
E-Commerce Development Laws/Policies in United States America and India

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Abstract: E-commerce refers to the paperless exchange of business information. E-commerce supports conduct traditional commerce through new methods of transferring and processing facts, since it is information which is at the soul of any commercial movement. This article has been discussed through heading like introduction, E-Commerce Development Laws and policies in USA, India and Conclusion.

Keywords: *E-Commerce, Laws, Policies.*

Introduction

The term E-Commerce was derived from E-mail means conducting business online with the help of electronic devices like personal computers, phone lines, fax machine, pager etc. IBM was the first company who use the term internationally. The 1972, IBM used this term as 'E-business' and the first successful transaction is held between USA and European union in 1973 with the invention of personal computers. E-commerce helps conduct traditional commerce through new ways of transferring and processing information, since it is information which is at the heart of any commercial activity. Information is electronically transferred from computer to computer, in automated way. E-commerce refers to the paperless exchange of business information using EDI, Email, Electronic Bulletin Boards, EPT and other network based technologies.¹ Legally, most consumers buying goods from outside their state are supposed to pay a "use tax" equal to what the sales tax would have been, but hardly anybody does. America's so called "tax-free e-commerce" really amounts to mass tax evasion. Online-only retailers such as Amazon, unencumbered with high-street nexus, have neglected to remind consumers that they may have a legal duty to pay a use tax.²

E-Commerce in USA

According to an interview conducted with Meredith Fuchs, an Attorney with the Washington, D.C., law firm of Wiley, Rein & Fielding, and the following laws may apply if you are the victim of a cracker in USA.

- The U.S. Electronic Communication Privacy Acts (ECPA) prohibits accessing without authorization the facilities of an electronic communications service, or intentionally exceeding an

¹Rachhpal Singh, Kapil Goyal et., al., *E-Commerce & E-Business* 5 (Kalyani Publishers, New Delhi, 2004).

² Lindsay Percival and Straunik, *The Economist Books E-Commerce* 162 (Profile Books Ltd, London, 2002).

authorization to access such facilities, and thereby obtaining, altering, or preventing authorized access to wire or electronic communications.

- Victims of denial of service attacks may also have common law remedies. A trespass to chattels which occurs when one party intentionally uses or meddles with personal property in rightful possession of another without authorization may take place when a hacker users or meddles with a computer system.³

In United States, the first federal computer crime legislation was enacted in 1986 called the Computer Fraud and Abuse Act, 1986. Both, the States as well as⁴ the Federal Government have their own cyber-crime law. In States, the perpetrators of cyber offences are prosecuted under the statute similar to the California's Penal Code⁵ dealing with unauthorised access to computers, computer system or computer networks or the New York Computer Crime Law.⁶ Both these statutes deal with tampering, interfering, damaging or unauthorised access of computer data. The Federal Computer Crime Law, 1995 penalises the unauthorised use of certain computers and alternation or destruction of the records contained therein.⁷

Online Privacy Acts

Many legal and privacy issues remain unsettled and are hotly debated in many forums. The Electronic Communications Privacy Act, 1986 is the main law governing privacy on the Internet today. Of course, this law was enacted before the general public began its wide use of the Internet. A more law, the Children's Online Privacy Protection Act 1998, provides restrictions on data collection that must be followed by electronic commerce sites aimed at children.⁸ The most onerous practice involves collecting personal information from children.⁹

Software Copyright Act

In the mid-1960s, the Copyright Office began registering software programs, and in 1980, Congress passes the Computer Software Copyright Act, which clearly provides protection for source, and object code and for copies of the original sold in commerce, and sets forth the rights of the purchaser to use the software while the creator retains legal title. For instance, the HTML code for a Web page-even though easily

³V.K. Jain and Hemlata, *Enterprise Electronic and Mobile Commerce* 576 (Cyber-Tech Publications, New Delhi, 1st edn., 2001).

⁴ Prof. N.V. Paranjape, *Criminology and Penology* 147 (Central Law Publications, Allahabad 13th edn., 2007).

⁵Section 502 of Californian Penal Code as Amended in 1997.

⁶Article 156.00-50 of New York Penal Code, 1986.

⁷*Supra* note 3 at 148.

⁸Gary P. Schnedider and James T. Perry, *Electronic Commerce* 360 (Thompson Asia Pte Ltd, Singapore, Reprint 2001).

