

CYBER LAW: MIZO TEN KAN HRIAT TUR PAWIMAWHTE

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1. INTRODUCTION

Pathian in mihring a siam hmasakber Adama leh Eve te kha huan laitaka theikha ei a phal lova chu thei chu an ei ni la la in an thi dawn a ni, tih Genesis ah khan kan hmu a, dan kan hmuh hmasak ber ani awm e. Mi tam takin dan 'Law' hi kan hlau a, min nekchep tu emaw titen kan ngai fo thin. Amahearawhchu dan chu min vengtu leh min humtu a ni tih hi kan hriat zawk a tul hle, hetiang zawng nilo hian mi tamtak chuan dan hi kan pong huata kan ning fo thin.

Dan chu soal avanga awm ani a, tin dan avang pawhin soal hi a awm thei bawk awm e. Khawvel ah hian dan hi awm ta lo se; soal pawh hi a awm kher lo maithei a ni. Mizoram a soal thenkhat te pawh Vairengte pelh chuan soal a ni hauh lo thung. Chuvangin, dan leh soal hi chuan inlaichinna thuk tak an nei reng a ni.

Khawvel ah soal chi hrang hrang a awm a, chung hrem nan chuan dan chi hrang hrang siam ani bawk. Tin, kan ramah ngei pawh India Constitution hnuai leng kan nia, a duh anga zawm kha a himber awm e. Ram hrang hrangin dan leh dun kan nei theuha tin a zawm lote hremna pawh a awm a, mahse a in ang kher lo. Tualthat hremna dan a awma, rukru hremna dan a awm a chutiang zelin kohhran leh pawl dang dang pawhin dan kan nei thluah bawk a. Tunlaia thiamna thangchak takin a ken Information leh Communication Technology hmangsualtute tan pawh hian hremna dan hi a bang chuang bik lova, hemi chanchin hi kan zirho dawn a ni.

2. CYBER LAW AWMZIA

A hmasa in Cyber hi engeni tih han hrilhfhiah dawn ila, Cyber chu Greek tawng "Kubernetes" atanga rawn irh chhuak ani a, a saptawng chuan Cybernetics tih a ni a, hemi lamtawi hi Cyber tih chu ani, a awmzia tak chu computer leh computer thlunzawmna computer network an tih sawi nana hman a ni.

Law ve thung erawh chu dan sorkar-in asiam leh pawmpui, ram chhunga hman tur a duan hi 'Law' kan han tih chu ani mai awm e, tin, heng dan siam te hi zawm an nih loh chuan hemi dan hmang hian a hrem theih an ni thin bawk ani.

CyberLaw chu tihian han hrilhfhiah dawn ila, "Cyberspace dan leh dun" tiin emaw "Internet dan" tiin. Amahearawhchu, he hrilhfhiahna hian inhniaina a chawk chhuak viau thei awm e, a chhan chu cyberspace kan hrilhfhiahna a zir in a danglam theih vang ani. Cyberspace kan han tih deuh bikah hi chuan computer leh computer in zawmkhawm

computer network emaw Internet kan han tih te hi a kaww deuh bika, mahse; chutiang chauh cyberlaw ina kan huam tir dawn chuan computer maltlat internet a inthlungzawm ve lote chu he cyberlaw kan tih hian a huam tel dawn der lo thung a ni. Chuvangin cyberlaw ah chuan cyber tih hian nasa takin a huamzau tirin a huamzau lohtir theih baww ani.

A khaikhawm nan chuan Cyberlaw chu dan cyberspace chung a thuneihna sangtak nei ,tin cyberspace in a huam kherloh computer, software etc angte pawh a huam telna hi cyberlaw chu a ni e.

3. CYBERLAW HNUAIA DAN HRANG HRANG AWMTE

3.1 Cyber Crime Law:

Computer, Internet leh electronics te hian kan nitin nunah hmun thuk tak an chang tawh a, atel loin kan khawsa thei tawh lo anih mek lai hian heng hmanga suamhmangte tawkthei reng kan nihna hian Cyber Crime law hi kan mamawhhle ani tih a ti langchiang hle a. Ram changkang thenkhatah phei chuan an danpuiah te hial an lo telh ta, kan ram ngei ah pawh hetiang lam invengnan hian IT Act chu kum 2000 khan siam a hmantan a lo ni ta.

