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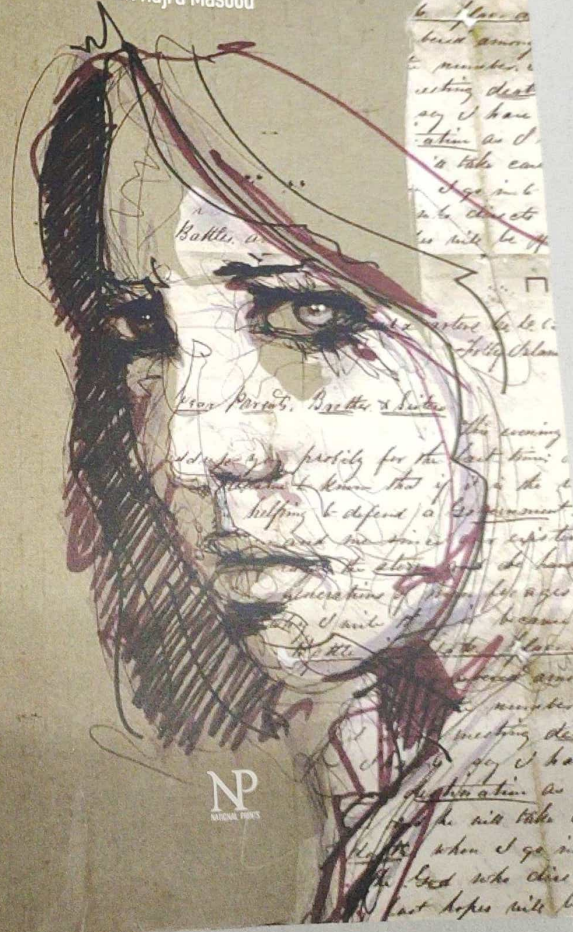
Gender & Society
A Multidisciplinary Approach to Understand Gender in Society

Edited by
Dr. Saher Hussain & Dr. Hajra Masood

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Law Relating to Cyber Crime and Protection of Women in India: A Way Forward

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Introduction

Cyber crime is an amalgamation of two words 'cyber' which is related to internet and other electronic networks and 'crime' which is a criminal activity, Cyber crime or computer crimes can be defined as any crime with the help of the computer and information technology with the purpose of influencing the functioning of computer or computer system. Cybercrime refers that a cyber crime is any crime committed by using a Computer or computer is use as a tool for committing an offence. There is no statutory definition of cyber-crime under Indian Laws, including the Information Technology Act.

In other words, 'cyber crime' can be defined as the act of creating, distributing, altering, stealing, misusing, and destroying information through the computer manipulation of cyberspace; without the use of physical force against the will or the interests of the victim.⁹

The targets of cyber- crime that any device which can access the internet, for example:- Computer, Smart Phone or Laptop and any activity that is conducted using Information Technology. Cyber crime like Hacking, terrorisms pornography, phishing, credit card frauds, spamming, identity theft, e-mail spoofing, software piracy, copyright infringement, cyberbullying

⁹ B. Sarkar, Information Technology & Cyber Crime Law in India 17 (Moon Law Agency, Kolkata 1st edn. 2014).

and cyber stalking now affected between 1-17% of the population, as compared to less than 5% for traditional crime. A Cyber criminal does not need advanced knowledge of computers or a specialized skill or expert in networking, which means that anyone and everyone can commit a cyber crime. Today's cyber crime estimate upto 80% which are involved in malware creation, botnet managemanet, havesting of personal and financial data, data sale etc are a result of organization activity.¹⁰

To control all negative effects many law and regulation formed in India. 'Cyber Crime is the latest and perhaps the most specialized and dynamic field in cyber laws. Cyberspace is governed by a system of law and regulation called cyber law. Cyber law is a term, which refers to all the legal and regulatory aspect of the internet and the World Wide Web. Anything concerned with or related to form any legal aspect or issues concerning any activity of 'netzens' (a combo derived from net and citizens for the persons using internet) and others, in cyberspace come within the ambit of cyber law. Basically, the large number of information and greater simplicity of its transfer in modern time causes number of legal problems.

Advent of Internet in India

Internet was firstly available in India through Education and Research Network (ERNET). In August 1995 it was available for commercial use by the Videsh Sanchar Nigam Limited (VSNL). Firstly, it started on 14 August, with dial-up in six cities and gradually developed as a potential source of e-commerce in India. The role of fibre-opticis communication from Integrated Service Digital Network (ISDN) has accelerated the growth of Internet in the new millennium. A year later, rediff.com was launched by Ajit Balkrishnan and thus India's first cyber cafe was started in 1996. Thereafter, India's gross online banking was launched by Industrial Credit and Investment Corporation (ICICI) bank in 1997. With the introduction of an Internet service provider policy (ISP) in 1998, the monopoly of VSNL on Internet came to an end. Satyam Infoway (Sify) was

¹⁰ A. Rastogi, Cyber Law & Law of Information Technology and Internet 82 (Lexis Nexus, Gurgaon Haryana, 2014).