⁹ Carolyn F. Siegel, *Internet Marketing Foundation and Applications* 130 (Houghton Mifflin Company, Boston-New York, 2nd edn., 2006).

available to every browser-cannot be lawfully copied and used for a commercial purpose, say, to create a new Web site that looks identical.¹⁰

Bulletin Board

Bulletin board systems are miniature of commercial online services. Rather than catering to hundreds of thousands of subscribers with information and service designed to suit the largest online audience, each bulletin board system serves a smaller slice of cyberspace. There are about 60,000 bulletin boards in the United States alone, so you'll have to do some hunting, but you're sure to find a board whose topic fits your marketing purpose like a glove.¹¹

The Digital Millennium Copyright Act of 1998

The Digital Millennium Copyright Act of 1998 is the first major effort to adjust the copyright laws to the Internet age. This legislation was the result of a confrontation between the major copyright holders in the United States (publishing sheet music, record label, and commercial film industries), ISPs, and users of copyrighted materials such as libraries, universities, and consumers.¹² The DMCA was enacted in part to comply with the World Intellectual Property Organization's Copyright Treaty and the WIPO Performance and Phonograms Treaty. These documents set forth international standards for copyrighted material and were recently ratified by the United States.¹³

Internet Tax Freedom Act, 1998

Opponents say that taxing the Internet will stop the nascent e-commerce industry in its tracks and hurt the global economy. Supporters want a level playing field. Some American states decided on pre-emptive strikes, such as slamming taxes on Internet access, which upset the don't tax-the-net lobby. Now the two sides have been brought together in the Advisory Commission on Electronic Commerce, set up by Congress under the 1998 Internet Tax Freedom Act.¹⁴

Public Policy E-Commerce in USA

The public policy environment today is very different from the early days of e-commerce. The net result is that the Internet is no longer an ungoverned, unsupervised, self-controlled technology juggernaut. Just as with financial markets in the last 70 years, there is a growing awareness that e-commerce markets work

¹⁰Kenneth C. Laudon and Carol GuercioTraver, *E-commerce, Business, Technology, Society* 509 (Pearson Education, New Delhi, 2009).

¹¹Jay Conrad Levinson and Charles Rubin, *Guerrilla Marketing on the Internet the Complete Guide to Making Money On-Line* 148 (India Book Distributors (Bombay) Ltd., 2000).

¹²*Supra* note 10 at 511.

¹³Judy Strauss, Adel El-Ansaryet., al., *E-Marketing* 127 (Pearson Education, New Delhi, 2003).

¹⁴Lindsay Percival and Straunik, *The Economist Books E-Commerce* 161 (Profile Books Ltd, London, 2002).

only when a powerful institutional set of laws and enforcement mechanisms are in place. These laws help ensure orderly, rational, and fair markets. This growing public policy environment is becoming just as global as e-commerce itself.¹⁵

National Information Infrastructure Protection Act

The National Information Infrastructure Protection Act of 1996, which makes Dos attacks and viruses distribution federal crimes, the FBI and the Department of Justice established the National Infrastructure Protection Centre. Now subsumed within the National Cyber Security Division of the Department of Homeland Security, this organization's sole mission is to identify and combat threats against the United States' technology and telecommunication infrastructure.¹⁶

PATRIOT Act

After September 11, 2001, Congress passed the USA PATRIOT Act, which broadly expanded law enforcement's investigative and surveillance powers. The Act has provisions for monitoring e-mail and Internet use. Currently, this is a temporary act, but there are efforts to make it permanent and to further expand law enforcement's monitoring powers. The Homeland Security Act of 2002 also attempts to fight cyber terrorism and increases the government's ability to compel information disclosure by computer and ISP sources.¹⁷

Uniform Computer Information Transaction Act (UCITA)

If adopted by the states, this model would govern all legal agreements pertaining to software transactions, including sales. Supported by the majority of software manufactures and publishers as a measure of legal uniformity, critics argue that UCITA will enforce license provisions including those restricting copying and resale of material, liability for damages incurred from defective software, and, it has been suggested, the ability to criticize software performance.¹⁸

Types of Intellectual Property Rights

Maintaining this balance of interests is always challenged by the invention of new technologies. In general, the information technologies of the last century from radio and television to CD-ROMs, DVDs, and the Internet have at first tended to weaken the protections afforded by intellectual property law. Owners of intellectual property have often but not always been successful in pressuring Congress and the courts to strengthen the intellectual property laws to compensate for any technological threat and even to extend

¹⁵*Supra* note 10 at 297.