3.2 Electronics and Digital Signature Law:

Electronics signature an tih mai, kan hriatlar dan zawkah chuan digital signature hi, tunlai khawvel ah chuan a pawimawh hle a, ram changkang leh keini ram ngeiah pawh paperless office tihte kan han sawirik takah chuan Digital Signature hian hmun laili tak a luah dawn a ni. Digital Signature hi electronics record, digital data leh email kan tih ang ahte hian hman a ni a, misual tuin emaw an khawihdanglam lohnana chhinchhiahna ani. Cyberlaw tih lohah chaun lungthu pakhat ang maiin hmun a luah nghet hle.

3.3 Intellectual Property Law:

Cyberlaw hian Intellectual Property Law pawh cyberspace leh a kaihhnawih thil ah chuan a huam tel tho mai a chungte chu:

- a). Computer software leh computer programme hum nana copyright law te.
- b). Website hming inhman Khalh venna atan Trademark law te
- c). Semiconductor design leh layout inruksak laka invenna atan semiconductor law hman te.
- d). Computer hardware leh Design in lakruksak venna atan a Patent law hmante a ni.

3.4 **Data Protection & Privacy Law:**

Internet ah hian information kan duh ang chu a tha hnem hle a, a sawi uar deuh phei chuan pathian chauh a awm lo te pawh an ti hial. Heti khawpa thil tam naah hian data leh privacy venhimna hi a pawimawh hle a, mi tamtakin an thlalak emaw an venhim zawh loh vangten an mualpho phah thin a. Sapramah te chuan an ram dan ah pawh Data protection leh privacy hi an dah dim diam tawh a, data protection leh privacy law hi cyberlaw hnuai ah hian a pawimawh hle ani.

4. **ENGVANGIN NGE CYBERLAW KAN MAMAWH ?**

A hmasa lama kan han sawi tak ang khan cyberspace chu kuta khawih theihloh leh engemawchena ngaihruatna thil lengvel anih avang in, kan dan neihsa hian a huam tel lo hle a, chumi avang chuan cyberspace khawvela kan him tlan theih nan cyberlaw hi kan mamawh ta a ni. Kan mamawh chhan hrang hrang te han en dawn ila

- Cyberspace chuan *ramrikham anei ve lova*, Mizoram atang pawhin USA a bank-a pawisa duh tawkin a rawk theih a, thirhruai kaltlang emaw boruak thengreng kaltlang pawhin duhtawkin suahsual a bawl theih ani.
- Cyberspace ah chuan *thilpawimawh thahnem tak a awm a*, second tin a inkalpawh zur zur mai a, nitin e-mail maktaduai chuang a in thawn renga, website nuai engemaw zat darkar tin in an en reng baw. Tin, pawisa maktaduai engemaw zat internet kaltlangin a in thawn kual reng baw a ni.
- Cyberspace chu *mizawng zawng khawih phaka* awm a ni. Aizawl a naupang kum 10 mi hian Delhi a thian kum 12 mi kha duh tawkin in live chat hmangin a be thei tlat, hei hi USA a thil thleng ani lova kan ram ngeia kan hmuh theih a ni.
- Cyberspace ah chuan *duh tawkin a in thup* theih. Kan rama internet khawih thin thalaiten kan lawm em em pakhat chu social networking hi a ni awm e, mahni nihna thupa thian te duhtawka kawm te hi, hminglem leh hmellel hmangin kan duh duh kan sawi thei ta anih hi.
- Cyberspace hmangin *awlsam takin thil a thawn theih*. Dollar nuai chuang man pawh internet kaltlangin awlsam takin a in thawn zung zung theih tawh a, hei hian awlsamna neimahse kawng tam takah chuan buaina thlentu ani.

Kan han sawi tak piah lam ah pawh khian engemawzat chu ala awm ngei ang. Cyberspace ating khawp a zalenna kan neih chuan a hmansual duhtu pawh an tha hnem ta hle a. CyberLaw hi a awm a tul mai niloin kan mamawh tawh takzet a ni.

