

## CYBER CRIMES: PRECAUTIONS AND STRATEGIES

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### ABSTRACT

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“Cyber-Attacks rain down on us from many places. You have to make your systems secure and safe and teach your people cyber hygiene.”<sup>2</sup>

Cyber-crime means a crime that is in cyberspace and which involve internet and computer. Cyber-crimes now a day's very serious issue as many of the serious issues are happening through the internet for example the incident which occurs in Pathankot this is done by using cyber networking as the information gets transfers to another person. In this era when covid hits all over the world the hackers are also doing their jobs by like fraud, leaking information or anything which will target an individual or a group of people or government. Many laws are made by the cyber-crime in India is governed by the IT ACT 2000 which is made for the crimes which are related to cyberspace. There is also a treat called the Budapest Convention which is made for criminal activities of the cyber world. The paper's main focus is on the security and laws in cyberspace. The main reason which is analyses is lack of legal security and lack of awareness in this society. As in this era, digital technology has been increased more than laws governing technology. The paper discusses more the security of every person from cybercrime. The research is concluded in the suggestion that there is more legal awareness should be spread, proper implementation of laws along with public awareness and by educating the women about the rights and legal remedies plays a major role to give justice.

**Keywords** – Cyber-crime, Information technology, Budapest convention.

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<sup>2</sup> [https://www.brainyquote.com/quotes/kersti\\_kaljulaid\\_913684](https://www.brainyquote.com/quotes/kersti_kaljulaid_913684)

## INTRODUCTION

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Cybercrime in this modern era of the 21<sup>st</sup> century is growing faster and faster every second. Each second the woman is victimized in cyber space by defamation, threatening, trolling, stalking, etc. The women were targeted by the technology (internet) for the cybercrime. The platform of technology or the internet for information leaked or hacked by the individual or a group for misusing it for their benefit. In this era, cybercrime is a major concept for discussion as people are not aware or educated about cybercrime. The cybercrime space target more women through that they troll defamation, abuse, etc to them and violate their rights, privacy, and their dignity. Cybercrime is committed in cyberspace with the criminal intention. As cybercrime is illegal activities that are with criminal intention. The cyber-crime emerges both national and economy of the country. Cybercrime increases day by day like my facebook fake accounts, by e-mails, by stalking or by bullying, or in many ways. Cybercrime is done with a malafide intention with illegal activities to steal the information. The Unauthorized access to information through the internet by use of computer network that can lead to the problem to people. Cyber-crime can target anyone like government, company, any gender, children's for their benefit, etc.

Cyber-crime does not have any act for protection and security in India but in INFORMATION TECHNOLOGY ACT, 2000 which was amended in INFORMATION TECHNOLOGY ACT, 2008.

The Government of India enacted its **Information Technology Act, 2000** with the objectives stating officially as: “to provide legal recognition for transactions carried out utilizing electronic data interchange and other means of electronic communication, commonly referred to as “electronic commerce”.<sup>3</sup> The cybercrime includes those activities which are punishable under INDIAN PENAL CODE. The internet has been both advantage and disadvantage for society. The CYBERCRIME is increased in that manner that people misuse it for their malafide intention and to gain an advantage of it.

CYBERCRIME can be done by anyone for –<sup>4</sup>

### 1. Used as a weapon

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<sup>3</sup> <https://www.lawctopus.com/academike/offences-act-2000/>

<sup>4</sup> Cybercrime and security by adv. Heena t.bhagtani

Cyber-crime is carried in any network and use the information as a weapon for their benefit such as spam, fraud, etc.

## 2. Used as a target

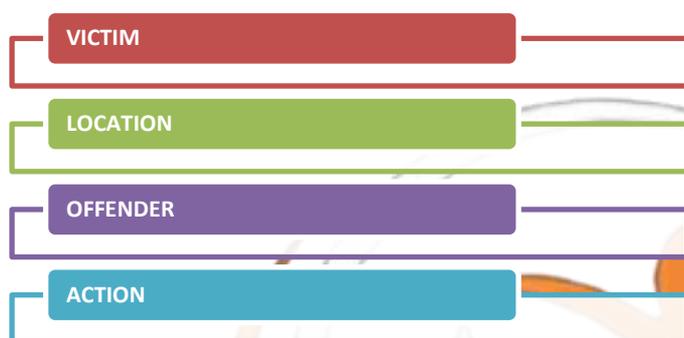
In cyber-crime, the criminals attack people through the network to spread viruses and malafide things.

## 3. Used as accessory

In this, it is used for stealing the information and save it illegally.

