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Impact of Unlimited Access of Internet on Children

ABHISHEK AWASTHI¹

ABSTRACT

The Internet is not only a source of information but a medium that connects almost every aspect of our life. The Internet is a place of great ease and infinite connectivity, but also a place of great vulnerability. In a world of the internet, we live through infinitely complex virtual networks, barely able to trace where our information is coming from and going and thus posing a threat not only to our lives but also to the lives of our children. The digital world plays an immense role in the day-to-day activities of 21st-century children. The U.S. National Library of Medicine National Institutes of Health (NIH) reports teens between the ages of 8 and 28 to spend about 44.5 hours a week in front of a digital screen, according to another report 23 per cent of kids have reported that they feel that they are addicted to video games. As the younger generation is growing more and more tech-savvy and dependent on the internet, they are being exposed to the various malicious side of the internet.

Keywords: *Cybercrime, Juvenile, cyber pornography, cyber suicide, digital piracy, rehabilitation.*

I. INTRODUCTION

The act of a person who has an illegal impact on society as a whole is a crime. This feature of all tort makes it a crime. The club will file a proceeding against the criminal because it appears to have been done against the club. Whenever an illegal act is committed using information and communication technology, it is called a cybercrime. We as a society are getting a era pushed society with new technology being invented day through day. Our communications are getting faster and cheaper, our financial transactions are getting easier, and our business is booming with new software that speeds up our business. With the advent of new technologies like artificial intelligence, these whole structures are moving to new heights. As we move into a virtual world, we become more vulnerable to the various threats that come with technological advancements. These threats related to technological development are the reason for the development of the cybercrime concept. The term cybercrime has nowhere been defined under Indian law but the INFORMATION TECHNOLOGY ACT, 2000 and information technology amendment act of 2008 deals with various types of cybercrimes and rules governing them.

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There is no difference between children and adults when it comes to technology and access to computers. In today's world, children are key players in this technology-driven world, and they affect their daily lives just like adults. In today's world, children are key players in this technology-driven world, and they affect their daily lives just like adults. The peer pressure that is sweeping society these days is increasing visibility on social media. If all these exposures are carried out within acceptable limits, children will have the opportunity to take care of themselves in a rapidly changing society. But sometimes technology is used not for profit, but for the wrong motives and for the detriment of others. Cyber fraud and a variety of other cybercrimes are committed by minors who use technology for improper gain. Various sorts of cyber-crimes dedicated with the aid of using juvenile are cyber frauds, cyber bullying, cyber stalking, identification theft, drug trafficking, virtual piracy, cyber suicides, cyber theft, illegal; hacking etc. aside from those acknowledged cybercrimes each day new crimes are dedicated via technology. The situation is getting worse day by day, but what is even more sad is that in most situations, children who engage in these behaviors think that what they are doing is an accident and do not even realize that it is a crime that entails severe punishment. When assessing why cybercriminals are on the rise in India, the main reason does not know the consequences of trivial actions. Children who do not understand their steps based on cost-benefit analysis usually fall into the trap of committing cybercrime. Driven by short-lived happiness and entertainment, they do not know when they will begin to violate the boundaries of the rights of others and commit cybercrime. A very common example of this is digital piracy. Children usually download movies, songs, etc. from untrusted websites without knowing that what they are doing infringes the copyright of the owner. Sending harassing emails to classmates, downloading photos of others from social networking sites, and making fun of them are all cybercrimes.

Every child (juvenile) access of the internet is quickly and easily than elders². Juvenile home computer crimes are as serious as the adult PC criminal offences. Fraud and cybercrimes are becoming more prevalent in our society. Unfortunately our youth is involved in this crime. When a juvenile is found guilty of having used a computer to hack or steal an individual's identity, the possible consequences are probation, fines and incarceration. Cybercrime in juvenile were most occurring offences were defamation, cyber bullying, harassment and drug trafficking and accessing stored communication. The child doing internet offences because when they are uprising, boredom, ignorance of law and also everyone is doing it. But also

² <https://www.techrepublic.com/article/juvenile-cyber-delinquency-laws-that-are-turning-kids-into-criminals/> accessed on 1 march 2022

influence by peer group, family and other community influences. The major loop hole in the cybercrime is social media even most number of juveniles is actively responding towards it.

(A) Methodology

The area of the research is based on juvenile justice and cybercrime and we know juvenile laws are still developing. Therefore doctrinal method will be used to analyze the current situation in the country. Cybercrimes have been increasing in numbers year by year. In the same way cyber delinquency has also been increasing day by day. If we focus on the data as published by the national crime record bureau there is an increasing pattern in cyber delinquency. The reason behind this is many folds but the issue is still unresolved. Internet exposure is increasing day by day and with it increases the vulnerability of our kids. Recently new forms of cybercrimes have been committed by juvenile in India.

