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Cyber Crime and Women

BHARTI[1]

ABSTRACT

Women constitute half of the population in the world. Dignity of women is the fundamental part in the society. Article 21 of the constitution of India provides life and liberty to everyone .Article 21 known as the judicial creativity also. This judicial creativity protects the dignity of the women under the head of life and liberty of person. Reputation, privacy, dignity of any person is integral part in the society. Dignity or reputation of women is important in the society. Time to time many attempts is made to harm the reputation of the women. In the society women are soft and vulnerable target for the crime. This research paper discussed about cyber crime and women. With the advent of technology victimization of women is on high rates. Computers, telephones, laptops, mobiles phones are the most commonly used device in everywhere.

Cyber crime is the illegal activity which is committed with the help of cyber space. Cyber space we mean technology and the internet .this paper includes how cyber crime affects the different section like women in the domestic relationship, women in the workplace, and women in the educational institution etc. of the women in the society. To be a victim of cyber crime is most dreadful experience for the women. It affects women mentally, socially and physically. This paper deals with the analyzing and review cyber crimes against the women in India. The most common crimes which are committed against the women are cyber pornography, morphing, cyber grooming, cyber staling, harassment, hacking, obscenity, cyber bullying, cyber trolling, phishing. The main reason of the cyber crime against loneliness' of the school going and college going girls students, weaker and vulnerable target ,unawareness about the privacy and security about the social media, share personal information to the strangers anonymity of the cyber criminals, lack of proper legal provisions. The research paper also discussed about the impact which are very dangerous to the women lie mental stock, social and private injury, academic loss, breakdown of personal relationship. Presently Information Technology Act 2000 and traditionally IPC deal with the cyber crime in India. Suggestion also provided by the researcher.

Keywords: *Cyber crime, sexual harassment, cyber space, dignity, information technology.*

I. INTRODUCTION

Women constitute half of the population in the entire world. In ancient India women occupied

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a high degree respected place in the society.[2] In the Vedic period women has a high moral position in the society. Women have equal right lie education, property and they were used to participation the public life. there was no discrimination in the upbringing in the son and daughter .in the post Vedic period from 600 BC to 300 BC the status of women started decline and there was a desire for the birth of son for Pind Dan etc. from the 11th century to 18th century considered the dark age for the women .the freedom of women was taken away in this era. In the current environment there is a lot of threat to the safety of women.[3] Nowadays cyber crime affected a lot to the women. Constitution of India provides freedom of speech and expression to everyone but this freedom of expression for women is not as easy it appears .cyber crimes threats the security and privacy of the women in the modern age which put their freedom in danger and women are doomed to live under the shadow of fear.[4]

II. CONCEPT OF CYBER CRIME

Cyber crime is a crime which is committed through the electronic devices and online sources i.e. internet, mobiles, laptop or with the help of cyber space. Women in the ancient India treated as Goddess. [5]Slowly their status started decline and now in the modern era with the advent of the technology the basic rights of women are violated. There are various cyber crimes by which women are affected very badly. We can divide women into various categories those are affected by cyber crimes. These categories are as follows:

- Women in general

- Women at workplace

- Women in domestic relationship

- Women and girls in educational institution.[6]

- Especially young girls are in a dreadfully danger of the cyber crime because they are the very soft and easy target. followings is some major cyber crime which is very dangerous for the safety and security of the women:[7]

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[2] Sanjeev kumar and priyanka, *cyber crime against women: right to privacy and other issues,*5 JLSR 154,155(2019).

[3] Sarokar, *Mahilao a shoshan vedic call se ab tak,*(visited on :1november,2022, 9 :00 pm), https://www.jagran.com/blogs/gpsingh/,bhartiya.

[4] https://www.amarujala.com/columns/blog/online-violence-against-women-in-india-and-cyber-violence-against-women-know-about-women-cyber-laws-in-india (last visited 1nov.2022).

[5] Shashya mishra,*Dime nsion of cybercrime against women in India-An overview,*5IJRAR 966,976(2018).

[6] https://www.legalserviceindia.com/legal/article-639-cyber-crime-in-india-are-women-a-soft-target.html (visited on: 2Nov.2022).