5. **IT ACT 2000 HNUAIA CYBER CRIME SUALNA LEH HREMNA TE.**

5.1 **Penalties under ICT Act 2000**

IT Act,2000 a section 43-na hnuaiyah, cyber crime leh a hrem theihna dan engemaw zat a awm a. I han tarlang teh ang le.

(a) Unauthorized Access

IT Act,2000 ah chuan ti hian a in ziaak a computer emaw computer networka a neitu phalna la hmasa lova lut / khawih chu hrem theih ani a. A hrem theihna chu pawisa cheng nuaiza (Rs 1 Crore) thleng a inchawitir theih ani. Tin, unauthorized accesses hnuaiiah hian computer loin ON sak te, software loin hmansak te, printout loin laksak te, internet a luhna atana hman te leh computer in OFF sak te a huam tel a. Keini ram ah pawh hian unauthorized access hi hu a hluar ang reng khawp mai a,mahse kan society in a la zir vang te leh atam zawkin kan computer ah thil pawitham kan la dah tam loh vangtein thubuaiah kan la la tam em em lo a ani.

(b) Unauthorized Downloading or Extraction of Data

A chung a kan sawi tak ang bawk khan section 43(b) ah hian “Unauthorized Downloading or Extraction of Data” dan khauh tak mai a awm ve leh a. Mi tupawh a neitu phalna la lo chuan computer data, database leh information reng reng computer, comouter networl leh removable storage (pendrive, cd etc) atanga lo download emaw, copy emaw leh extract emaw hi phal loh leh khap bur a ni a. A hremna dan pawh a hmaa mi ang thoin cheng nuaiza (Rs. 1 Crore) thleng chawitheih a ni. Section 43(b) hi Copyright Act,1957 nen pawh a inzul hle a, amahearawhchu computer chhunga information store in copy sakte a kawk deuh bik a ni. **Software leh Music Piracy** te pawh he dan hian engemaw chen chu a huam ani.

(c) Unauthorized Introduction of virus or Contaminant

Section 43(c) na ah hian tunlai a kan computer tibuaiber leh kan ram a cybercrime in a nghong tamna ber computer virus thehdarh chung changa hremna a rawn tarlang ve leh a. Mi tupawh a neitu phalna leh hriatpuina la lova computer virus thehdarh a tum emaw a thehdar a nih chuan he section hmang hian a hrem theih a ni. A hrem theihna dan chu cheng nuaiza (Rs.1Crore) chawitir theih a ni a, tin a pawikhawih a len phei chuan hei aia tam pawh an chawitheih bawk a ni. Computer virus thehdarh chungchang ah hian mipui te kan fimkhur a tul hle a, pendrive te kan uar ta hle a, kan in vih/thun polh nasa hle a, kan hriatloh lain kan pendrive ah khan computer virus/worm lo awmin loin copy tel palh tase tase mipawi kan sawi mai bakah buaina namen loah kan inhnuklutthei a ni.

(d) Unauthorized Damage of Computer

Damage of computer han tih hian physical damage a kok lem lova, computer chung a kan data emaw information dah that tihchhiat sak lam thung ani. Section 43 na hnuaiia sub-section (d) naah chuan mi tupawhin a neitu hriatloh leh phalna la lova computer emaw, computer network chhunga a data, database leh information lo tihchhiatsak emaw tihchhiattuma chu he sub-section hian a khap tlat a ni. Section 43(d) na hnuaiia computer tihchhiat in a huam a chu, data va delete sakte, tihdanglam te leh lo belhkual te a huam tel vek a. He dan huaiah hian kan himlo nasa hlawm hle a, mi computer a thlalak .jpg format ami kha .gif a lo

thlak ve ngot te hi a huam tel vek a ni. Hemi hnuai hremna chu cheng nuaiza (Rs. 1 Crore) thlang chawi theih a ni. Denial of Service (DOS) Attack leh **Distributed Denial of Service (DDOS) Attack** ang te hi he section hian a phuar bur a ni.