(B) What is Delinquency?

Delinquency means criminal behaviour especially carried out by a juvenile. The age of juvenile can be varied from nation to nations. But generally juvenile becomes adults in between the age of 15 to 18, although the age is sometimes lowered for serious crimes. Delinquency does not imply the legal or moral age of juvenile; it usually applies only to acts that, if performed by an adult, would be termed criminal. It is thus distinguished from a status offense.

Cyber delinquency is carried out through computers or Internet. The term juvenile delinquency applies to violation of criminal code and certain patterns of behavior that are not approved for children and young adolescents. It may be group the delinquency in which delinquency committed in companionship and the cause is attributed not to the personality of the individual but to the culture of the individual's home and neighborhood.³

II. CYBER OFFENCES

(A) Cyber Crime against Children

Kids generally get on with computers more quickly and easily than their elders. Today's children grow up with access to computers that are networked to the rest of the world through the Internet. Many of them love to explore and experiment. Unfortunately, that exploration and experimentation can lead them to virtual "places" that are legally off limits, and turn them into criminals even without their knowledge that they're doing anything wrong.⁴ Morphing is a

³ Kalaivani R. Kumar Muthu, Juvenile delinquency in cybercrime, available at International Journal of Academic Research and Development 2020

⁴ Deb Shinder, Juvenile cyber-delinquency: Laws that are turning kids into criminals, available <https://www.techrepublic.com/blog/it-security/juvenile-cyber-delinquency-laws-that-are-tuning-lads-to>

special effect in motion pictures and animations that changes one image or shape into another through a seamless transition. By committing cybercrime some person induces children to online relationship with one or more children for and on sexually explicit act and depicts children in obscene or indecent or sexually explicit manner.⁵

(B) Cyber Pornography

Display, Publish, Distribute, Create, Import Obscene or pornographic material via online platform. Technology is for the aid and advancement of human kind. Kids usually make use of technology for committing acts which are prohibited. One of such act is cyber pornography. Cyber pornography is not specifically described as a cybercrime under IT Act, 2000 but section 67⁶ of the act provides punishment and fine for publishing, transmitting or causing to be published or transmitted any data which is obscene in nature. Sometime children tend to do acts which are contrary to the culpable interest of the society. The primary responsibility of the state is to focus on these children who are termed as juvenile in conflict with law and not juvenile delinquents under the Juvenile Justice (Care and Protection of Children) Act, 2015.

(C) Cyber suicides

The term cyber suicide referred to the cases of suicide which have been abetted using technology in one way or the other. People record their suicide or display their suicide live using internet. Recently a Blue Whale game started in Social networking sites, the final task of this game was to commit suicide. Many suicides happened which were influenced by this game. This game was created by a 21 year old Russian who admitted that he created this game so that children could commit suicide and the society is cleaned.⁷ Under Indian legal system, Juvenile in conflict with law are reformed and not punished for their wrongful acts. The act is aimed at reforming the delinquent so that a minor who committed a wrongful act without being capable of understanding the nature of the act is not converted into a hardcore criminal. When it comes to cybercrime committed by minor the JJ ACT of 2015 and Information and Technology Act of 2000 will both be applicable together. But juvenile cyber delinquency is a grey area in these laws no specific provision is there providing for cybercrimes by minor.⁸

(D) Web Hijacking

criminals/(last accessed on 03.03.2022)

⁵ Bhardwaj Kiran, Cyber Crimes And Its Impact On Children And The Alternative Solutions, available at <https://www.indialegallive.com/top-news-of-the-day/news/cyber-crimes-and-its-impact-on-children-and-the-alternative-solutions>(last accessed on 03.11.2020)

⁶ For detail see, section 67 of Information and Technology Act, 2000

⁷ <https://www.ijeat.org/wp-content/uploads/papers/v8i5C/E12040585C19.pdf>(last accessed on 03.03.2022)

⁸ See, Supra foot no.4

Web hijacking means taking forceful control of another person's website. In this case the owner of the website loses control over his website and its content. A web hijacking is a form of unwanted software that modifies a web browser's settings without the user's permission. The result is the placement of unwanted advertising into the browser, and possibly the replacement of an existing home page or search page with the hijacker page.⁹

(E) Cyber Stalking

Stalking can be termed as frequent acts of harassment targeting the victim such as following the victim, making harassing phone calls, vandalizing victims property, leaving written messages or objects, monitor the use by a woman of the internet, email or any other form of electronic communication. Stalking may be followed by serious violent acts such as physical harm to the victim. Cyber Stalking means repeated threatening behavior of the cybercriminal towards the victim by using internet services. Section 354D Indian Penal Code 1860, make staking punishable.

