

# CYBER CRIME AGAINST WOMEN: A STUDY WITH REFERENCE TO INDIA

Aman Malik

Research Scholar, Department of Law, M.D. University, Rohtak  
(amanmalik1992.am@gmail.com)

## Abstract

In today's world, crimes against women are increasing, especially in the online space. In India, women often face traumatic experiences with cybercrime, where the law doesn't adequately protect them. Cybercriminals use various tactics like sending inappropriate emails, stalking through chat rooms and websites, creating fake emails, and manipulating images for explicit content to harm women. This paper aims to discuss these cybercrimes and their impact on women, examining existing laws such as the Information Technology Act, 2000, and newer ones like the Criminal Amendment Bill 2013. The conclusion suggests solutions to tackle the growing issue of cybercrimes against women in India. It emphasizes the need for changes in the legal system to effectively discourage cybercriminals. The goal is to make the online world safer for women, ensuring they can use the internet without fear of harassment or harm.

**Key words:** Cyber Crime, Women, Information Technology, Cyber Criminals

## A. Introduction

In the olden days in India, women played a significant role and were even praised in ancient texts like the Vedas as creators. However, in modern times, women have faced unfair treatment and inequality. People sometimes treat women as less important than men, creating a big gap between the two genders. This biased mindset makes some men believe they won't face consequences for their actions. Cybercrimes operate similarly because wrongdoers in the cyber world often feel they can escape punishment.<sup>1</sup>

Cybercrime is a problem that affects the whole world. As technology advances, it puts people's privacy and safety at risk. In countries like India, where technology is widespread but legal awareness is not as high, this problem becomes more prominent. The cyber world doesn't have physical boundaries, making it easy for criminals to hide or pretend to be someone else.

One significant issue is how some people with harmful intentions threaten women in the online space. Even though India has laws against Cyber Crimes, they don't address the specific challenges women face. This research will explore these issues to find ways to make the internet safer, especially for women.<sup>2</sup> In India, the police and other authorities are not fully ready to handle Cyber Crimes, especially those targeting women. The online world is becoming a hotbed for crimes against women, where their safety and privacy

<sup>1</sup> B. Roy, Women's empowerment in India, from ancient period to modern time period, Times of India, Jan. 16, 2020, at 2:30 PM, <https://timesofindia.indiatimes.com/readersblog/scatteredthoughts/womens-empowerment-in-india-from-ancient-period-to-modern-time-period-46689>

<sup>2</sup> P. Kaushik, Cyber Laws to Curb Cyber Victimization of Women in India and other developing Countries: A Comparative Critical Legal Analysis, 9th International Conference on Information Law and Ethics, Jan. 1, 2020, at 4:15 PM, [https://icil.gr/download/speakers/0069-kaushik-full\\_text-en-v2](https://icil.gr/download/speakers/0069-kaushik-full_text-en-v2)

are under constant threat. On this new platform, women often face issues like stalking, voyeurism, body-shaming, defamation, and unwanted surveillance. Unlike physical harm, these cybercrimes affect women more mentally than physically. While laws primarily focus on providing physical security, mental well-being is equally crucial. To put it in perspective, in the United States, around 850,000 adults, mostly women, are cyber-stalked every year, and 40% of women have encountered online dating violence. This research aims to delve into these challenges and propose ways to make the online space safer for everyone, especially women.<sup>3</sup> In India, the situation with Cyber Crimes is pretty serious, but the official figures from NCRB (National Crimes Record Bureau) might not tell the whole story. The number of Cyber Crime cases registered under the Information Technology Act shot up by a whopping 300% between 2011 and 2014. According to NCRB, in 2017 alone, there were 21,796 registered cases of Cyber Crime. This research aims to explore these numbers and uncover the real challenges India faces in dealing with Cyber Crimes.<sup>4</sup> The official crime database in India highlights that there are some gaps in the available laws concerning with Cyber Crimes against women.

