

हंसराज गंगाराम अहिर
HANSRAJ GANGARAM AHIR



गृह राज्य मंत्री
भारत सरकार
नार्थ ब्लॉक, नई दिल्ली - 110001
MINISTER OF STATE FOR
HOME AFFAIRS
GOVERNMENT OF INDIA
NORTH BLOCK,
NEW DELHI - 110001

6th November, 2016

Dear Shri Rajeev Chandrasekhar Ji,

Please refer to your letter dated 8.9.2016 addressed to the Hon'ble Prime Minister regarding thousands of arrests made under Section 66A of the Information Technology (IT) Act.

2. In this regard, I would like to inform you that National Crime Record Bureau (NCRB) stated collecting data since 2014 for the cases registered under the various sections of the Information Technology Act, 2000. In the context of Data reported by the NCRB attached with your letter, it is submitted that the NCRB collected combined figures of Section 66 & 66A of IT Act, 2000. The data shown under the CRIME HEAD, 2.1 Computer Related Offences- Under Section 66A also includes the figures of the cases reported under Section 66 of the IT Act, 2000.

3. Section 66A of the Information Technology Act, 2000 was struck down in its entirety by Hon'ble Supreme Court in WP (Criminal) No.167 of 2012 in Shreya Singhal vs Union of India on 24th March, 2015. Before the judgment i.e. till the month of March 2015, some cases would have been registered under Section 66A of the IT Act, 2000 by the States and some persons would have been arrested. A copy of data collected by the NCRB from States/UTs about cases reported, cases charge-sheeted, cases convicted, during 2014 and 2015, combined under Section 66 & 66A of the IT Act, 2000 is enclosed at Annexure-I.

4. Further, the proforma has been revised for 2016, a copy of which is enclosed at Annexure-II.

5. I hope, the above addresses the concerns raised by you.

With regards,

Yours sincerely,

(HANSRAJ G. AHIR)

Encl: as above.

Shri Rajeev Chandrasekhar,
Member of Parliament (Rajya Sabha),
211, North Avenue,
New Delhi-110001.

Cases Reported (CR), Cases Chargesheeted (CCS), Cases Convicted (CON), Persons Arrested (PAR), Persons Chargesheeted (PCS) and Persons Convicted (PCV) Under Section 66 & 66A of IT Act During 2014-2015

SL	State/UT	2014						2015					
		CR	CCS	CON	PAR	PCS	PCV	CR	CCS	CON	PAR	PCS	PCV
1	Andhra Pradesh	89	30	0	63	31	0	116	57	2	102	63	2
2	Arunachal Pradesh	5	0	0	1	0	0	2	3	0	3	3	0
3	Assam	377	22	1	349	22	1	467	81	11	445	83	11
4	Bihar	111	13	1	105	14	1	199	44	1	234	93	1
5	Chhattisgarh	66	35	0	58	52	0	39	42	10	39	47	18
6	Goa	29	1	0	1	2	0	4	0	0	1	0	0
7	Gujarat	43	17	0	48	29	0	45	25	0	42	55	0
8	Haryana	76	20	3	40	30	4	74	39	2	67	66	2
9	Himachal Pradesh	16	7	0	6	14	0	34	21	0	25	23	0
10	Jammu & Kashmir	6	1	0	1	1	0	13	2	0	5	2	0
11	Jharkhand	21	7	0	15	8	0	135	19	2	132	23	4
12	Karnataka	603	47	0	175	64	0	510	87	3	133	139	3
13	Kerala	229	105	6	160	128	6	93	123	1	76	134	1
14	Madhya Pradesh	49	62	1	76	71	2	76	59	4	93	98	5
15	Maharashtra	375	99	1	182	130	1	137	83	1	146	105	1
16	Manipur	0	0	0	0	0	0	0	0	0	0	0	0
17	Meghalaya	5	3	0	4	4	0	3	0	0	0	0	0
18	Mizoram	15	4	0	4	4	0	4	7	5	7	7	7
19	Nagaland	0	1	0	0	1	0	0	0	0	0	0	0
20	Odisha	30	4	0	4	4	0	18	12	0	14	10	0
21	Punjab	123	35	6	85	39	6	93	43	11	74	59	18
22	Rajasthan	291	75	3	107	107	3	210	47	1	65	65	1
23	Sikkim	4	0	0	2	0	0	1	1	0	1	1	0
24	Tamil Nadu	55	11	2	51	12	4	48	32	4	48	37	6
25	Telangana	352	33	0	132	37	0	117	38	11	44	50	11
26	Tripura	2	0	0	0	0	0	2	0	0	2	0	0
27	Uttar Pradesh	898	137	6	592	210	6	1500	528	65	1160	823	77
28	Uttarakhand	23	13	0	26	26	0	22	9	5	14	9	7
29	West Bengal	144	32	1	98	34	1	135	63	0	125	63	0
TOTAL STATE(S)		4037	814	31	2385	1074	35	4097	1465	139	3097	2058	175
30	A & N Islands	1	0	0	0	0	0	2	1	0	1	1	0
31	Chandigarh	12	7	2	10	7	2	2	6	1	3	6	1
32	D&N Haveli	3	0	0	1	0	0	0	1	0	0	1	0
33	Daman & Diu	0	0	0	0	0	0	1	0	0	0	0	0
34	Delhi UT	137	39	5	27	44	5	52	36	2	36	37	2
35	Lakshadweep	1	0	0	0	0	0	0	0	0	0	0	0
36	Puducherry	1	0	0	0	0	0	0	1	1	0	1	1
TOTAL UT(S)		155	46	7	38	51	7	57	45	4	40	46	4
TOTAL (ALL INDIA)		4192	860	38	2423	1125	42	4154	1510	143	3137	2104	179