¹⁶*Id.* at 299.

¹⁷*Ibid.*

¹⁸*Supra* note 13 at 131.

protection for longer periods of time and to entirely new areas of expressions. In the case of the Internet and e-commerce technologies, once again, intellectual property rights are severely challenged.¹⁹

USA supports UNCITRAL Model

The United States Government supports the adoption of principles along these lines by all nations as a start to defining an international set of uniform commercial principles for electronic commerce. We urge UNCITRAL, other appropriate international bodies, bar associations, and other private sector groups to continue their work in this area. The following principles should, to the extent possible, guide the drafting of rules governing global electronic commerce:

- Rules should be technology-neutral (i.e., the rules should neither require nor assume a particular technology) and forward looking (i.e., the rules should not hinder the use or development of technologies in the future).
- Existing rules should be modified and new rules should be adopted only as necessary or substantially desirable to support the use of electronic technologies.
- The process should involve the high-tech commercial sector as well as businesses that have not yet moved online.²⁰

E-Commerce Patents

Much of the Internet's infrastructure and software was developed under the auspices of publicly funded scientific and military programs in the United States. Unlike²¹ Samuel F.B. Morse, who patented the idea of Morse code and made the telegraph useful, most of the inventions that make the Internet and e-commerce possible were not patented by their inventors. The early Internet was characterized by a spirit of worldwide community development and sharing of ideas without consideration of personal wealth.²²

Intel

It was in 1997 that Intel deployed its own Pentium Pro system as serves on which the first B2B applications were launched. From a mere 5-server data centre, Intel's e-business set-up grew to over 850 servers in the year. It comprised a complex environment supporting customer-side B2B, supplier side business-to-channel, and other special business programs. These environments continue to grow. New types of applications are constantly being developed and deployed. Intel operates two data centres in Oregon and California (USA) to run its e-business. These centres support the high levels of performance

¹⁹*Supra* note 10 at 509.

²⁰*Supra* note 2 at 605.

²¹*Supra* note 10 at 514.

²²*Id* at 515.

and availability that are essential online business.²³

Trademarks and the Internet

The rapid growth and commercialization of the Internet have provided unusual opportunities for existing firms with distinctive and famous trademarks to extend their brands to the Internet. These same developments have malicious individuals and firm the opportunity to squat on Internet domain names built upon famous marks, as well as attempt to confuse consumers and dilute famous or distinctive marks (including your personal name or a movie star's name).²⁴

Quick Commerce/E-Commerce Exchange: Merchant Account Program

Quick Commerce, by E-Commerce Exchange, is an outstanding payment transaction solution which allows you to quickly and easily accept major credit cards and check rights on your website day or night without ever needing to speak to customers. E-commerce Exchange is one of the largest providers of merchant accounts for entrepreneurs on the internet with 12 offices nationwide. Thousands of merchant accounts are established each month. They know what they are doing, and they are here to stay. Quick commerce is a complete e-commerce solution.²⁵

Uniform Commerce Code for Electronic Commerce

To encourage electronic commerce, the U.S. government should support the development of both a domestic and global uniform commercial legal framework that recognizes, facilitates, and enforces electronic transactions worldwide. In the United States, every state government has adopted the Uniform Commercial Code (UCC), a codification of substantial portions of commercial law. The National Conference of Commissioners of Uniform State Law (NCCUSL) and the American Law Institute, domestic sponsors of the UCC already are working to adapt the UCC to cyberspace. Private sector organizations, including the American Bar Association along with other interest groups, are participants in this process. Work is also on going on a proposed electronic contracting and records act for transactions not the adoption of uniform legislation by all states.²⁶

Sales Tax Rules

Texas (USA) imposes its sales tax on numerous forms of electronic commerce including electronically downloaded software, Internet access, creation of Web home pages, posting of Web home pages, cable television services, credit reporting services, information services, and data processing services. Similarly,

²³Kamlesh K Bajaj and Debjani Nag, *E-Commerce The Cutting Edge of Business* 34 (Tata McGraw-Hill Publishing Company Limited, New Delhi, 2ndedn., Reprint 2006).

²⁴*Supra* note 10 at 518.

²⁵*Supra* note 2 at 413

²⁶*Supra* note 2 at 604.

