

A Detailed Analysis of Cyber Crimes Against Women

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ABSTRACT

Today's world is a technologically advanced world. In this era, gadgets have become a very essential parts of our lives. Every coin has two sides and so is the case with the technological advancement. On one hand, technology has made the lives of the women very easy as they are able to communicate, study online, etc. and at the same time, there is a rapid increase in the number of cyber crimes against them. In this paper, the researchers shall analyse as to what kind of cyber crimes are happening against women, what are the laws to protect them against these crimes, what are the loopholes and solutions to the same.

Keywords: Law, Cyber-Crimes, Women, Rights, Law

INTRODUCTION

Meaning of Cyber Crimes and the ones affected by Cyber Crimes:

The Information Technology Act, 2000¹ nowhere mentions the definition of Cyber Crime. However, Cyber Crime means the crime that involves the computers.² Cyber Crimes usually affects women and children the most globally. It, in general affects anyone who has lesser awareness of the cyber crimes and the means of protection against it.

The researcher in this paper shall analyse what are the loopholes in the current legislations and what can be done to prevent cyber crimes against women.

1. Information Technology Act, 2000
2. <https://www.legalserviceindia.com/legal/article-8918-cyber-crimes-against-women.html>

RESEARCH OBJECTIVES:

Following are the research objectives of this paper:

1. To understand the current position of cyber crime against women and its related laws.
2. To analyse various lacunae that exist presently.
3. To present solution to the same.

RESEARCH METHODOLOGY:

The researchers have used doctrinal research methodology for this paper.

HISTORY OF LEGISLATIONS IN INDIA RELATED TO CYBER CRIMES AGAINST WOMEN:

Since 1990s, with the growth of the technology, there is an increase in cybercrimes. The IT Act of 2000 was first amended in 2006 and after that it was ammended in 2008. The Information Technology (Amend-

-ment) Act of 2008 introduced various provisions regarding cybercrimes.³

Section 66C of the aforementioned act makes identity theft a punishable offense. As per this section, committing identity theft and using another person's password or electronic signature is punishable by up to three years of imprisonment and a fine of up to one lakh rupees.

Section 66E of the said act is against the violation of a person's privacy. Publishing or transmitting private pictures to others without the person's consent is punishable by up to three years of imprisonment or a fine of two lakh rupees or more.

<https://sayfty.com>

Section 67A of this act⁴ prohibits the publication, transmission, and causing of transmission of obscene content. A person convicted under this section can face three years of imprisonment and a fine for the first conviction. Subsequent convictions may result in imprisonment of up to five years.

The Criminal Amendment Act of 2013 was passed and it amended the Indian Penal Code and introducing sections 354A to 354D. The following have increased these days;

- Showing pornography against the woman's will: This has increased a lot nowadays.
- Making sexually colored remarks. This too has increase in the cyber space.

EXISTING GAPS IN THE LEGISLATION

The existing gaps in the legislation regarding cyber crimes against women are as follows:

No gender-specific crimes under the IT Act

The use of the word "whoever" in the IT Act indicates that the provisions are not gender-specific. Hence, the terms should be gender specific.

Narrow meaning of violation of privacy

The meaning of privacy is very narrow, It should be broader.

Lack of Awareness

There is a huge lack of awareness. Due to this a lot of women, are a victim of the same.

Section 67 A of Information Technology Act

Kinds of Cyber Crimes

1. Cyber Bullying: It is bullying the victim but over the cyber space.
2. Hacking: The women's details are hacked and then they are blackmailed.
3. Email Frauds: There maybe frauds over email and the criminals claim that women have women have won lotteries. However, it is a scam

CaseLaws:

Shreya Singhal Vs Union of India⁵:

In this case, Supreme Court was dealing with the issue whether Section 66A of the Information Technology Act should be struck down. The Court held that the said section is unconstitutional.

Avnish B. Vs State NCT of Delhi⁶

In this case, Section 67 was under question as to whether the act of the accused violated section 67 of Information Technology Act.

Shreya Singhal Vs Union of India AIR 2015 SC 1523

Avnish vs State 2008 DLT (150) 769

DATA REGARDING CYBER CRIMES



As per National Crime Records Bureau, the above table⁷ shows, Telangana has highest number of Cyber Crime Cases as per 2021.

LOOPHOLES:

1. There is lack of awareness amongst women.
2. The victims easily develop trust upon scams
3. They reveal their personal details in cyber world.
4. Lack of Sensitization

SOLUTIONS:

1. To not reveal any details and personal information on internet.
2. To not trust any scam email
3. To have awareness about cyber crimes.
4. More Sensitisation Needed

<https://www.moneycontrol.com/news/india/cyber-crimes-in-india-rise-6-a-year-in-2021-telangana-tops-list-ncrb-data-9115161.html>

CONCLUSION:

These days, cyber crimes have increased against women. The researchers have analysed the kinds of cyber crimes. The researchers have also focused upon the solutions to the lacunae, if they are implemented properly, cyber crimes will be reduced.