## B. Meaning of Cyber Crime

The first-ever recorded Cyber Crime dates back to 1820 in France when a textile merchant introduced a new loom. This loom had a unique way of weaving fabric, but some employees were not happy about it. To resist the use of this technology, they committed acts of sabotage because they were worried about losing their traditional jobs. This incident marked the beginning of Cyber Crimes. Fast forward to today, and we live in a world where computers perform billions of operations per second through neural networks and nano-computing. As our dependence on computers has grown, Cyber Crime has evolved into a more significant problem. Nowadays, almost everything in our daily lives relies on computers, making Cyber Crime a serious concern with potentially harmful consequences. This research aims to explore the origins and implications of Cyber Crime in our increasingly computer-dependent world.<sup>5</sup> Computer crimes can involve activities that are traditionally known as theft, forgery, fraud, defamation, and more – all covered by the Indian Penal Code. However, the misuse of computers also leads to new types of crimes, addressed by the Information Technology Act, 2000.

Now, let's break it down: Cybercrime is when someone does something illegal using a computer. This could be harmful actions done on purpose to damage a person's reputation or cause them physical or mental harm. Imagine bad things happening on the internet, like using phones or computers to do mean or harmful stuff – that's cybercrime. And guess what? Young girls, especially those who are new to the internet and may not fully understand how it works, are more at risk of falling into the traps set by cybercriminals and bullies.

<sup>3</sup> M. Ghosh, Introspecting the gaps between Cyber Crimes against Women and Laws: A Study of West Bengal, Academia.edu, Jan. 1, 2020, at 4:15 PM, [https://itforchange.net/e-vaw/wp-content/uploads/2018/01/Molly\\_Ghosh](https://itforchange.net/e-vaw/wp-content/uploads/2018/01/Molly_Ghosh).

<sup>4</sup> [https://en.m.wikipedia.org/wiki/Cybercrime\\_in\\_India](https://en.m.wikipedia.org/wiki/Cybercrime_in_India)- (visited on January 1, 2020)

<sup>5</sup> [https://icil.gr/download/speakers/0069-kaushik-full\\_text-en-v2](https://icil.gr/download/speakers/0069-kaushik-full_text-en-v2), (visited on January 3, 2020)

This research is all about figuring out how to stop these bad things from happening and making the internet safer for everyone, especially young girls.<sup>6</sup>

Cyber Crime means doing something illegal with a computer. It could be using a computer to commit a crime, like hacking or sending threatening emails, or making a computer the target of a crime, like phishing or spamming. Now, instead of getting into all the complicated laws, just remember this: Cyber Crime is when someone uses a computer to do something against the law. It could be stealing personal information, spreading hate, or even using the internet for bad stuff. People who do these illegal things with computers are called hackers. They might try to get secret information or cause trouble online. So, Cyber Crime is like computer crime – when someone does something naughty or harmful using technology. This research will help us understand more about these activities and figure out ways to stop them, making the internet a safer place for everyone.<sup>7</sup>

### **C. Cyber Crime against Women**

Cyber Crime is when someone does something illegal using a computer. It can be all sorts of bad stuff that happen online – like breaking the law, committing crimes, or causing trouble on the internet. Now, don't get lost in the fancy words. Cyber Crime includes things like stealing information, selling illegal stuff online, stalking people on the internet, and even pretending to be someone else to do bad things. These crimes can happen against people, their things, or even the government. So, Cyber Crimes are like computer crimes, and in this research, we're going to learn more about them – what they are and how we can stop them to make the internet a safer place for everyone..<sup>8</sup>

#### ***Email Harassment***

Email Harassment is a type of harassment. It is similar to harassing through letters.

It includes blackmailing, threatening, and constant sending of love letters in anonymous names or regular sending of embarrassing mails to other's email account. This E-harassment creates many problems in case when posted from fake ids.