CYBER CRIMES**PROFORMA-XXII****STATEMENT OF COGNIZABLE CRIME (CASES) REPORTED
AND THEIR DISPOSAL BY POLICE AND COURT**

Name of State/UT/City/Office

Year

Sl. No	Head of Crime	INVESTIGATION STAGE																			Year
		Cases pending investigation from previous year (Col. 22 of previous year)	Cases reported during the year			No. of victims in the registered cases				No. of cases withdrawn by the Govt. during investigation	Cases not investigated U/S 157(1)(b) of Cr.PC	Cases transferred to other Police Station/Magistrate	Cases in Final Report ended as false	Cases in Final Report ended as mistake of fact or of law	Cases in Final Report ended as Non Cognizable Submitted during the year	Cases in which charge-sheets were submitted			Cases in which charge-sheets were not laid but final report as True submitted during the year	Total cases investigated	Cases pending investigation at the end of the year
			Through U/S 156(3) Cr.P.C.	Police Station	Total	M	F	Tr	T							Out of cases reported during the year	Out of cases reported during previous years	Total			
(1)	(2)	(3)	(4)	(5)	(6)	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22

Cases pending trial from the previous year (col.36 of previous year)	Cases sent for trial during the year	No. of cases withdrawn by the Govt.	No. Of cases disposed by Plea Bargaining.	Total no. Of cases for trial during the year	Cases compounded or withdrawn	Cases in which trials were completed	TRIAL STAGE						Cases pending trial at the end of the year
							Cases convicted			Cases acquitted or discharged or cases abated			
							Out of cases reported during the year	Out of cases reported during previous years	Total	Out of cases reported during the year	Out of cases reported during previous years	Total	
23	24	25	26	27	28	29	30	31	32	33	34	35	36

A: Offences under I.T. Act :

1. Tampering computer source documents (Section 65)
2. Computer related offences (Section 66 and Section 66 B to E)
 - 2.1 Under Section 66
 - 2.2 Under Section 66B
 - 2.3 Under Section 66C
 - 2.4 Under Section 66D
 - 2.5 Under Section 66E
3. Cyber terrorism (Section 66 F)
4. Publication/transmission of obscene / sexually explicit act, etc in electronic form (Section 67 and Section 67 A to C)
 - 4.1 Under section 67 & 67A
 - 4.2 Under section 67B
 - 4.3 Under Section 67C
5. Intentionally or knowingly not complying with the order of Controller (Section 68)
6. Failure to provide information stored in computer resource or failure to provide access to intercept or monitor or decrypt the information (Section 69)
7. Failure to block access by the public or cause to be blocked for access by public any information generated, transmitted, received, stored or hosted in any computer resource (Section 69 A)
8. Intermediary or any person in-charge of computer resource not providing technical assistance to any agency authorized by Govt. to enable online access to computer resource (Section 69 B)
9. Un-authorized access/attempt to access to protected computer system (Section 70)
10. Misrepresentation/suppression of fact for obtaining license or Electronic Signature Certificate (Section 71)
11. Breach of confidentiality/privacy (Section 72)
12. Disclosure of information in breach of lawful contract (Section 72 A)
13. Publishing /making available false Electronic Signature Certificate (Section 73)
14. Create/publish/make available Electronic Signature Certificate for fraudulent/unlawful purpose (Section 74)
15. Others
16. Total (A) (Items 1 to 15 excluding sub heads).

B. Offences under IPC (Involving Computer as Medium/Target):

1. Offences by Public Servant (Section 167)
2. Fabrication/Destruction of electronic records for evidence (Section 193, 204)
3. Cheating (Section 420)
4. Forgery (Section 465, 468 & 471)
5. Data theft (Section 379 to 381)
6. Criminal Breach of Trust/Fraud (Section 406, 408, 409)
 - i. Credit / Debit Card
 - ii. Others
7. Counterfeiting
 - i. Currency (Section 489A to 489E)
 - ii. Stamps (Section 255)
8. Others
9. Total (B) (Items 1 to 8 excluding sub heads)

C. Offences under SLL (Involving Computer as Medium/Target):

1. Copy Right Act, 1957
 - 1.1 Under Section 63
 - 1.2 Under Section 68A
 - 1.3 Others
2. Trade Marks Act, 1999
 - 2.1 Under Section 102
 - 2.2 Under Section 103
 - 2.3 Under Section 104
 - 2.5 Others
3. Other SLL Crimes
4. Total (C) (Items 1 to 3 excluding sub heads)