

Name:	 UPES UNIVERSITY WITH A PURPOSE
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2021

Course: Information Technology Law
Program: B.A.LL.B (Energy Law)
Course Code: CLCC4006

Semester: IX
Time: 03 hrs.
Max. Marks: 100

Section-A

Each question carries 2 Marks, 5 Q*2 M=10 Marks

Q. No.	Attempt all questions 5*02=10 Marks	CO
1	Define the term “electronic record” as defined in The Information Technology Act, 2000.	CO 1
2	‘Is Cell Phone a computer?’ Answer this question with the help of definition as mentioned in the Information technology Act, 2000.	CO 4
3	Difference between ‘Electronic Signature’ and ‘Digital Signature’	CO 3
4	Mention the types of E-Commerce	CO 2
5	Define the term “subscriber” as defined in the Information Technology Act, 2000.	CO 1

SECTION B

Each question carries 5 Marks, 4 Q*5 M=20 Marks

6	<p>“The Information Technology Act, 2000 (hereinafter the IT Act, 2000) read with the Information Technology (Intermediaries guidelines) Rules, 2011 govern the liabilities of an intermediary. The said Act and the allied Rules and case laws provide for two mechanisms for the intermediaries to take benefit of the exemptions.”</p> <p>Explain the definition of an Intermediary, also explain the nature and extent of the liability of an intermediary.</p>	CO4
7	Explain the validity of ‘Click-Warp’ contracts with the help of case laws.	CO3
8	“During the second wave of COVID-19, in which India has witnessed a near-collapse of its public healthcare system, citizens have become victims of phishing (fraudulent websites were projected as COVID-19 resources or leads for hospital beds/oxygen cylinders), online sales of counterfeit drugs and bank fraud through fake donation links, including sham versions of the ‘PM CARES Fund’.” In the light of above-mentioned statement explain the emerging cyber-crimes during COVID-19 with examples.	CO4
9	Write a brief note on Attribution, Acknowledgement and Dispatch of electronic records as mentioned in the IT Act.	CO1

SECTION C

Attempt any 2 questions. Each question carries 10 Marks, 2 Q*10M=20 Marks

10	<p>Analyse the role of ‘e-Governance’ in providing its services with the use of ‘Information & Communication Technology. Give examples.</p> <p style="text-align: center;">Or</p> <p>What is cryptography? What are the different types of cryptography? Does the IT Act prescribe the use of any specific type of Cryptography? If yes, then explain with the help of legal provisions.</p>	CO2
11	Any criminal activity that uses a computer either as an instrumentality, target or a means for perpetuating further crimes comes within the ambit of Cyber Crime”. There is apparently no distinction between cyber and conventional crime. However, on a deep introspection we may say that there exists a fine line of demarcation between the conventional and Cyber Crime. Do you agree with these statements? Keeping in view the above excerpt, explain the concept of Cyber Crimes also, state the difference between a Cyber Crime and a Conventional Crime.	CO3

SECTION D

Attempt all the questions. Each question carries 25 marks 2Qx25M =50 Marks

12	<p>The Supreme Court, in a recent case has stepped to the fore with a delightful affirmation of the value of free speech and expression, The Judgment has increased the scope of the right available to us to express ourselves freely, and the limited space given to the state in restraining this freedom in only the most exceptional of circumstances. Justice Nariman, has highlighted that the liberty of thought and expression is not merely an inspirational ideal. It is also “a cardinal value that is of paramount significance under our constitutional scheme.” Answer the following questions in the light of the judgement of the above case:</p> <p>(a) State the effect of the judgement of the above mentioned case.</p> <p>(b) Summarize the observation of the Supreme Court with respect to the status of the fundamental right to freedom of speech and expression.</p> <p>(c) Discuss the doctrine of ‘Void for Vagueness’ with respect to section 66A.</p> <p>(d) Discuss in brief the various theories discussed by the court in this case.</p>	CO4
13	<p>Alex with intent to threaten the unity, integrity of Sindia penetrated into the military website of Sindia without authorization. He thus, accessed and copied the critical information infrastructure of the country. He also used this information to cause death and injuries to persons and destruction of property. He also by using this information disrupted the water supplies in the country due to which a state of chaos occurred in the country. Answer the following questions on the basis of this information.</p> <p>(a) Describe the offence committed by Alex, if any according to the IT Act, 2000 (2008)?</p> <p>(b) List out the elements/ ingredients of the offence mentioned under the above mentioned provision.</p> <p>(c) Explain the modes of committing an offence under the above mentioned provision.</p> <p>(d) What is the punishment prescribed for the commission of the offence and for conspiring to commit the offence?</p>	CO4