

**GUJARAT NATIONAL LAW UNIVERSITY  
GANDHINAGAR**

**Course: Information Technology Law  
Semester- X (Batch: 2016-21)**

**End Semester Online Examination: June 2021**

**Date: 07<sup>th</sup> June, 2021**

**Duration: 8 hours**

**Max. Marks: 50**

**Instructions:**

- The respective marks for each question are indicated in-line.
- Indicate correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period, answer as it is, giving reason, if any.
- Word Limit: 10 Marks:300-350 Words, 5 Marks: 150-200 Words, 2.5 Marks: 75-100 Words.

	<b>Answer Any Five</b>	<b>Marks</b>
Q.1	“Cyberspace a separate legal domain, for which new rules are needed and the old rules are useless, inappropriate or self-defeating”. State reason for agreeing or disagreeing with the statement. Which particular model do you think is best suitable for the governance of cyberspace and why?	(10)
Q.2	Accessing the Internet from her home, “A” a consumer books a tour via the tour line’s website. The tour line is headquartered in a different State. In order to book the tour, “A” must provide her home address. During the tour, “A” suffers a personal injury from a slip and fall. “A” wants to sue the tour line for negligence in her home court. Based solely on these facts, how can “A” establish jurisdiction over the tour line? Give reason/s.	(10)
Q.3	“A”, an Indian online intermediary, receives an article written by “B” for its bulletin board, in which some defamatory statements are made against “C”. Here, “A” puts up the article on its bulletin board. Can “C” sue “A” and “B”? What is the law in support of “C”? Can “A” be held liable? Discuss with reasons.	(10)
Q.4	Answer the following: <ol style="list-style-type: none"> <li>a) The Right to be forgotten is a concept which is in discussion for long. It is a right that allows an individual to remove his reference from the web. Well, it is still debatable. The proponents say it is part of “Right to Privacy” and individuals have right to be present or not present on the web. Its opponents say that it is in direct conflict with freedom of expression; should convicts be permitted to remove record of their conviction from the web? Discuss the above in the Indian Context with reasons.</li> <li>b) Discuss the concept of surveillance capitalism.</li> </ol>	(5x2= 10)
Q.5	Read the following facts and discuss with reasons the offence/s/crime/s committed, the parallel provisions of IT Act and IPC for the same.	(2.5x4 =10)

- a) Mrinal committed suicide by hanging herself 3 weeks before her 14th birthday. A year later, Mrinal's parents prompted an investigation into the matter and her suicide was attributed to her communication with few of her school friends through the social networking website "AAA".
- b) On May 12, 2012, a group calling itself the Anonymous Cyber Army hacked the websites belonging to the neighbouring country and compromised the websites of different important departments of that Government. This resulted in denial of services to the Department of Army, Ministry of Foreign Affairs, Ministry of Education, Ministry of Finance, etc. of the neighbouring country. The Anonymous group claimed the responsibility for the attack stating that, it was done as a revenge for the attacks done in their country in the year 2010.
- c) "Amar" created a fake e-mail account in the name of "Jyoti". Using this mail Amar started sending obscure, defamatory and annoying messages about Jyoti in different message groups. Amar sent these emails to Jyoti for information. The posting of the message resulted in annoying phone call to Jyoti in the belief that she was soliciting.
- d) "A", an employee, while having a deal with an outsider, keys in certain commands into the computer through which he solicits certain discounts and financial favours for himself causing wrongful loss to his employer, at the same time. What is the offence caused/committed by "A" and what are the provisions to prosecute him?
- Q.6 Critically analyse the Information Technology Act, 2000 and 2008 Amendment Act. How the current legislation can be strengthened to address the need of the hour? (10)
- Q.7 We need internet privacy rights and we are increasingly demanding them, in order to address the threats to our autonomy that arise through privacy related problems in the cyberspace. These threats do exist; rather some of these threats are clear and direct, some far more insidious. However, there are deficiencies in the way our privacy is protected. Discuss your understanding about this in detail. (10)

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