or hear. First gun handling first complaint exemption, stay dealing with stay, stay dealing with residence a

authority. Except for the 5 lakh loopy and a second conviction in detention for a term, the sentence can last for five years and also receive a fine that can be extended to Rs 100,000. Section 67a provides that all persons who publish or transmit electronically in electronic form are punished by all material, including sexually express actions or actions, and the initial conviction for detention of a fine of up to five years is due to a fine of Rs 100,000, which means bypass. It will be extended to 100,000 rupees. However, Sections 67 and 67A do not extend to books, brochures, papers, writings, drawings, drawings, paintings, representations or electronic format paintings (i) Sections 67 and 67a are not featured in the publication of such books, brochures, papers, writings, drawings, paintings, representations or electronic formats. Interest in science, literature, art, learning, or other objects of concern in general. or (ii) for or held for religious purpose. Meanwhile, the 2006 Change Act reduced the minimum liability of Internet service providers by inserting new section 6A and changes in section 79 of the IT Act 2000.

Section 67a:

Material containing sexually explicit crafts or elements of conduct of a crime: mere publication or transmission. In this context, we can distinguish between "indecent" and pornography. Section 67A - Sexual Acting or Behavior - may be seen sexually expressly or explicitly in action or behaviour by including pornographic disasters. Sexual arousal needs to be stimulated. According to Section 67A, whether a false and false crime defined is a crime or a false crime, and in contrast to §67, you must pass a test of material called "indecent." The only requirement according to §67a is that the material or behavior must be sexually explicit and violate sexual arousal. Further law defines lexicon "porn" as follows: Material that represents erotic behavior and causes sexual excitement. Here, two conditions are very important. 1) the substance is necessary for it to have "action or behavior" or "action" and 2) to cause sexual stimuli. Therefore, porn is a more severe form of indecency, both the quality and morality of insulting public decency.

Conclusion

All materials (electronic forms) must be sexually explicit or behavioural. Tool or Topic: Must be in electronic format. The transfer or publication of such material will be made available through or through a computer, communications device, or another electronic device. This allows for electronic communications such as mobile phones, mobile phones, or mobile phones, which are classified as defined as computer or communication devices. 67(a). Penalties for th

The publication of sexually obvious materials are higher than punishments for publishing obscene materials in the context of IT law. According to the report, §67 and §67(a) are used synonymously. It is either a fine of up to 5 years, up to 100,000 Rs. 100,000,000, in the case of a two-second or subsequent conviction that includes an explanation of the period that could last seven years, and a fine of 100,000 Rs. from Cyb's lead. Some lawyers say this was the first Indian cyberporn to be charged in a youth court. The short fact was that in 2001 the Air Force Bar Bal ti School, located at Rodi Road, Delhi, was arrested by police in Delhi in 2001. The accused was then a standard student in Class XII. He sexually explicitly lists the names of 12 school colleagues and teachers on this website. He was suspended by school authorities despite the youth court allowing the deposit prayer. However, he was charged with §67 of the 2000 Act, Sections 292, 293, 294 of the IPC, and indecent presentations in the Women's Act. The most important measures were taken by Indian law enforcement agencies. For example, in *Makbor Fida Hussain against Raj Kumar Pandi*⁷, where obscene paintings on the internet are allegedly being sold, the DHC believed that the tests determining obscenity were also similar in both acts. Mediator. When reviewing the principles of General Zeneria Specialives, not disparagingly, he confirmed that, according to the criminal law of electronic records, in the case of indecency that appears on the Internet, it could not be ignored in accordance with the provisions of the IT Act, particularly Section 79.

This judgment pursues the view that orders cannot be viewed alone. The offences under section 292 of the IPC were read in general in sections 67, 79, and 81 of the IT Act. When reading the aforementioned IPC and IT transaction provisions, the SC displayed them in harmony to enable legislative intent. The IT Act provides crimes that were not within lawmakers at the time of the IPC ban.

If technology develops, the interpretation of SC in this case is a welcome precedent for the interpretation of special laws issued to combat specific expressions from advances in technological developments.