New York imposes its sales tax on numerous forms of entertainment or information services provided by telecommunications, such as stock quotes, credit reports, computer bulletin board systems, tax or stock market advisory and analysis reports, legal information, and sports highlight lines.²⁷

Spamming

Although 33 states in the United States have passed laws to restrict spamming, the Windows on Management shows that the practice is to control through legislation and through technical means. Members of the Direct Marketing Association and other companies believe that regulation spam, rather than banning it altogether, would still allow legitimate business to use e-mail for direct marketing purposes. Other major interest groups, however, have lobbied against anti-spam legislation, believing it would harm legitimate e-mail marketing and put e-commerce at a disadvantage.²⁸

CyberCash

CyberCashInc, founded in 1994, provides a means for secure financial transactions over the internet with its secure internet payment service. Three software components are involved CyberCash transactions. One component, the CyberCash Wallet, is for the user's PC, one is at the merchant's server, and the third component is within the CyberCash servers. The first and second software components are freely available. There are two systems under the CyberCash umbrella:

- The CyberCash system: Essentially a gateway to tie-in the internet merchants, to the existing electronic payment system. It protects the credit card transactions through encryption based protocol and is a post-paid payment system described later in this chapter.
- The CyberCoin system: Designed for online transactions. And supports micropayments. It is a pre-paid payment system.²⁹

Taxation

The taxation situation in Europe, and trade between Europe and the United States, is similarly complex. The Organization for Economic Cooperation and Development, the economic policy coordinating body of European, American, and Japanese governments, is currently investigating different schemes for applying consumption and business profit tax for e-commerce digitally download goods. Although there appears to be acquiescence among large Internet retailers such as Amazon to the idea of some kind of sales tax on e-commerce sales, their insistence on uniformity will probably delay taxation for many years, and any

²⁷Supra note 1 at 241.

²⁸Supra note 10 at 202.

²⁹Bharat Bhasker, *Electronic Commerce Framework, Technologies and Applications* 274 (Tata McGraw-Hill Publishing Company Limited, New Delhi, 3rd edn., 2009).

proposal to tax e-commerce will likely incur the wrath of almost 120 million U.S. e-commerce consumers.³⁰

E-Commerce Law and Policy Development in India

Electronic commerce has also picked up in India, as a large number of entrepreneurs entered the industry with new ventures. This has been possible because of the availability of venture capital to fund internet start-ups in India. Venture capital is provided by Financial Institution, private funds, corporate ventures, and offshore and regional funds. Funding can be obtained both at the start-up and at the growth stage.³¹ E-commerce in India is barely into the first phase, which is the setting up of websites by various companies. Almost all major organizations have some presence on the net. The real challenge is to convert this presence into online business.

- Some companies, notably Rediff on the Net, Satyam Online, Mantra Online, have already ventured into this field, but they are bogged down by the lack of support in the areas of transaction processing and the absence of a government E-commerce policy.
- With the rapid growth of IT industry in particular, the term like business intelligence and business technologies are coming fast and offering enterprise solution to the Indian IT industry.
- India has shown her presence in the Asia Pacific and is emerging as a key player for the rest of the world.³²

The application of electronic commerce in the retailing segment has seen it evolve from an online version of catalogue selling to accepting orders and payments online and translating zero inventories into huge discounts on the prices of items. The B2C model of electronic commerce transaction is ideally suited for the following types of merchandise: (i) Goods that can be easily transformed into digital format, such as books, music clips and videos, and software packages, (ii) Item that follow standard specifications, like printer ribbons, ink cartridges etc., (iii) Highly rated branded items with return security: such as Dell and Compaq computers, electronic gadgets etc., (iv) Items sold in packets that cannot be opened even in physical stores, e.g., Kodak films rolls, (v) Relatively cheap items where saving outweigh risks and (vi) Items that can be experienced online, such as music, videos etc.³³

Business models can be broadly classified based on Connectivity, Content, Community, and Commerce. Internet Service Providers and e-mail and chat service providers are based on the Connectivity model.

³⁰*Supra* note 10 at 529.

³¹*Supra* note 29 at 439.

³²*Supra* note 1 at 6.

³³*Supra* note 29 at 19.