[7] Abhinav Sharma and ajay singh, *cyber crime against women: a gloomy outlook of technological advancement, 1IJLMH 3 (2018).*

(A) Types of cyber crimes against women in India

- **Cyber pornography**: pornography is a visual and verbal delineate of the sexual activity. Cyber pornography means engaged in the sexual activity through the online medium .women are largely affected by nowadays by the cyber pornography.[8]

- **Cyber bullying**: cyber bulling is the harassment, cruelty, torture, mental disturbance of a person with the help of technology. Perpetrator socially and personally harms the comfort of any other person .it is the threat and hurtful for the women.[9]

- **Cyber stalking**: with the advent of internet the main problem in the society is cyber stalking. Cyber stalking is the extension of traditional staling .only modus operandi is different in the cyber staling that is the online medium. Women are facing a lot of problems in the society like sexual harassment, female feticide, dowry Problems gender discrimination etc. cyber stalking is major problem in the computer era.[10] Stalking is a activity where an individual engages in the harassing behavior and this behavior becomes the torture for another person. it is an activity where a person follows another person through the online mode or online medium.[11]

- **Trolling**: trolling is an act where women's opinion is attacked by someone and try to mae fun and defame the women reputation through the online medium. it is a kind of provoking post or comments on the social media against the women.

- **Online harassment:** women faces a lot of harassment through the online platform .harassment is and act where women feel physically and mentally and physically uncomfortable by someone acts.

- Morphing: this is the fake editing of the pictures of women. It is the download and re-uploads system through the internet or online medium. In this process an individual download the pictures of victim's person after editing the picture re-upload on the internet. [12]The reason behind this is sexual harassment, blackmailing, ego, obsession, criminal mental set up etc.

- **Cyber flirting**: cyber flirting is the activity where an individual engaged in the activity

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[8] Ashok kumar,*cyber pornography in indian legal scenario in context of cyber crime,*22,JGRS 833,834(2020).

[9] Tommy kh, Christy m.k cheung et all,*cyber bulling on social networking sites: a literature review and future research directions, IM 1,2 (2021).*

[10] Alpna Thakur,Dr.Parminder kaur,*cyber crimes against women and children with reference to It Act,45 IBR195(2018).*

[11] Ms Garima Goswami and Dr Gulam Yazdani,*combating cyber crime against women: need for effective laws,45 IBR161(2018).*

[12] Nilesh Belliraya k and Abhilasha,*cyber crime against women in India,*3IJMLH1012 *1014(*2020).

or things to attract someone through the various means lie smiling, eye gesture, a certain tone of speech and message that makes feeling special. These all ways are flirting. But sometimes these flirting changes into harassment .women should also aware about difference between harassment and flirting. There is a big question in today's era that most of the women would have faced the harassment in the name of flirting. So flirting is a starting stage of harassment sometimes.[13]

- **Email spoofing** mail spoofing literal meaning is to 'prove wrong someone'; it is a kind of fraud in which an individual commits frauds by editing message through the email or online medium. This is a kind of message looks very real through the sender. Actually real sender is not aware about this process.[14]

- **Phising: in** this act an individual want to earn money through the fraud .during the lockdowns most of the case were related to the Phishing. Individual send the face messages to the victim phone numbers or emails to enter into the personal information so that they can commit fraud.[15]

- **Hacking:** Hacking is the unauthorized access of data without the permission of real owner. It is the unconventional method to reach someone data.[16]

III. REASON FOR THE GROWTH OF CYBER CRIME IN INDIA AGAINST WOMEN

In India every second, a woman is a victim of cyber crime and the online platform is the new platform, where every moment a women safety is being challenged like trolling, abusing, threatening, staking, defaming, staling, revenge and obscene thing in the present world. The impact of cyber crime is mental more than physical while laws ensuring the safety of women focus more on physical than mental.[17]There are various reason of cyber crime .these are followings:

Soft and vulnerable target: women are soft and easy target .so they are victimized very easily.

Loneliness: sometimes school going and college going female student feels loneliness in the family and society. So they spend most of the time at internet and misfortunately and become the victim of cyber crime

Unawareness: most of the women are not aware about the social media privacy, security and

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[13] Shashya mishra,*dimension of cyber crime in India: An overview,5IJRAR 966 ,969(2018).*

[14] https://hi.eyewated.com visited on (4 November, 2022).

[15] http://blogiplraeder.in/ (visited on 5 November, 2022).

[16] Zoran peter revaceat all.*hacking,protection and consequences of hacing*,20aMJANICAEA,70(2020).

[17] https://www.thehalfworld.com/cyber-crime-46-increase-in-cases-of-crime-against-women/ (visited on: 2 November, 2022).

dealing process of the internet. Most of the women are unaware about the basic rules of cyber space.

Lack of knowledge for guidelines: most of the people don't want to read basic guidelines for internet. They don't want to read terms and conditions of the cyber world. And accidently becomes the victim of cyber crime.

