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Information Technology (Amendment) Act 2008

Section 34 - For section 69 of the principal Act, the following sections shall be substituted, IIC1II' StellOas

namely:- (or SCCHIOll 69-Po...~r 10direclioos forIIltercrtpllolllOf mOlllllonnl '69. (I) Where the Central Government or a State Government or any of its officers specially authorised by the Central Government or the State Government, as the case may be. in this behalf may, if satisfied that it is necessary or expedient so to do, in the interest of the sovereignty or integrity of India, defence of India, security of the State, friendly relations or decryption with foreign States or public order or for preventing incitement to the commission of any of the cognizable offence relating to above or for investigation of any offence, it may subject to the provisions of sub-section (1), by order, direct any computer agency of the appropriate Government to intercept, monitor or decrypt or cause to be intercepted, monitored or decrypted any information generated, transmitted, received or stored in any computer resource. (1) The procedure and safeguards subject to which such interception or monitoring or decryption may be carried out, shall be such as may be prescribed. (3) The subscriber or intermediary or any person in-charge of the computer resource shall, when called upon by any agency referred to in sub-section (I), extend all facilities and technical assistance to- (a) provide access to or secure access to the computer resource generating, transmitting, receiving or storing such information; (b) intercept, monitor, or decrypt the information, as the case may be; or (c) provide information stored in computer resource. Soc. I] 11fE GAZETTE OF INDIA EXTRAORDINARY (4) The subscriber or intermediary or any person who fails to assist the agency referred to in sub-section (J) shall be punished with imprisonment for a term which may extend to Section 69A - seven years and shall also be liable to fine