#### ***Cyber Stalking***

In modern times, it is one of the most committed net crimes. Imagine someone secretly following you on the internet – not physically but through computers, emails, or other electronic gadgets. They might post threatening messages, follow you into chat rooms, or keep bombarding you with emails. That's Cyber Stalking – a modern kind of stalking using technology.<sup>9</sup>

Mrs. Kohli, who had a regular and happy married life, faced a big problem when she started getting strange emails from someone she didn't know. In this situation, Mrs. Kohli went to the police to complain about a

<sup>6</sup> Rajat Misra, Introduction: Cyber Crime Against Women, available at, [https://papers.ssrn.com › Delivery.cfm › SSRN\\_ID2486125\\_code2288059](https://papers.ssrn.com › Delivery.cfm › SSRN_ID2486125_code2288059) (visited on January 1, 2020)

<sup>7</sup> <https://www.techopedia.com/definition/2387/cybercrime> (visited on January 2, 2020)

<sup>8</sup> Dr. Monika Jain, Victimization of Women Beneath Cyber Space in Indian Upbringing, available at docs. manupatra.in › newswire › articles › Upload › 786274E9-B397-4610, (visited on January 4, 2020)

<sup>9</sup> Nidhi Agarwal & Dr Neeraj Kasuhik, CYBER CRIMES AGAINST WOMEN, available at [www.publishingindia.com › GetBrochure](http://www.publishingindia.com › GetBrochure), (visited on January 3, 2020)

person who was using her name on the internet to chat. The stranger not only used her identity but also shared her address and spoke inappropriately. To make things worse, this person deliberately gave her phone number to others online, encouraging them to call her at odd hours. This caused a lot of trouble for Mrs. Kohli, as she received about 40 calls in just three days, mostly at strange times. The police got involved, traced the IP addresses (like a digital fingerprint), and investigated the whole situation. Eventually, they caught the person responsible. The offender faced charges under section 509 of the IPC (Indian Penal Code) and was released on bail. This incident shows us why it's crucial to be safe online and how authorities can help when something goes wrong. In this research, we'll explore more about cyber stalking and how we can stay protected while using the internet.<sup>10</sup>

### ***Cyber Defamation***

Let's talk about something called cyber defamation, which is like saying mean things about someone using computers or the internet. While this can happen to anyone, it's more common for women, making them more vulnerable. So, cyber defamation is when someone spreads false and hurtful things about another person online. This could be posting mean stuff on a website or sending emails with nasty information to all of that person's friends. When someone's reputation gets damaged because of these false things, we call it defamation. Here's an example: Imagine you worked really hard to build a good reputation for 20 years, and then, in just two days, someone online says bad things that ruin it all. That's cyber defamation. Surprisingly, even though it's a big problem, the law (IT Act 2000) doesn't specifically define it. Instead, it's treated under the same rules as publishing inappropriate stuff on the internet. With more and more people using the internet, there's a greater chance for cyber defamation. That's why we need clear laws to make sure people are safe and protected online. In this research, we'll learn more about cyber defamation and figure out how we can make the internet a better place for everyone.<sup>11</sup>

### ***Cyber Pornography***

cyber pornography is when inappropriate pictures or videos are shared on the internet. It's a serious problem because sometimes people don't even know their private actions are being recorded and might end up online for everyone to see. Unlike some other online crimes we've heard about, cyber pornography doesn't have a clear definition in the law. It's like a special case. This is a big worry for women because they could be targeted without even realizing it. The good news is that there's a law, the IT Act 2000, that tries to deal with cyber pornography. Section 67 of this law helps in tackling this issue to some extent. In our research, we'll learn more about cyber pornography and see how we can make the internet safer for everyone, especially for women.

