

Filing Complaints under IT Act

<http://it.maharashtra.gov.in/1130/Filing-Complaints-under-IT-Act?format=print>

Cyber Crimes are new class of crimes rapidly increasing due to extensive use of technology. The information technology Act, 2000, specifies the acts which are punishable under the Act.

State IT Secretary is the adjudicating officer under the IT Act, to adjudicate matters in respect of contraventions to the Chapter IX of the Information Technology Act 2000 and the matter or matters or places or area/areas in the State in which claim for injury or damage does not exceed **Rs. 5 crore**.

The Adjudicating officer has the powers of **Civil Court** which are conferred on the Cyber Appellate Tribunal under sub-section(2) of the section 58.

Cyber Laws

IT Act 2000

IT Act (Amendment) 2008

IT Act Notification No 220

IT Act Notification No 240

Procedure for Filing a Complaint for Adjudication under IT Act

Every Application for Adjudication Under IT Act 2000 should be in the specified format and should be accompanied by applicable fee.

Application form: Proforma for Complaint

TECHNOLOGY (Department of Information Technology) NOTIFICATION New Delhi, 17th March, 2003 APPENDIX
PROFORMA FOR COMPLAINT TO ADJUDICATING OFFICER UNDER INFORMATION TECHNOLOGY ACT – 2000

I 1. Name of the Complainant

2. E-mail address
3. Telephone No.
4. Address for correspondence
5. Digital Signature Certificate, if any

II 1. Name of the Respondent

2. E-mail address
3. Telephone No.
4. Address for correspondence
5. Digital Signature Certificate, if any

III Damages claimed

Fee deposited

Demand Draft No. _____ dated _____ Branch _____

IV Complaint under Section/Rule/Direction/Order etc.

V Time of Contravention

VI Place of Contravention

VII Cause of action

VIII Brief facts of the case

(Signature of the Complainant)

Fee Structure: Every complaint of a matter to the Adjudicating Officer shall be accompanied by Application fee of Rs. 50/- and fee towards damages claimed by way of compensation from the contraveners, payable by a bank draft drawn in favour of "Adjudicating Officer Information Technology Act" at Mumbai, Maharashtra, calculated on the basis on the rates provided below.

I. Damages by way of compensation	Fee
a. Upto Rs.10,000	10% ad valorem rounded of to nearest next hundred
b. From 10001 to Rs. 50000	Rs. 1000 plus 5% of the amount exceeding Rs. 10,000 rounded of to nearest next hundred
c. From Rs. 50001 to Rs. 100000	Rs. 3000/- plus 4% of the amount exceeding Rs. 50,000 rounded of to nearest next hundred
d. More than Rs. 100000	Rs.5000/- plus 2% of the amount exceeding Rs. 100,000 rounded of to nearest next hundred
II. Fee for Every Application	Rs.50/-

Where to Submit: Adjudicating Officer, c/o Directorate of Information Technology, 7th Floor, Mantralaya, Madam Cama Road, Hutatma Rajguru Chowk, Nariman Point, Mumbai - 400021

Contact us: itcases@maharashtra.gov.in