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Editor In chief – Assistant professor Dr. Taru Mishra

Publisher & Founder – Vaibhav Sangam Mishra

Frequency – Quarterly (4 Issue Per year)

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INCREASING CYBER CRIME AGAINST WOMEN IN INDIA.

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ABSTRACT :

As we progress into the digital age, the online platform for people out there becomes increasingly dangerous. Especially for women, as they are becoming soft targets for the predators who are sitting behind those computers and hunting their prey. These cyber crimes are not only creating unhealthy and dangerous environments but also using this as a tool to abuse, harass and bully people. This article focuses on how women are harassed mentally and physically by blackmailing, posting of sexual obscene material, cyberstalking, bullying, defamation, morphing, and creation of fake profiles by stealing or stalking their identities and information from their online profiles, which makes women feel distressed, humiliated, and depressed. Crimes are committed, and women are disproportionately affected, and fall into the traps of those criminals. Further, in the article, types of cybercrime and how the government is dealing with it to reduce it, laws and sections which define different kinds of online crime against women and what punishment they have to go through are discussed. There is no actual law dealing with cybercrime, but the government has made certain legal provisions to deal with it. There are even some initiatives introduced by the government to enhance cybercrime. As an additional measure, we can also take some precautions and spread awareness and knowledge about privacy and online crimes, which will help tackle cybercrime. As for women, if she finds themselves caught in any online crime, how to handle the situation by filing a complaint should be provided from the start, which will help to resolve the case in earnest and also reduce the mental torture and trauma that the victim has to go through.

INTRODUCTION :

What about the Internet? What role did it play in our lives? How does that work in our lives or how does our lives work around the Internet? Well, we can see in today's world the internet has basically become our everyday necessity. It serves educational, social, entertaining or occupational purposes. It is also used for domestic security or other security

purposes. Women work or learn through online platforms and access social media platforms on a regular basis. However, the majority of people use these platforms for business and entertainment purposes. Therefore, there are still many perpetrators who use these digital tools to abuse and intimidate online or harass people, especially women. This crime is referred to as cybercrime and these predators are referred to as cybercriminals that create a dangerous environment for people on digital platforms. Cybercrime can be defined as criminal activities carried out by computers or the internet as the instrument to do an illegal activity such as committing fraud, trafficking in child pornography or stealing identities or violating privacy. It is not specified in India's Information Technology Act 2000 or any other law. Under the Indian Penal Code, 1860, and a number of other statutes, crime or offence has been carefully defined by listing specific offences and their associated penalties. Remarkably, cybercrime was first recorded in **France** in **1820**. The employees of a textile manufacturer Joseph-Marie Jacquard secretly committed acts of destruction of the loom to dissuade Jacquard from resorting to new technologies. They feared that the new device that permitted the repetition of a series of steps in the weaving of special fabrics would affect their traditional employment and livelihood. In **1992**, the first cybercrime emerged when the first polymorphic virus was released. In India, one of the very first instances of cybercrime has been **Yahoo v. Akash Arora in 1999** where Akash Arora was charged with using the mark 'yahooindia.com' and as a judgment, a permanent injunction decree was issued. The rate of cybercrime is rising rapidly on a daily basis around the world, with the **U.S.** having the highest rate of cybercrime. In India, **6.7 Lakhs** have been registered thus far in 2022. Cybercrime against women includes cyber-stalking, threats, cyberpornography, posting and publishing obscene sexual material, cyber harassment, bullying and many other illegal activities such as this.

CYBER CRIME AGAINST WOMEN:

Are women easy prey for predators?

Nowadays, everyone lives and works in a parallel universe on the internet. It has quickly spread its sphere, evolved into one of the fastest forms of communication, and has quickly become a way of life. Rapid technological innovation certainly poses a challenge to legal systems. Every year, there has been a noticeable increase in the number of digital crimes committed against women. Women are soft-hearted and tend to trust people easily, making

them ideal prey for criminals. Women are made victims by these wrongdoers because they are susceptible to manipulation and are not aware of the repercussions. Because it is difficult to detect and prove and is rarely reported, cybercrime has escalated.¹ More women are using the internet these days, which makes it possible for information about them to be stolen and used to abuse them both emotionally and physically through blackmail, the posting of sexually explicit content, cyberstalking, bullying, defamation, and the creation of phoney profiles. Those cyber predators coerce and torment them mentally and emotionally. Most women experience distress, humiliation, and depression as a result.

