December 28th , 2018 Sample Current Affairs

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1. Information Technology Act: Govt can read your private e-mails, messages on your PC

- **Which agencies are authorised to snoop any computer?**
- **What is Section 69 of the Information Technology Act, 2000?**
- **Who else is empowered to sanction such orders?**
- **What is the penalty for 'misrepresentation' to the investigating agencies?**
- **When is tapping by the government lawful or illegal?**

GS paper 2 (Government polices and schemes)

In this video, you can find detailed answers for all the above questions.

The above article has been retrieved from:

Rahul Tripathi. (2018, December , 28). Interception of phone, computer data: the law, procedures and safeguards. Indian Express. Retrieved from https://indianexpress.com/article/explained/interception-of-phone-computer-data-the-law-procedures-and-safeguards-5511051/

What is the context about?

- The 'cyber and information security' division of the Ministry of Home Affairs on Thursday night issued a circular authorising 10 central agencies to intercept,

monitor and decrypt all the data contained in any computer system.

- A total 10 central probe and snoop agencies are now empowered under the Information Technology Act for computer interception and analysis.

Which agencies are authorised to snoop any computer?

- The agencies empowered with intercepting information on any computer system in the country include the Intelligence Bureau, Narcotics Control Bureau, Enforcement Directorate, the Central Board of Direct Taxes, Directorate of Revenue Intelligence, Central Bureau of Investigation, National Investigation Agency, the Research and Analysis Wing, Directorate of Signal Intelligence (in service areas of J-K, North East and Assam) and the Commissioner of Police, Delhi.

What is Section 69 of the Information Technology Act, 2000?

- This particular section of the said Act empowers the Central or state government -- in the name of defence or security interests of the country - to intercept or monitor or decrypt any information that it deems "necessary or expedient to do in the interest of the sovereignty or integrity of India

Who else is empowered to sanction such orders?

The Union home secretary is also empowered to authorise or sanction the intelligence and security agencies for undertaking

tapping and analysis of phone calls under the provisions of the Indian Telegraph Act.

What is the penalty for 'misrepresentation' to the investigating agencies?

- ❑ According to the order, the subscriber or service provider or any person in charge of the computer resource will be bound to extend all facilities and technical assistance to the agencies.
- ❑ Under the Act, those making any misrepresentation or trying to hide facts from the agency may get jail term for up to two years or with fine up to Rs 1 lakh, or with.

When is tapping by the government lawful or illegal?

The court laid down safeguards:

- Tapping of telephones is prohibited without an authorising order from the Home Secretary of the Union government or of the state government concerned.
- The order unless is valid for two months; if renewed, it cannot remain in operation beyond six months.
- Phone tapping or interception of communications must be limited to the address(es) specified in the order or to address(es) likely to be used by a person specified in the order.
- All copies of the intercepted material must be destroyed as soon as their retention is not necessary under Section 5(2).