(e) Assisting Unauthorized Access

Section 43(g) ah hian mi computer luhruk tum lo puihtum leh puite hremna dan a awm leh a, he sub-section ah hian mi tupawh a neitu phalna leh remtihna la lova computer a luhruk tum lo puih chu na taka hrem theih a ni tih a sawi a ni. Tin, a hrem theihna ah chuan cheng nuaiza (Rs. 1 Crore) thlang chawi a ni. He dan hnuai ah hian a huam zau hle a, mi hnena thil tihchhiat theihna tura website a information awmna kan lo khawhmuh angte pawh ahuam tel bawk a ni.

(f) Manipulation of Computer for Financial Benefit

A neitu phalna la lo emaw hriatpui lova, computer pawikhawh na atana hmantheihtur a lo siam sak atanga pawisa hlawkna lo tel thin emaw lo tel tumte pawh section 43 (h) hian a khap tlat a, a hremna dan pawh cheng nuaiza (Rs. 1 Crore) chawi theih a ni.

5.2 **Offences under IT Act 2000**

(a) Tempering with computer source document

Section 65 a IT Act ah hian computer programme (source code) ti chhia emaw ti danglam emaw te tana hremna a awm a, mi tuemaw in hre reng chung emaw tum vang renga a neitu hriatpuina lova computer, computer system leh computer network a computer program a tihchhiat emaw a lo tih danglam emaw chuan he section hmang hian a hrem theih a ni. Computer source code kan hna tih hian a huam tel te chu computer programme, computer command, computer programme design leh layout te a huam vek a ni.

Hemi dan hnuai a hian hremna chu kum thum (3) lungin tan theihna emaw cheng nuaithum (Rs. 3 lakhs) chawitheihna te ni. Tin, Magistrate First Class chin in thubuai hi an siam sak thei a, a man theitu chu Deputy Superintendent of Police aia hniam lo a ni bawk. Hemi ah hian chhui chian a tul chuan Controller of Certifying Authorities (CCA) emaw CCA in a ruat bik ten an ti thei bawk.

(b) Hacking

Section 66 na ah hian hacking lampanga pawikhawitute leh a hrem dan te a sawi ve leh a, tun lai khawvel ah chuan hacking hi a lar hle tawh a, kan thalaite zingah pawh thiam an awm veta nual mai. Hollywood movies ah te hacking thiam an promote na hian kan thalaite hacking thiam chaknaah a hruai lut nasa ta hle a. Hacking leh Cracking hi thuhmun mahse thil in ang lo a ni a, hacking hi a thalam a hman niin cracking hi a chhe lama hman ani zawk a. Amahearawhchu, IT Act, 2000 in a hman dan ah chuan hacking hi a pawikhawihna lam sawina a nih avangin kan hmang ve mai aniang chu. Mi tupawhin computer a information a ruka a tichhia emaw, a tibo emaw, a thlak danglam emaw a information neituin a hriatpui bawk si loh chuan hacking a ni a, section 66 hnuai ah hian nataka hrem

theih a ni . Tin, cyber crime a *Piracy, e-Mail Bombing, e-Mail Fraud, Phishing, Salami Attack, Virus Attack leh Logical Bombing* ang te pawh hi hacking chi khat anga ngaih anih avangin hemi dan hnuai ah hian a hrem theih vek bawk ani.

Hacking a in hnamhnawihthe chu kum tum (3) lungin tan emaw cheng nuai hnih (Rs 2 lakhs) chawitir theih emaw an nia, tin, lungin tantir leh pawisa chawitir ve ve theih an ni. First class magistrate chin in an thubuai hi an trial thei a ni.

(c) **Publishing of Information, which is Obscene in Electronic Form**

Hemi section hnuaiin a huam pawimawh tak chu pornography (zahmawh rawngkai phochhuah na) chungchanga hremna dan leh sual a nih theih dan te tarlanna a ni. IT Act in a tarlan danah chuan, mi tupawhin zahmawh rawngkai thil electronic hmanrua hmanga a thehdarh emaw thehdarh a tum emaw anih chuan section 67na hmang hian na takin a hrem theih a ni. He section ah hian pornography kan tih hi a lar ber chu a ni a, mahse; buaithlak deuh chu ram hrang hrang in kan hmandan a inang lo hi a ni, USA leh India a pornography te chu in thlau tak a ni mai thei a, chuvangin in thil pawimawh deuh kan hriat tur chu, porn movies emaw saruak thlalak kan thiante kan pek emaw hian IT Act dan hmangin hrem theih kan ni. IT Act bak ah IPC leh Indecent Representation of Women (Prohibition) Act pawh in hetiang lama pawikhawih tute hi a hrem thei bawk a ni.