News and information portals and search-engines follow the Content model. The community model includes thematic and geographic services. E-tails and e-auctions follow the commerce model. As per the Forrester research findings, in India, e-commerce deals are projected to touch an aggregate Rs. 500 crore in 2005, if internet penetrations deepen speedily and customer access improves. The success of e-commerce in India, in the business-consumer sector, would depend on the extent of customer patronage. The Indian Market Research Bureau conducted a survey on e-commerce in India. The results clearly points out that security, lack of proper and secure payment structure, and legal issues are the prime barriers to the adoption of e-commerce, apart from inadequate development of infrastructure and low awareness of technology. Most consumers are not willing to buy online due to concerns about quality and delivery, and often want to have a feel of the products before buying.³⁴

Information Technology Act, 2000

The Government of India enacted the Information Technology Act, 2000 (IT Act) on June 9, 2000, and notified its implementation on October 17, 2000 with the publication of Information Technology (Certifying Authorities) Rules, 2000. The IT Act is modelled on the UNCITRAL Model E-Commerce Act that was developed by the United Nations with the aim of encouraging nations to adopt a similar law for providing recognition to e-transactions.³⁵ The Act is based on UNCITRAL Model Law on e-commerce, 1996 in furtherance of the U.N. General Assembly resolution urging the member states to enact or revise their cyber laws to create a uniform environment for regulating e-commerce at the international level. The object is to “provide legal recognition for transactions carried out by electronic data interchange and other means of electronic communications commonly referred to as e-commerce which involves use of alternatives to paper based methods of communication and storage of information to facilitate electronic filing of documents.” Thus the Act seeks to prevent offences which result out of e-commerce and e-governance.³⁶

Objectives of the Act: These are:

- To grant legal recognition to electronic records.
- To grant legal recognition to Digital Signature for authentication of information or matters requiring authentication under any law of the country.³⁷

³⁴Id at 439.

³⁵Supra note 23 at 54.

³⁶Supra note 3 at 142.

³⁷GaytriVerma, *On-Line Marketing Principles and Current Practices* 71 (New Century Publications, New Delhi, 1stedn., 2005).

- To permit retention of information, documents and records in electronic form where any law requires such retention for a specific period.
- To foster the use and acceptance of electronic records and digital signatures in government offices and government agencies.
- To prevent the possible misuse arising out of transaction and other dealing concluded over the electronic medium.
- To prevent and arrest offences as well as to deter abuse of information technology.
- To deal with civil and criminal liabilities arising out of contravention of the law.
- To provide necessary changes in various provisions, which deal with offences relating to documents and paper-based transactions?
- To facilitate electronic fund transfers between banks and financial institutions.
- To give legal sanctity for books of account maintained in electronic form by the banks.³⁸

E-Retailing

- In India, even though, the first wave of e-commerce start-ups focused on portals, the second wave has a clear focus on e-retailing.
- Today, they are being followed by online sellers of groceries, vegetables, and computers, and consumers are also getting used to the concept of buying online, and paying through credit cards. Apart from start-up ventures entering the online selling business, a number of corporate houses like Amul have also adopted the e-retailing model.³⁹

NASSCOM

This study focuses mainly on the business-to-consumer (B2C) segment. The Internet affects both B2C and business-to-business commerce. The economic magnitude of B2B transactions is estimated to be substantially higher than that of B2C transactions. According to the findings of the survey, conducted by National Association of Software and Service Companies (NASSCOM) to evaluate the e-commerce scenario in India, during the year 1999-2000, the total volume of e-commerce transactions in India was about Rs. 450 crore. Out of this volume, only about Rs. 50 crore (11.1 per cent) were contributed by B2C transactions. Other segments, like business-to-government and consumer-to-consumer are also gaining importance.⁴⁰

Electronic Banking

³⁸*Id* at 72.

³⁹*Supra* note 29 at 439.

⁴⁰*Supra* note 37 at 110.

ICICI was the first financial intermediary to implement an e-commerce payment gateway within India. ICICI shares the services of the payment gateway with corporate clients, consumers, merchants and bankers. ICICI services available under PaySeal™ are used by many B2C electronic commerce sites to enable the interface of the internet shopper, the web merchant and the banking systems, in a secured environment to facilitate online payments. Corporate clients and B2B e-commerce companies also use ICICI payment gateway e-commerce transactions in virtual marketplace.⁴¹

In India, a number of banks have introduced Internet banking. While most of them are restricted to information about the customer's own account and transactions between different accounts belonging to the same customer, some banks have enhanced their services by including fund transfers between different customers.⁴²

