

Cyber Crime: an Overview



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Abstract

The modern world gives a special room to computers, smartphones, internet etc. It simply means that all the twenty four hours, whether at home or in office, we find ourselves surrounded by cyber world which keeps attracting us through its virtual features. No doubt, it is the demand of time to get closer to the globalizing world, but it also has evil consequences that need to be known and understood by the people. In the cyber world, it is quite easy to cheat and deceive any one if he or she does not know about it properly.

It is essential for every one falling in the various age-groups to know about the positive and the negative aspects of the cyber world, and to develop knowledge about the cyber laws working and existing in India. It is the opinion of most of the people that the cyber world is absolutely lawless world for which no law applies, and it becomes easier to commit cyber fraud to anyone, but it is not so. India has its own cyber laws that protect the cyber rights of the individual and that allow the victim of cyber crime or cyber fraud to take action against the cyber criminal.

With the passage of time, the use of android and smart phones is increasing because it is now within the reach of and accessible to the common man in India. Facebook, WhatsApp, Twitter etc. are some of the popular social network sites and Apps that have made the people of India, especially, the youth of India blind to the evil consequences of the cyberworld which demands much alertness and awareness on the part of the people.

Being the second or third largest Internet user country in the world, it is essential to develop a complete understanding of all the aspects of the cyber world. Therefore, everybody in India needs to be aware of the cyber world created by internet. With the excessive use of computers, mobiles, smartphones, etc., we enter this virtual world knowingly or unknowingly, and finally fall victims to the cyber fraud or cyber crime because of being unaware and ignorant of its harming effects.

The paper which may be taken as an important research document on the cyber world and all its aspects, is a comprehensive qualitative research made on the basis of the available research studies. The study finds that the ignorance of the people in India is leading them to the cyber world and to its evil and harmful effects.

Keywords: Cyber, Crime, Graph, Cyber-security, Cyber-fraud, Youth, Internet, Fake, Hack.

Introduction

The current social network scenario in India reveals the wide popularity of the hundreds and thousands of the networking sites associated with the several countries of the world. The purpose of most of them is the promotion. LinkedIn, Face book, Twitter are some of the most popular networking sites that are being used by the people of the world including India. Though good if they are used for good and noble purposes, they become harmful when through them some crime is committed.

The type of crime committed by using internet is called cyber crime, and the persons who are involved in such a crime are called cyber criminals. Virus is the medium to commit a cyber crime. Some of the forms known to the people include-fraud, threat, blackmail, cheating, ransom, sharing obscene pictures or videos, cropping the pictures of the individuals and using it through internet for the sake of blackmailing or threatening, making the obscene videos viral to all, using the private pictures and videos of others in order to earn money, intimidation, card cloning, molestation, hacking the mail ID, Face book account, taking the money from the account of others etc.

Indeed, the more the social media is being used, the more the graph of cyber crime is being committed. It will not be wrong to hold social media and social networking sites responsible for cyber crime in India.

Social network is the demand of time as it is very useful in several cases. This is the reason why even the Government is laying emphasis on the use of internet. Modi's appeal for the Digital India and e-governance witness it, but in most of the cases, the use of social networking sites is resulting into unknown problems to the people that disturb and destroy not only the mental peace of the people but also their life and career.

All this is happening because of the ignorance of the cyber laws meant for the protection of the individual and for ensuring cyber security. Some of the cyber laws in India include-The Indian Cyber Act or Information Technology Act, 2000, Information Technology (Amendment) Act, 2008 Apart from these specific Acts, The Indian Evidence Act, Criminal Procedure Code and Indian Penal Code are also there to provide legal security to the individual. Information Technology (Procedure and Safeguards for Blocking the Use of Information by the Public) Rules, 2009, Information Technology (Intermediary Guidelines) Rules, 2011, Framework and Guidelines for use of Social Media for Government Organisations, and Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011 are some of the rules that help the regulation and operation of the various social networking sites.

In order to make a safe use of the various social networking sites and to keep away from being the victim of any cyber crime, the people are suggested to save the proof if they are misbehaved or cheated on social media through some fraud; they should complain about the issued relating to the cyber crime to the concerning authority; they should fix a limit of the credit card so that in case of the cloning of the card or stealing of the money, much loss is avoided; they should update the antivirus in order to be protected from hacking and data theft; they should not click on the unwanted links; they should regularly keep changing the password of the debit card and the credit card.

