

AS INTRODUCED IN LOK SABHA

Bill No. 280 of 2019

THE INFORMATION TECHNOLOGY (AMENDMENT) BILL, 2019

By

SHRI KODIKUNNIL SURESH, M.P.

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BILL

further to amend the Information Technology Act, 2000

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Information Technology (Amendment) Act, 2019.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and
commencement.

Insertion of
new section
66CA.

2. After section 66C of the Information Technology Act, 2000, the following section shall be inserted, namely:— 21 of 2000.

Punishment
for dishonestly
soliciting
details of
mobile phone
numbers and
vishing.

"66CA. Whoever, fraudulently or dishonestly or illegally, solicits the details of mobile phone numbers of any other person purchasing goods or services from a store or institution, unless proven otherwise, with an intent to sell or transfer such numbers to organizations or individuals who commit identity theft and *vishing*, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine which may extend to rupees one lakh." 5

STATEMENT OF OBJECTS AND REASONS

The Information Technology Act, 2000, is an important gatekeeper legislation that protects the rights to privacy of individuals utilizing the electronic and internet enabled services and equipments provided by internet service providers in the country.

With alarming rise in breach of privacy and data, including personal and financial identity being rampantly breached, often with established service providers and companies in connivance, it is imperative to consistently safeguard the right to privacy and data integrity of individuals. In a recent development several individuals who visit shops and service providers are fraudulently made to divulge their mobile phone numbers under flimsy pretexts and numbers collected thus are transferred to various fraudulent groups that steal and pilfer personal data by means of *vishing* and spamming. It is thus needed to enact a legislation that protect the rights of citizens against all evolving forms of data theft.

The Bill, therefore, seeks to amend the Information Technology Act, 2000, with a view to—

(a) comprehensively protect and safeguard the rights of individuals against data theft;

(b) deter surreptitious attempts at gaining mobile phone numbers of individuals visiting shops and establishments for obtaining goods and services; and

(c) extend the ambit of the principal Act to ensure the evolving techniques and *modus operandi* of individuals engaged in data theft.

Hence this Bill.

NEW DELHI;
November 1, 2019.

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further to amend the Information Technology Act, 2000.

(Shri Kodikunnil Suresh, M.P.)