TYPES OF CYBERCRIME:

Cybercrime directed at women is typically centred on gender and includes sexual remarks, which undermine women's dignity and cause mental pain. According to **section 77** of the **IT act**, the Indian Penal Code's provisions continue to apply in all situations, therefore receiving a penalty under the IT Act does not exonerate the criminal from their obligations under other laws. Different types of online crimes, particularly those committed against women, exist.

- **CYBER STALKING:-** Stalking means to seek or follow someone. Cyberstalking is the practice of the following someone online or harassing them by sending threatening messages or emails through social media, which can have a negative impact on the mental health of the victim. The act of "cyberstalking" also entails gathering all of her information via social media because the internet is a reflection of the real world and can be used to intimidate her by disseminating false information.
- **CYBER DEFAMATION:-** Both a tort and a criminal offence, defamation is viewed as such in India. Consequently, the wrongdoer is just as accountable for destroying a person's reputation and standing as they are for harming their physical appearance. Threatening or publishing any offensive language, content, or material about a person online is known as cyberdefamation. Since women's modesty, reputation, and social position are so fragile in Indian society, women suffer the most from it. In the eyes of the broader public, one untrue rumour has the power to drastically alter how valuable the woman victim is.

¹ <https://www.geeksforgeeks.org/cyber-crime-against-women/>

- **CYBER HACKING:-** Hacking is a technique that lets the hacker access all information or data through untrusted URLs or downloads forms. To get illegal financial transactions and other illegal acts, this criminal activity is carried out.
- **CYBER BULLYING:-** It is a behaviour in which the harassers threaten or intimidate the victim by sending intimidating communications. They even attempt to make prank calls or hack into the accounts of women on social media or gaming sites. Online gossip and false rumours about women are very widespread forms of bullying that we may observe. Victims of this heinous misuse of information technology include those who have social anxiety, loneliness, melancholy, low self-esteem, and phobias related to schools.
- **PORNOGRAPHY:-** The essence of pornography is the marketing of male or female sex, which is presented as the object of sexual activity. The term "pornography" in the context of cybercrime refers to the illegal practice of sexually modifying images for use in pornographic media or sale on pornographic websites. They threaten them with blackmail and even demand money to have it taken down from those websites.
- **CYBER GROOMING:-** With the purpose of later sexually abusing, exploiting, or trafficking women, this criminal behaviour entails approaching or communicating with women online before developing a relationship with them and winning their trust. By demonstrating love and earning trust, this criminal conduct tends to involve young and adolescent girls. They deceive them or coerce them into doing something immoral, such as transmitting a video or photo of themselves in a state of undress.

LEGAL PROVISIONS RELATED TO CYBER CRIME AGAINST WOMEN:

Although a comprehensive regulatory framework for legislation controlling the cyber domain, including such actions, has not yet been created, some legal remedies under different statutes can help victims of cyber violence. In India, cyber crimes are covered by **The Information Technology Act 2000**, **The Indian Penal Code 1860** and the **Indecent Representation of Women (Prohibition) Amendment Bill 2012**.

1. **The Information Technology Act 2000:-** The Indian Parliament passed the Information Technology Act, 2000 in that year. For issues including e-commerce and cybercrime, it serves as the main legal framework in India. The act was passed to

offer electronic trade and transactions legal legitimacy, facilitate e-governance, and combat cybercrime. The rules established by this act are:-

