

Information Technology (Amendment) Act 2008

Section 66F - (I) Whoever, for C)bet IC Romm

660. Whoever, by means of any communication device or computer resource cheats for chulini by personation, shall be punished with imprisonment of either description for a term not exceeding three months or with fine not exceeding one lakh rupees. or with both.

66. Whoever, intentionally or knowingly captures, publishes or transmits the image of a private area of any person without his or her consent, under circumstances violating the privacy of that person, shall be punished with imprisonment which may extend to three months or with fine not exceeding two lakh rupees, or with both.

Explanation.- For the purposes of this section-- (a) "transmission" means to electronically send a visual image with the intent that it be viewed by a person or persons; (b) "capture", with respect to an image, means to take a photograph, film or record by any means; (c) "private area" means the body or any part thereof, including the face, neck, chest, buttocks or female breast; (d) "publishes" means reproduction in the printed or electronic form and making it available for public; (e) "under circumstances violating privacy" means circumstances in which a person can have a reasonable expectation that- (i) he or she could disclose in privacy, without being concerned that an image of his private area was being captured; or (ii) any part of his or her private area would not be visible to the public, regardless of whether that person is in a public or private place.

(A) with intent to threaten the unity, integrity, security or sovereignty of India or to strike terror in the people or any section of the people by- (i) denying or causing the denial of access to any person authorised to access computer resource; or (ii) attempting to penetrate or access a computer resource without authorisation or exceeding authorised access; or (iii) introducing or causing to introduce any computer contaminant, and by means of such conduct causes or is likely to cause death or injuries to persons or damage to or destruction of property or disrupts or knowing that it is likely to cause damage or disruption of supplies or services essential to the life of the community or adversely affect the critical information infrastructure specified under section 70; or (B) knowingly or intentionally penetrates or accesses a computer resource without authorisation or exceeding authorised access, and by means of such conduct obtains access to information, data or computer database that is restricted for reasons of the security of the State or foreign relations; or any restricted information, data or computer database, with reasons to believe that such information, data or computer database obtained may be used to cause or likely to cause injury to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence, or to the advantage of any foreign nation, group of individuals or otherwise, commits the offence of cyber terrorism. (2) Whoever commits or conspires to commit cyber terrorism shall be punishable with imprisonment which may extend to imprisonment (or life.