## ELEMENTS OF CYBERCRIME<sup>5</sup>

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## CYBER CRIME AGAINST WOMEN INCLUDES MANY TYPES

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The cyber-crime which is committed by an individual or a group against society<sup>6</sup>-

- Cyber stalking
- Cyber defamation
- Cyber hacking
- Cyber bullying
- Cyber pornography
- Cyber terrorism
- Phishing
- Viruses
- Fraud
- Morphing
- Email via harassment

<sup>5</sup>[https://www.google.com/search?q=elements+for+cybercrime&source=lnms&tbm=isch&sa=X&ved=0ahUKEwif3PST4vzgAhXp73MBHWqQCOIQ\\_AUIDigB&biw=1366&bih=625#imgrc=q3ZqAlfJxYaCOM](https://www.google.com/search?q=elements+for+cybercrime&source=lnms&tbm=isch&sa=X&ved=0ahUKEwif3PST4vzgAhXp73MBHWqQCOIQ_AUIDigB&biw=1366&bih=625#imgrc=q3ZqAlfJxYaCOM):

<sup>6</sup> <https://www.livelaw.in/cyber-crimes-against-women-and-laws-in-india/>

- Social engineering

**1. CYBER STALKING:** Cyber stalking means to do harassment and abusing someone through the internet. It is done through Emails or any communication through the internet. Cyber stalking can affect both men and women as it violates the privacy of a person. Cyber stalking means to threaten someone abuse it. In section 354-D of IPC stalking is punishable as criminal laws are amended in 2013 and in INFORMATION TECHNOLOGY ACT 2008.

### **LANDMARK JUDGEMENT SHREYA SINGHAL VS UOI<sup>7</sup>**

In this case section 66-A of INFORMATION TECHNOLOGY ACT, 2000 was challenged by Article 19(1) (a) of the CONSTITUTION OF INDIA right to freedom of speech and expression the judgment came that sending an offensive message through the internet is illegal and is a punishable offense.

In this case, two women were arrested for criticizing the band or shut down in Mumbai due to the death of Shiv Sena leader Bala Thackery. They only commented on the social media website called Facebook but they were released after some time. Because of this reason, Article 19 (1) (a) and section 66-A of the IT Act <sup>8</sup> was challenged. As section 66 A says if anyone sends an offensive message through a communication device that is false or which is grossly offensive as this section was misused by the police so the Hon'ble SC held unconstitutional Section 66-A as it violates the fundamental right of right to speech and expression. As section 66-A is now scrapped down.

**2. CYBER TERRORISM:** Cyber terrorism and cyber-crime both are a crime in the world. It is planning to make people trouble and have the intention to harm society. They include many things –

- **Computer viruses**
- **Hacking**
- **Email related attacks**
- **Computer worms.**

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<sup>7</sup> 2005

<sup>8</sup> 2000

**3. CYBER DEFAMATION:** Cyber defamation is torture which is a crime against women. Defamation means to harm someone's reputation and it takes place in cyberspace through electronics. It offends take place in form of publishing false information or disclose any secrets.

**4. CYBER PORNOGRAPHY:** Provisions of cyber pornography are there in section 67, 67-A, 67-B OF INFORMATION ACT<sup>9</sup>. And it is also punishable by IPC. It hampers the privacy of an individual or a group who is a victim. In this person does act which is intentionally or knowingly captured and published without the consent, for doing this the punishment for 3 years and fine not exceeding two lakhs.

**5. E-MAIL SPOOFING:** It refers to an email that emerges from one source but has been sent from another source. It can cause monetary damage. This is done through cyberspace and it leads to harm to the person. This cyber-crime is done falsely or by misrepresenting the ID and tries to take the information of that person so they can misuse it.

**6. PHISHING:** It is the attempt to gain sensitive information such as username and password and intent to gain personal information? By sending wrong mail or taking information then misuse it. By using someone's ID and password or information the person tries to hack the software or for example from that information they can misuse the bank account and tries to take the amount.

**7. CYBER ESPIONAGE:** This is an act done in an unauthorized manner without the consent of an individual, an organization, or any government. This cyber-crime is done to observe the things or information which is very fruitful and that information can lead to destroying someone's reputation or this information can also use against the country. In this time when Covid -19 has hit all over the world, cyber espionage is an active cyber-crime. Many times India has faced this problem now also Indian government has banned social media in the army is because there is a direct connection with cyber espionage.