---

<sup>10</sup> Shobhna Jeet, Cyber crimes against women in India: Information Technology Act, 2000, available at <https://www.elixirpublishers.com › articles> (visited on January 3, 2020)

<sup>11</sup> Nidhi Agarwal & Dr Neeraj Kasuhik, CYBER CRIMES AGAINST WOMEN, available at [www.publishingindia.com › GetBrochure](http://www.publishingindia.com › GetBrochure), (visited on January 4, 2020)

## **Morphing**

Morphing is editing pictures without asking for permission. People sometimes do this to create fake profiles on social media or send changed images through WhatsApp. Sometimes, websites that seem harmless are used to download pictures of women, and these images might end up on not-so-nice websites. Imagine someone taking your photo and changing it to make it look different without asking you. That's what morphing is all about. It can be a big problem because these edited pictures might be used in ways that are not okay. In our research, we'll learn more about morphing and figure out how we can make sure people's pictures are respected and not misused on the internet. We want to keep things safe and friendly for everyone online.<sup>12</sup>

## **D. Loopholes in Indian Laws**

gives legal recognition to actions done through electronic communication, like on the internet. It punishes people for Cyber Crimes and can even make them pay fines. But here's the thing – this law mostly focuses on money and business issues and doesn't really talk about problems that affect women. Some important issues are still not covered. Let's look at some drawbacks:-

- Information Technology Act neither defines Cyber Crime nor uses this expression anywhere. But this Act only provides definition and punishment for certain offences.
- Section 79 of Information Technology Act, 2000 lays down conditions under which Internet Service Providers or intermediaries are exempt from culpability for offensive content uploaded by a third party. It obligates the intermediaries to exercise “due diligence”, and to act on the orders of the court or the government and its agencies to qualify for immunity.
- Cyber Crimes are extremely technical in nature, only an expert person can deal with. CRAT (Cyber Regulation Appellate Tribunal) is one man commission requiring only a person with degree of law and no Information Technology background is required.
- Cyber Defamation is punishable under Indian Penal Code but not in the Information Technology Act, 2000.
- This Act nowhere discusses the issue directly affecting the women and children's.
- Cyber Crimes against women like cyber stalking, morphing and email spoofing are not considered as offences in the Act.

## **E. Suggestions**

- A coactive approach involving the initiatives and steps taken by the Government and other legislative bodies to address such crimes would be the best way to tackle these cybercrimes.
- To avoid cyber stalking, it is advisable not to disclose any personal information online.
- Sending personal pictures online to friends and strangers during chat has been seen a major cause for crimes against women. Refraining from such acts is essential.

<sup>12</sup> Pulkit Kaushik, Cyber Laws to Curb Cyber Victimization of Women in India and other developing Countries: A Comparative Critical Legal Analysis, available at <https://icil.gr> › download › speakers › 0069-kaushik-full\_text-en-v2 (visited on January 4, 2020)

- It is cautious to keep the credit and debit card details confidential at any cost. Reliable sources should be checked in case of genuine transaction.
- Empower and educate women and children with adequate knowledge and awareness about the occurrence of such gross crimes in the society to keep them protected and safe.
- Firewalls serve as a great first line of defense when it comes to checking such trespasses. Ensure the safe use of security checks. Always enable the firewall that comes with your router.
- Exercise caution and Presence of mind in dealing with such threats. Do not fall prey to fancies.
- Become aware of the legal framework and proceedings that are connected to such crimes, in order to take action immediately when trapped.
- Be well informed about the advancements in the technology and internet to stay unharmed.

## F. Conclusion

In India many Cyber Crimes against women remain unreported. It is the duty of victim of Cyber Crime to report it so that necessary action can be taken and further Crime rate can be decreased. The issues relating to Women should be separately prevented or protected by the statute. Otherwise, this loophole will encourage the Cyber Criminals or stalkers to pursue with these shameful activities. Sometime, these crimes are not reported because women are unaware about such crimes. So, the government should spread the awareness about Cyber Crimes. Websites and blogs provide security tips for the safety of women and children while using internet. But still Cyber Crime against women is on rise. It is suggested that women should carefully read the all instructions before using any website or app.