(F) Virus Attacks

The term 'computer virus' was first formally defined by Fred Cohen in 1983. Computer viruses always induced by people. After entering a computer, a virus attaches itself to another program in such a way that execution of the host program triggers the action of the virus simultaneously. Not all computer viruses are destructive though. However, most of them perform actions that are malicious in nature, such as destroying data. Viruses spread when the software or documents they get attached to are transferred from one computer to another using a network, a disk, file sharing methods, or through infected e-mail attachments.¹⁰

(G) Software Piracy

Software piracy is defined as illegally copying software that does not belong to offender in a manner that violates the copyright.¹¹ Software piracy also include copyright infringement, trademarks violations, theft of computer source code, patent violations etc.

(H) Phishing

Phishing is the fraudulent practice of sending emails purporting to be from reputable companies in order to induce individuals to reveal personal information, such as passwords and credit card numbers. Unawareness among public with regard to phishing attacks and policies is the main

⁹ available at <https://us.norton.com/internetsecurity-malware-what-are-browser-hijackers.html>(last accessed on 03.03.2022)

¹⁰ available at <https://economictimes.indiatimes.com/definition/computer-virus>(last accessed on 03.03.2022)

¹¹ available at <https://www.yourdictionary.com/software-piracy>(last accessed on 03.03.2020)

cause of phishing in India.¹²

(I) Online Gambling

Online gambling is a universal issue affecting virtually all countries in the world. There are millions of websites that suggest online gambling.

(J) Cyber Terrorism

Cyber terrorism is committed by using internet to conduct violent acts that result in loss of life or bodily harm, in order to gain some political objective through threat or intimidation. common cyber-attacks in India are on military installations, power plants, air traffic control, banks, rail traffic control, telecommunication networks Cyber terrorism is an attractive option for modern terrorists for several reasons.¹³

(K) Cyber Bullying

Cyber bullying is nothing but bullying someone on online platforms such as Facebook, Whatsapp, Instagram, tweeter etc. but it is said to be bullied only when something negative is shared about someone which causes huge harm to their reputation. This is very dangerous as it has the ability to harass anyone in public through cyber devices. The main purpose of the cyber bullying is to harm a person mentally socially, psychologically or even physically.¹⁴ Cyber bullying occur in many ways, like abusive text and emails, hurtful messages, image or videos, imitating others online, excluding others online, humiliating others online, nasty online gossip and chats. The IT Act, 2000 does not provides any provisions relating to prevention and punishment for crimes like cyber bullying by school students. There is no law mentioning the proper age to use cell phones. Students using mobile phones more as a fashion than as an essential commodity and thus make it a means to have fun by sending offending messages to their fellow school mates. The issue of cyber bullying by the school students has to be dealt with as per the Juvenile Justice Act as the offenders and victims are mostly not fully adults or young adults.¹⁵

(L) Debit card and credit card frauds

Credit card or debit card fraud involves an unauthorized use of another's credit or debit card

¹² Phishing Scams in India and Legal Provisions, available at https://cyberpandit.org/?article_post=phishing-scams-inindia-and-legal-provisions (last accessed on 03.03.2022)

¹³ Phishing Scams in India and Legal Provisions, available at https://cyberpandit.org/?article_post=phishing-scams-inindia-and-legal-provisions (last accessed on 13.03.2020)

¹⁴ Adrita, 'Cyber Bullying: A Disregarded Issue In India', <http://www.legalserviceindia.com/legal/article-2358-cyber-bullying-a-disregarded-issue-in-india.html> (last accessed on 13.03.2022)

¹⁵ See, Supra note 2

information for the purpose of purchases or withdrawing funds from it.¹⁶

(M) Impersonation and identity theft

Impersonation and identity theft is an act of fraudulently or dishonestly making use of the electronic signature, password or any other unique identification feature of any other person.¹⁷

(N) Online Drug Trafficking

Online Drug Trafficking is a crime of selling, transporting, or illegally importing unlawful controlled substances, such as heroin, cocaine, marijuana, or other illegal drugs using electronic means.¹⁸

(O) Hacking

This action is penetrating into someone's system in unauthorized fashion to steal or destroy data, which has grown hundred folds in the past few years. The availability of information online makes it easier for even non-technical people to perform hacking.¹⁹

III. REASONS RESPONSIBLE FOR CYBER DELINQUENCY

Cyber criminals always look for an easy way to make big money. They target rich people or rich organizations like banks and financial firms where a huge amount of money flows daily and hack sensitive information. Computers are vulnerable, so laws are required to protect and safeguard them against cybercriminals. There are possible reasons responsible for cyber delinquency:

- Easy to access: Hackers can steal access codes, retina images, advanced voice recorders, etc. that can fool biometric systems easily and bypass firewalls can be utilized to get past many security systems.
- Capacity to store data in comparatively small space: The computer has the unique characteristic of storing data in a very small space. This makes it a lot easier for the people to steal data from any other storage and use it for their own profit.
- Complex: The computers run on operating systems and these operating systems are programmed of millions of codes. The human mind is imperfect, so they can do mistakes at any stage. Cybercriminals take advantage of these gaps.