Indiatimes.com

www.indiatimes.com is an online portal providing information relating to news, insurance, learning jobs, matrimonial, astrology, cricket and a plethora of other information and services in addition to the newspapers which are published by the Times of India Group. Indiatimes.com launched India times Shopping in May 2001. It offers a range of products from books and music to kitchenware, clothes and food. The online mall is only a click away, making it a convenient place to shop or to buy presents for family members and friends who are far away.⁴³

Payment for goods and services transacted on indiatimes.com can be carried out in a number of ways. The cash on delivery mode of payment is open for self-purchase and payment can be made for the order only when it is actually received however, this option is available only for residents of Delhi, Noida, Gurgaon, Ghaziabad, Faridabad, Mumbai, Bangalore, Chennai and Hyderabad. Using credit cards such as VISA and Master Card, payments can be processed through an online payment gateway stem.⁴⁴

IndiaMart.com

IndiaMart.com founded in 1996, has been serving as a third party electronic marketplace for Indian exporters and manufactures. The company implemented a Business-to-Business (B2B) electronic marketplace in 1996, at a time when electronic commerce awareness had just begun to unfold. IndiaMart.com planned to capitalize on the opportunity of becoming a third party market maker that

⁴¹*Supra* note 29 at 29.

⁴²*Supra* note 23 at 327.

⁴³*Supra* note 23 at 344.

⁴⁴*Id* at 345.

connects Indian exporters with buyers abroad.⁴⁵

Rediff.com

The Rediff.com India website consists of information, communication and content services, free and paid community features and products, including e-commerce and mobile services. Information and content channels currently include news, business, movies, cricket/sports, auto, health, food, books, gaming, astrology, contests, lifestyle, home décor, women and several other topics of interest.⁴⁶

Steel Authority of India Ltd. (SAIL)

Reverse auction is a procurement tool available under e-commerce through which the techno-commercially acceptable bidders simultaneously bid their price online leading to price discovery. Also known as buyers' auction, in reverse auctions, the buyers invites bids from multiple sellers. The price decreases as sellers compete for the buyer's business with the lowest bid considered as the winner. However, SAIL has initiated steps to create Internet-based e-procurement modules for moving towards complete paperless transactions and conducting the entire procurement process online.⁴⁷

Electronic Auction in India

- The internet has added a new dimension by creating an online mechanism for implementing the auction process. Tradition auctions had limited participation of people who turned up at the place of auction.
- Today, the same auction mechanisms can be implemented using electronic commerce technologies, allowing people connected through the internet to bid. Electronic auctions potentially encourage greater participation as internet users can connect to a website hosting an auction and bid for an item.
- Auction India narrowed on the business-to-business auction market opportunity that focuses on "industrial assets recovery."
- Auctionindia.com provides an opportunity to the companies to sell off and realize the competitive market price for big ticket assets like entire industrial plant, lying idle. The client list of the auction site includes Ashok Leyland, Hindustan Levers, BHEL, Widia, India, India Pistons, Blue Star, TVS etc.⁴⁸

Using the Act to Amend Certain Other Acts

⁴⁵*Supra* note 29 at 18.

⁴⁶*Supra* note 23 at 346.

⁴⁷*Id.* at 350.

⁴⁸*Supra* note 29 at 27.

Since the Act recognises electronic record as evidence, it has brought about amendment to certain other Acts which are as follows: The Indian Penal Code, 1860, The Indian Evidence Act, 1872, The Bankers' Book Evidence Act, 1891, and The Reserve Bank of India Act, 1934.⁴⁹

Conclusion

In USA's development various laws for e-commerce are: The Electronic Communications Privacy Act, 1986, Software Copyright Act, The Digital Millennium Copyright Act of 1998 Internet Tax Freedom Act, 1998, PATRIOT Act, UNCITRAL Model etc. In India development e-commerce are: Rediff.com, Steel Authority of India Ltd. (SAIL), www.indiatimes.com is an online portal providing information relating to news, insurance, learning jobs, matrimonial, astrology, cricket and a plethora of other information and services in addition to the newspapers which are published by the Times of India Group. IndiaMart.com founded in 1996, has been serving as a third party electronic marketplace for Indian exporters and manufactures and e-commerce laws Information Technology Act, 2000, The Indian Penal Code, 1860, The Indian Evidence Act, 1872, The Bankers' Book Evidence Act, 1891, and The Reserve Bank of India Act, 1934

⁴⁹Supra note 37 at 73.