

The IT ACT 2000

Section 87 - Power of Central Government to make rules

(1) The Central Government may, by notification in the Official Gazette and in the Electronic Gazette make rules to carry out the provisions of this Act (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: (a) the manner in which any information or matter may be authenticated by means of digital signature under section 5; (b) the electronic form in which filing, issue, grant or payment shall be effected under sub-section (1) of section 6; (c) the manner and format in which electronic records shall be filed, or issued and the method of payment under sub-section (2) of section 6; (d) the matters relating to the type of digital signature, manner and format in which it may be affixed under section 10; (e) the security procedure for the purpose of creating secure electronic record and secure digital signature under section 16; (f) the qualifications, experience and terms and conditions of service of Controller, Deputy Controllers and Assistant Controllers under section 17; (g) other standards to be observed by the Controller under clause (b) of sub-section (2) of section 20; (h) the requirements which an applicant must fulfil under sub-section (2) of section 21; (i) the period of validity of licence granted under clause (a) of sub-section (3) of section 21; (j) the form in which an application for licence may be made under sub-section (1) of section 22; (k) the amount of fees payable under clause (c) of sub-section (2) of section 22; (l) such other documents which shall accompany an application for licence under clause (a) of sub-section (2) of section 22; (m) the form and the fee for renewal of a licence and the fee payable there of under section 23; (n) the form in which application for issue of a Digital Signature Certificate may be made under sub-section (1) of section 35; (o) the fee to be paid to the Certifying Authority for issue of a Digital Signature Certificate under sub-section (2) of section 35; (p) the manner in which the adjudicating officer shall hold inquiry under subsection (1) of section 46; (q) the qualification and experience which the adjudicating officer shall possess under sub-section (3) of section 46; (r) the salary, allowances and the other terms and conditions of service of the Presiding Officer under section 52; (s) the procedure for investigation of misbehaviour or incapacity of the Presiding Officer under sub-section (3) of section 54; (t) the salary and allowances and other conditions of service of other officers and employees under sub-section (3) of section 56; (u) the form in which appeal may be filed and the fee thereof under sub-section (3) of section 57; (v) any other power of a civil court required to be prescribed under clause (g) of sub-section (2) of section 58; and (w) any other matter which is required to be, or may be, prescribed. (3) Every notification made by the Central Government under clause (f) of subsection (4) of section 1 and every rule made by it shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or the rule or both Houses agree that the notification or the rule should not be made, the notification or the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification or rule.