Zahmawh rawngkai thehdarh hi kan ramah chuan sual lian tak a ni a, IT Act hnuai ah pawh hian a hremna a neplo hle a ni, kum nga (5) chhung lungin tan theih a ni a, cheng nuai (1) chawi theih a ni bawk. Tin, an man nawn leh anih chuan kum sawm (10) lungin tan leh cheng nuaihni (Rs. 2 lakhs) chawi theih a ni. Hetiang laka thil tisual man theitu chu Deputy Superintendent of Police an ni a, tin first class Magistrate chin chauh in an chungthu an rel thei bawk a ni.

(d) **Accessing Protected System**

Section 70-na a protected system a tih hi chu, kan computer password kan dah sawina lam a ni lova, sorkar in Gazette-a a chhuah chauh thil pawimawh a dah na bik computer emaw electronic khawl kha protected system chu a ni a, a khawihtu tur pawh order feltaka siam in a chhuah thin a ni. Heng protected system kan tihte hi miin a rugin emaw lo lutruta se, section 70 na hmang hian a hrem theih a ni. A hremna sang ber chu kum 10 lunin tang a ni. Tin, aman theitu chu DSP chin an ni bawk.

(e) **Breach of Confidentiality and privacy**

Tupawh, IT Act hnuai thuneihna sangtak pek anih in, mi tu emaw electronics record, lehkhabu, chhinchiahna bu (register) leh thil pawimawh dangte a enfiah sak phal a ni. Amaherawhchu, a neitu hriatpuina lova mi confidential document-te midang hnena lo thehdarh sak hi awih loh a ni. Hetiang thutiam hlen chhuak lova dan bawhchhiatna hi sual a ni. Section 72-na hian tiang laka thil tisual te chu a hrem theihna dan a tarlang a, hremna pawh a theuneu lo hle a, kum 2 lungintan theih anih bak ah, cheng nuaikhat (Rs. 1 lakhs) chawi emaw a pahnih

emaw a hrem kawp theih a ni. Tun hnai maia mobile hmanga mi sex video thehdarhsak engemawzat awm te pawh he dan hmang hian a hrem theih bawk ani.

6. OFFENCES UNDER THE INDIAN PANEL CODE (IPC)

Indian Panel Code (IPC) ah hian cyber crime laka invenna leh hetiang tisuat te hremna engemaw zat a awm ve a, a chipchiar chuan tarlang ta lo mai ila .

6.1 Forgery

Tunlai ah chuan computer software changkang tak tak man tlawm tak leh awlsam taka hmuhtur a tam tawh em em a, hengte hi namen lovin kan hmangsual tan ta der mai . Document, certificate etc te pawh a original nen danglamna om loin ka siamchhuak zung zung thei tawh a, heng ti tur hian thiamna sang neih a ngai lem lova, miin computer leh thlalak lam khawihna software a neih chuan a siam zung zung thei mai a ni. Hetiang titute hi IT Act ah chuan chiang taka hremna a inziak lem lova, amaherawhchu IPC section 463 ah chuan hetiang tite chu hremtheih an ni tih chiang takin a in ziak ani. Kum hnih (2) lungina tan bakah pawisa pawh engemaw zat an chawi theina a ni.

6.2 E-mail Spoofing

E-mail kan hmang lar tan ve ta viau a, chuvangin e-mail hmanga inbumna a hluar ta hle mai, a ti thang lote phei chuan tawhsualte pawh an tawh phah fo thin a ni. Keini ram ngeiah Pastor te pawhin hetiang سوالنا hi an lo tuar ve tawh a nih kha. E-mail spoofing chu e-mail neitu hming dik tak hmang si a, midangin thil tha lo tihnan an hman thin hi a ni. IPC section 463 ah hetiang thil tisuatute ahrem theih a nih thu a awm a ni.