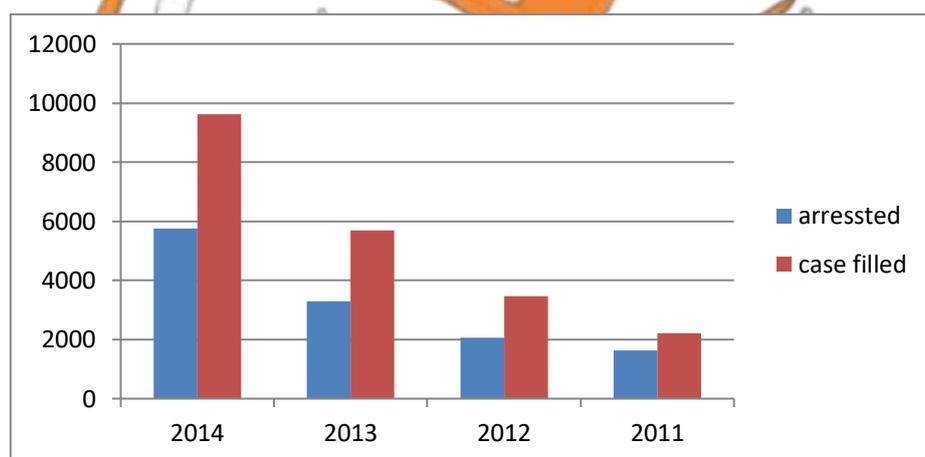
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<sup>9</sup> IT ACT 2000

## CYBER CRIME AGAINST WOMEN IN INDIA

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As my research methodology is doctrinal that means the research on already made laws. And through this report, we can see the rate of cyber-crime against women is increased after the amendment also. According to the national crime records bureau, India's agency for collecting crime data, a new class of crime data is rapidly increasing due to extensive use of the internet and IT enables services. According to the official statistics provides by the national crime records bureau, the government of India 9622 cases of cyber-crime was registered in 2014 and 5752 persons are arrested. In 2015 11592 cases were registered and 20% of crime has been increased. The NCRB has no information on the victim's profile.<sup>10</sup> And in 2016 the rate increase to 30% and most of are of online harassment and abuse according to report and in another report<sup>11</sup> cyber-crime reported in India more than over 10 decades (2005-2015), from 481 in 2005 to 9622 in 2015 .and India is now 3<sup>rd</sup> rank in the source of cyber-crime. As per the statistic, we can see the cyber-crime increased every year and as per the NCRB statistical survey.



Cybercrime has increased because the people in this society are not much educated and aware of the consequences which can lead to an effect on the people.

### SUGGESTIONS

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1. As to save from the cyber-attacks the people should be aware of cyber-crime. To make them aware there should be more seminars, pamphlets, pictures, or spreading awareness.

<sup>10</sup><http://ncrb.gov.in/StatPublications/CII/CII2015/chapters/Chapter%2018-15.11.16.pdf>

<sup>11</sup><https://www.google.com/amps/s/www.yputhkiawaz.com/2016/06/cyber-crime-rate-in-india/amp/>

2. To save from cyber-crime don't share passwords or any personal information on the internet.
3. Report immediately cyber-attack.
4. Secure more by using the latest and effective software that will help from viruses.
5. Block all the sites and people who need personal information.
6. Cover your pin code and not use a third party computer for bank transfer.
7. Be careful while updating your account details on the internet.
8. Don't share your photos on the internet.
9. More government programs should be there and more legal awareness should be there.
10. More amendments are needed.

## CONCLUSION

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Cybercrime is a much-consulted topic as an increase in cyber space. Cyber-crime is a crime that affects women in many countries in India rules are there in IT ACT 2008 but need more security at the international level and the convention has given the guidelines but they need to make those guidelines be followed strictly. Nowadays there is a need for more security and laws for it as we can see in the crime report that the cyber-crime has been increased year by year. The women can save themselves by not giving any photos or any personal details on the internet. Cyber-crime is a problem that needs to solve them as in this era, the countries are now moving towards digitalization by that the security level and laws need to be strict. As almost and everything is done through the internet for example paying education to pay electricity bills everything is done through the internet. It is a technical field that needs more technological things. Now in this Covid era education is done fully in a digital manner not only for women but children and everyone needs high security. To avoid cyber-crime the people should not interact with those people who they don't know. The women should report the crime immediately to save themselves from the crime. Cyber-crime is not just on women but it can be with anyone to save ourselves we need awareness. Technology is good for us but access can destroy us. Cyber-crime can attack anyone so be aware. Cyber space has increased all over the world and needs more care.