¹⁶ Available at <https://cybercrime.gov.in/Webform/CrimeCatDes.aspx> (last accessed on 14.03.2022)

¹⁷ *ibid*

¹⁸ *ibid*

¹⁹ Cyber security: challenges and solution, <https://www.convergenceindia.org/blog/cyber-security-challengessolutions.aspx> (14.03.2022)

- Negligence: Negligence is one of the characteristics of human conduct. So, there may be a possibility that protecting the computer system we may make any negligence which provides cyber-criminal access and control over the computer system.
- Loss of evidence: The data related to the crime can be easily destroyed. So, Loss of evidence has become a very common & obvious problem which paralyzes the system behind the investigation of cyber-crime.²⁰

IV. LEGISLATIVE FRAMEWORK

As cybercrime is increasing day by day so we need some stringent law which could curtail these delinquencies. After the amendment of Indian Penal Code 1860 in 2013 some sections were inserted to curb the cyber delinquencies in India such as section 499 of IPC as defamation, Section 292A printing matter intended to blackmail, Section 354A as sexual Harassment, Section 354D as stalking. The Information Technology Act also provides remedies for cyber-bullying Section 66A of IT Act provides punishments for a person sending an offensive messages through any communicating device. Section 66E also provides stricter punishment for invading privacy and section 67 punishes publication of obscene pictures. Section 66B of the IT Act prescribes punishment for dishonestly receiving any stolen computer resource or communication device. Section 66C of the IT Act prescribes punishment for identity theft and provides that anyone who fraudulently or dishonestly makes use of the electronic signature, password or any other unique identification feature of any other person shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine which may extend to Rs. 1,00,000. As a consequences of IT Act Reserve Bank of India Act and the Indian Evidence Act also amended. With the evolution of cyber law, almost all online activities came under scrutiny. However, one thing about cyber law is that there are certain areas on which cybercrime laws in India do not apply such as:

- Negotiable Instrument being other than cheque
- Power of Attorney
- Will
- The contract for Sale or Conveyance of Immovable Property
- Central Government notified documents or transactions²¹

²⁰ Bandakkanavar Ravi, <https://krazytech.com/technical-papers/cyber-crime/>(last accessed on 15.03.2020)

²¹ <https://www.myadvo.in/blog/what-is-the-cyber-law-in-india/>(last accessed on 15.03.2022)

V. SUGGESTIONS

- The current system of the law must evolve to deal with it.
- The reform law to deal specifically with juvenile's computer related offences
- They must add education about the cybercrime and other forms of negative online behaviour to the public school curriculum.
- Creating awareness among juveniles (child) and to their parent.

VI. CONCLUSION

Cybercrimes started to operate when technology reaches its hit the highest point. The nature of these crimes is different from that of ordinary types of crimes. These crimes can be called as blue color and white color crimes. These are called blue color crimes because these are not very different from other prototype crimes, though recognized by various names. These are also white colour in nature because these crimes are generally committed by those who are having knowledge about science and technologies. Cybercrime has become great threats to mankind. Protection against cybercrime is a vital part for social, cultural and security aspect of a country. By using strong passwords, anti-viruses, blocking unknown bogus sites and by setting private settings in social media profiles and by using encryption we can protect ourselves from such cybercrimes. We must think before clicking on a link or file of unknown origin. We should never reply to emails that asking us to verify information or confirm user ID or password.

Because of quick globalization, modest cell phones, simple access to web and for all intents and purposes no law to quit mishandling school youngsters by their kindred cohorts, the issue of digital wrongdoing among kids and youthful grownups are on the high. In the western culture, even schools are brought under strict vigil of law and administration. India does not have the legitimate framework to battle the centre issues of digital violations. Kids are the gentlest focuses of the dangerous impacts of electronic media. Generally, in India, it is not the guardians but rather the schools which have a noteworthy influence to patch a tyke. Subsequently stricter laws ought to be made to forestall school harassing and for guaranteeing the security of school youngsters in the digital world. Consequently stricter laws ought to be made to avert school tormenting and for guaranteeing the web wellbeing of school kids in the digital world The adolescent equity framework rather than the customary criminal framework. The objective of the adolescent equity framework is recovery instead of discipline. Courts may enable minors to be attempted as grown-ups in circumstances, for example, a particularly genuine offence like murder, or when a minor is a rehash wrongdoer. Adolescent digital wrongdoing must be

clarified by the criminology. Adolescent are with the solid social bond and part of conviction of associate gathering are less likely to confers digital related offence. They were social confinement and associated with offences doing peer group. To decrease this sort of offences in the adolescent enactment, both focus and state have energy to establish appropriate enactment.