Most of the women don't mind to share the personal data and information on the online platform. It becomes very risky for them.[18]

Social reason: most of the cyber crimes remain unreported due to social fear and hesitation and fear of defamation

Legal reasons: the cyber laws are not very strict for the security of women .IT Act initially drafted for the purpose of security of e commerce. Slowly some provisions were made to deal with the cyber crime against women in India but this are not much effective[19]

IV. LEGAL PROVISION REGARDING CYBER CRIME

With the advent of technology there is significantly growing in the cyber crime against women in India. According to National Crime Record Bureau since 2019 the number of cases against women gone up by 28%.Karnatka is in the top position with 2243 cases in 2021.mharastra with 1697 and Uttar Pradesh with 958 cases.[20]Presently Information Technology Act 2000 deals with the cyber crimes. Traditionally Indian penal code deals with crime against women in India. But in the cyber space there is no specific laws to deals with the cyber crime against women in India. Information Technology Act 2000 initially introduced for financial fraud and protection of e commerce and not for dealing cyber crime or security in the cyber space mainly only two-three sections 66, 67 and 72 of information technology act .Section 66 deals with speech and expression and section 67 deals with the obscenity, Section72 deals with the privacy on the internet. In the year 2008 Information Technology Act amended for the security and privacy of internet users. So there is only two methods to deals with the cyber crimes against women in India. One is Indian penal laws and second is information technology.[21]There are some sections which deals with the crime aginst women in India like section:292(deals with the obscene material and pornography)of IPC,354,(deals with the outrage the modesty of women) 376,(Rape)   385   (extortion),499(defamation),506(criminal   intimidation)507(criminal

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[18] Jaspreet singh,*violence against women in cyber world:A Special refrence to India 4 IJARMSS 60,70(2015).*
[19] Sobhna jeet,*cyber crime against women in India:Information Technology Act 2000 .47,8892(2012).*
[20] Business Standard, NCRB DATA ON CRIME AGAINST WOMEN.
[21] DEBARATI HALDAR AND M JAISHANKAR ,CYBER CRIME AND THE VICTIMIZATION OF WOMEN 113 *(IGI LOBAL 2012).*

intimidation by anonymous),509,etc.[22]

V. JUDICIAL TRENDS ON CYBER CRIMES AGAINST WOMEN IN INDIA

Ritu Kohli Case:[23] the first case of stalking was Ritu Kohli in India. In this case Ritu kohli became first person to report the cyber crime in 2001.this is the first case dealing with the cyber stalking. Person continuously puts her information on the online mode through the electronic mode in a indecent manner. The police registered the case under section 509 for outraging the modesty of women .but this sections deals with the traditional mode of staling .now what police should do when the matter is related to the online platform's there is no provision to deal with situation. This case was the alarm for the government to make the laws for the above said crime.[24]

State of Tamilnadu vs Suhas katti [25]related to section 67 of the information technology 2000 .in this case suhas katii was the family friend of miss rose line and wanted to marry her but she rejected him because she was in love with someone else. And she got married .Eventually marriage got resulted into divorce soon. After the divorce Suhas katti persuaded her again to marry with him. But she rejected again. on this refusal he harassed her on internet .Suhas katti open an fae account on the name of her and put defamatory content about her account then the lady filed a case .and a charge sheet was filed under section 67 of IT Act .finally suhas katti was subjected rigorous imprisonment of two years along with fine 4000Rs for publishing obscene material on the internet.[26]

Dr L Parkash vs. Superintendent[27] this case also related to section 67 of the information technology Act .In this case an orthopedic surgeon along with other co accused procured women to engage in sexual activities. They forced the women to performed sexual activities without the consent.[28]

VI. SUGGESTIONS AND CONCLUSIONS

It is concluded from the above study that women are at high risk in the era of technology. They are the soft and vulnerable target traditionally as well as virtually. Women should aware about the cyber space in the modern world. Cyber crime against women is very challenging nowadays. it is not the time of silence it is the time of awareness. Cyber laws are not common in every

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[22] G.Tanuja Reddy,*regulation of cyber crime against women: A critique,8IJIRT 82(2022).*

[23] Manish kathuria vs Ritu Kohli (2001).

[24] http://ignited.in/a/58442(visited on. 4th November ,2022).

[25] State of Tamilnadu vs Suhas katti

[26] http://ignited.in/a/58442 (Visited on 5November, 2022).

[27] Dr L Parkash vs Superintendent

[28] https://cyberblogindia.in/dr-l-prakash-v-state/ (visited on 5 November,2022).

country. Women faced harassment in the cyber space so they have to take care some steps for their safety and security. The measures as are followings:

1. Password security must be checked time to time.

2. Women should avoid sharing personal information at the online platform

3. Awareness camps should be organized against cyber crime

4. Strict laws should be there to deal with cyber crime

5. Use social media with carefully

6. Antivirus updating: women should check their updating time to time

7. Be strong and sincere towards family and relationship

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