- a. SECTION 66C:-** Section 66c of the IT Act makes identity theft a criminal offence. It is applied to instances of cyber hacking and carries a maximum sentence of three years in prison and a fine of Rs. one lakh.
 - b. SECTION 66E:-** This section addresses a person's right to privacy, which is violated when an image of a private area of a person is captured, published, or sent without her consent or in circumstances that violate her privacy, and is punishable by up to three years in prison and/or a fine.
 - c. SECTION 67A:-** This section makes publishing, transmitting, or facilitating the transfer of sexually explicit content a felony punishable by up to five years in prison and a fine for the first offence, and up to seven years in prison and a fine for the second.²
- 2. The Indian Penal Code 1860:-** Section 354 lists the crimes that are punishable by harsh punishment and fines under the law.
 - a. SECTION 354A:-** This section addresses sexual harassment committed by making sexual remarks, demanding or pleading for sexual services, or displaying pornography against the will of a woman. It is punished by imprisonment for up to three years, a fine, or both.
 - b. SECTION 354C:-** An act in which a picture of a woman is published or photographed while she is engaged in a private act without her consent is punishable by imprisonment for up to 3 to 7 years and a fine.
 - c. SECTION 354D:-** This section is about internet stalking. Contacting her online, sending irrelevant e-mails/messages, or watching a woman's cyber activity, web usage, or electronic communication despite her disinterest will result in a 5-year prison sentence with fines.
- 3. The Indecent Representation Of Women (Prohibition) Amendment Bill 2012:** This legislation regulates and prohibits derogatory depictions of women in advertising, publishing, and other forms of media,³ including audio-visual media and electronic material. It also includes the distribution of material on the internet as well

² Section 67A of the IT Act, 2000

³ Indecent Representation of Women (Prohibition) Act, 1986

as the portrayal of women on the internet. The bill, however, was withdrawn in July 2021.

HOW TO TACKLE CYBER CRIME?:

The most important part of combating cybercrime is having knowledge and awareness about privacy and online crimes. Cyber literacy should begin at the fundamental level with good knowledge so that people can gain an understanding of how to get rid of or deal with them. If a woman discovers evidence of cybercrime, she must contact the nearest cyber cell or police station and file a complaint through the national cybercrime reporting portal. She will need a few documents to file a complaint, including a soft or hard copy of a web page or emails with abusive content, sender information, and an access mechanism to the networking system. If she suspects anyone, she can also provide a list to the authorities.

INITIATIVES TO IMPROVE CYBER-SECURITY IN INDIA:

The government has implemented a programme called cyber crime prevention against women and children (CCPWC) to improve and develop measures to combat cybercrime against women and children in India.⁴ It enables a victim of cybercrime to file a complaint through an online cybercrime reporting platform. The platform also includes information on local and national law enforcement and regulatory agencies. As a proactive measure to reduce cybercrime, the CCPWC also conducts awareness programmes beginning at the elementary school level.

IMPORTANT DATA ABOUT CYBER CRIMES AGAINST WOMEN:

- The total number of cyber crimes against women in 2017 was 4,242, according to National Crime Record Bureau data. In the NCRB's 2020 record, it has more than doubled to 10,405.
- Other crimes against women accounted for 7,184 total in 2020, with cyber pornography accounting for 1655. These statistics are based on information gathered from 28 states and eight union territories. These are also cases that have been reported. Many cybercrime cases involving women receiving penis images, expletives, or abusive comments on posts go unreported in this country.

⁴ <https://www.mha.gov.in/division_of_mha/cyber-and-information-security-cis-division/Details-aboutCCPWC-CybercrimePrevention-against-Women-and-Children-Scheme>

- According to a report released by the National Crime Records Bureau, the number of cybercrimes has risen to 18.4 percent in 2021, with a 28 percent increase in such cases against women with the top five states accounting for 61 percent of the share are Karnataka at number one with 2,243 cases in 2021, Maharashtra with 1,687 cases, and Uttar Pradesh with 958 cases. Telangana has the highest proportion of all cybercrimes, including cybercrime against women, with a 282 percent increase from 2,691 in 2019 to 10,303 in 2021.
- From 35.5 percent in 2019 to 42.5 percent in 2021, the conviction rate increased.
- Up to June, the government reported a total of 6,74,021 cyber security incidents.

CONCLUSION:

To summarise, the world is rapidly becoming completely dependent on technology. Criminal activity is increasing in tandem with the intensity. A crime-free society is unattainable and can only be imagined. However, the government and citizens must continue to work together to strictly enforce regulations in order to reduce crime. As women become soft tragedies, legislation must go above and beyond to punish such criminals harshly. Everything has advantages and disadvantages, including technology, which can be very beneficial while also being used for evil. To combat the evil side of technology that can be used against women, it is necessary to spread awareness and knowledge about cyber practices privacy protection, and legal assistance.

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