6.3 Web Jacking

Hijacking kan hre theuh om e, website lem lo siam a, kha website a lo lutte kha an lo hijack ta thin a , an credit card number leh information hrang hrang an lo lak sak a, chumi hmang chuan midang an bum leh thin a, tin an bank account te an rawk thin a ni. IPC Section 383 in hetiang tih tumtute hi a khuahkhirh tlat a, mahse ti an awm a manchhuah an nih chuan na taka hrem theih an ni.

6.4 Defamation

Mi tu emaw in, midang hmingchhiatna turin internet, mobile leh TV hmangte a a thehdarh chuan IPC section 499 hmang hian a hrem theih a. A hremna chu cheng nuaihni (Rs 2. lakhs) chawi emaw lungin tan emaw a ni a, tin a hremna hi a pahnihin ani thei bawk. Defamation hi mizo society ah hian a hluar hle a, cable TV hmanga fakselnate ang pawh hi a huamthei vek a ni.

7. SOFTWARE COPYRIGHT UNDER INTELLECTUAL PROPERTY RIGHT (IPR)

Khawvela computer leh music industry in a buaipui ber pakhat chu piracy hi a ni hial awm e, kan ram ah pawh nasa takin he thil hi a hluar a, a kum atelin music album siam pawh kan tlem ta tial tial a ang hle. Technology thang duang lutuk hian copy leh thehdarh te a ti awlsam tial tial a, a tira computer neite chauhin an in copy kual leh write thin laite kha a ngawihom leh ling ta zawk hle mai. Tunah chuan mi tupawhin mobile phone changkang kan hum ta fer fur maia, kalpah pawhin thil kan in thawn kual zung zung ta mai a hei hian a bikin music piracy a ti pung nasa hle a ni. Software, music leh cinematograph film te hi Copyright Right Act 1957 Section 63 na hian a neitu phalna la lova lo copy leh zawrh kual mai mai hi a khap tlat a ni.

Software, music leh cinematograph film te a copyright neitu phalna la lova lo zuarchhawng leh copy lo semkual (piracy) thin te hi kum 7 thleng lungin an tang thei a, tin nuai sawmhnih (Rs. 2.00 lahhs) thleng an chawi thei bawh a ni.

8. CABLE TELEVISION NETWORK ACT

Cable Television Networks Acts, 1995 dan bakah hian Cinematograph Act, 1952 dan awm a. Heng dan hian a phut chu eng film pawh mipui hmuha chhuah a nih hmian Central Board of Film Certification (CBFC) a paltlang ngei ngei tur a ni. Category hrang hrang ah thliar ani U- mipui vantlang entheih te, S-special category mi zawng zawng en theih loh te, U/A-kum 12 aia naupang en phal loh te leh A- puitling kum 18 chin chauh entheih te a ni a. Local channel-ah hian heng category thliar hrang miah lo hian film chi hrang hrang an duh hun hunah cable TV operator te hian an chhuah niin a lang. Heng dan bawhchhia hi sual a ni a, hrem theih a ni bawh.

9. DUHTHU A SAM TAWK LO.

Cyber Crime han khuahkhirh tak tak tur chuan IT Act, 2000 chauh ah ain nghah theih ta lova, dan chi hrang hrang Indian Panel Court (IPC) Act te, Copyright Right Act te, Indian Evidence Act te leh Banker Book Evidence Act te nen a tang rual angai ta a ni. Tin, IT Act, 2000 pawh nikum lok khan siamthat (amend) ani nghe nghe bawh. Cyber crime hi a zau hle a, IT Act, 2000 hnuah pheih chuan ATM te leh Mobile phone thleng hian computer ang a chhiar vek anih avang in a hmangtu mipuite lam pawh kan fimkhur deuh deuh zel a tul tawh ani. IT Act in a phuar loh cyber crime tam tak pawh IPC hnuai ah hian hrem theih engemaw zat a awm tih hi kan hriat tel a tul bawh a ni. Chubakah State tina IT Secretary te chu Adjudicating Officer ah ruat an ni.