Objectives of the study

1. To develop an understanding of the means of communication and to discuss them
2. To concentrate and focus the modern means of communication
3. To study ICT and to mirror its major aspects
4. To discuss the accessibility of the common man to computer and internet
5. To interpret the relevance of internet in the Indian context
6. To elaborate the Internet and its positive and negative sides
7. To take up the various forms of crime and criminals
8. To rest on cyber crime and its increasing graph in the world including India
9. To discuss the cyber laws introduced and enacted in India from time to time
10. To provide suggestions for the check on the cyber crimes

Review of literature

1. V.Karamchand Gandhi (2012) on An Overview Study on Cyber crimes in Internet, explain that Cyber crime is emerging as a serious threat. Worldwide governments, police departments and intelligence units have started to react. Initiatives to curb cross border cyber threats are taking shape. Indian police has initiated special cyber cells across the country and have started educating the personnel.
2. R. Raghavan & Latha Parthiban (2014), in The Growing Case of Cybercrime and Types of Cybercrime on a Global Scale, explain that the serious nature of cybercrimes, with its implications across the globe it is clear that there is a need for understanding of such crimes in order to find effective solutions to deal with them. The cyber attackers are now using more sophisticated tools to cause harm and therefore the impacts are also severe. The change for cyber law practitioners in this regard is to work for establishing a criminal justice system which can be applied to the cyber world coordinating the current need with the legal necessity of foreseeability and the legal exclusion of excessively indistinct, basically undefined cyber offences.
3. Dr. Ajeet Singh Poonia (2014), in Cyber Crime: Challenges and its Classification, explain that the one end cyber system provides opportunities to communicate and at the other end some individuals or community exploit its power for criminal purposes. Criminals exploit the Internet and other network communications which are international in scope. Situation is alarming; Cyber crime is an upcoming and is talk of the town in every field of the society/system. Theoretically and practically this is a new subject for researchers and is growing exponentially .Lot of work has been done and endless has to be go because the invention or up gradation of new technology leads to the technical crime i.e. the digital or we can say the cyber crime or e-crime. This is because every day a new technique is being developed for doing the cyber crime and many times we are not having the proper investigating method/model/technique to tackle that newly cyber crime.
4. Esther Ramdinmawii, Seema Ghisingh and Usha Mary Sharma (2014) in A Study on the Cyber-Crime and Cyber Criminals: A Global Problem, explain that today, Cybercrime has caused lot of damages to individuals, organizations and even the Government. Cybercrime detection methods and classification methods have come up with varying levels of success for preventing and protecting data from such attacks. Several laws and methods have been introduced in order to prevent cybercrime and the penalties are laid down to the criminals. However, the study shows that there are many countries facing this problem even today and United States of America is leading with maximum damage due to the cybercrimes over the years. According to the recent survey carried out it was noticed that year

- 2013 saw the monetary damage of nearly 781.84 million U.S. dollars.
5. Neelesh Jain & Vibhash Srivastava (2014), in *Cyber Crime Changing Everything- An Empirical Study*, explain that the Internet is often described as a wonderful tool, an engaging place and a liberating experience, but there is the potential for many of us to become victims to the growing pool of criminals who skilfully navigate the Net. Cyberspace often known as Web is an environment that is intangible and dynamic.
 6. Rita Dewanjee and Dr. R. Vyas (2014), in *Cyber Crime: Critical View*, explain that The contribution of this research paper is an overview on cyber crime and the ethical issues related to this field. Centre of focus are the issues connected to the massive increase in cyber crime ratio. Since last few years several billions of dollars per year are exhausted for combating cyber crime issues efficiently. The factors affecting the cybercrime have different laws of treatment in different countries that often overlook aspects of the problem and investigation in the depth of the issues with different methods, are playing key role . Not only the method of fighting against the cyber crime but also the juridical issues and technical challenges involved in fighting cybercrime may not be understood. Ethical aspects are often set aside – as shown by the various battles government has taken recently to address the cybercrime issues.
 7. Roderic Broadhurst, Peter Grabosky, Mamoun Alazab and Steve Chon (2014), in *Organizations and Cyber crime: An Analysis of the Nature of Groups engaged in Cyber Crime*, give examples of known cases that illustrate individual and group behaviour, and motivations of typical offenders, including state actors. Different types of cyber crime and different forms of criminal organization are described. It is apparent that a wide variety of organizational structures are involved in cyber crime. Enterprise or profit-oriented activities, and especially cyber crime committed by state actors, appear to require leadership, structure, and specialization.
 8. Saurabh Mittal and Anshu Singh (2014) in *A study of Cyber Crime and Perpetration of Cyber Crime in India*, explain that the Information Technology (IT) Act, 2000, specifies the acts that are punishable. Cyber crime has also affected the social media. A crime prevention plan with clear priorities and targets needs to be established, and government should include permanent guidelines in its programmes and structure for controlling crime and ensuring that clear responsibilities and goals exist within government for the organization of crime prevention.
 9. Sunakshi Maghu, Siddharth Sehra and Avdesh Bhardawaj (2014), in *Inside of Cyber Crimes and Information Security: Threats and Solutions*, explain that there are some threats posed by this incredible rise in digitization which is creating a new set of global concern called as cyber crime. It is easy to fall prey to such unethical way of hacking and penetrating into personal life which is feasible at a click of a button. Cyber crimes thereby take place in many forms like illegal access and theft of data, intrusion into devices and fraud which is a big concern amongst all the users.
 10. Ms M Lakshmi Prasanthi and Tata A S K Ishwarya (2015), in *Cyber Crime: Prevention & Detection*, explain that cyber criminals are becoming more sophisticated and are targeting consumers as well as public and private organizations. Therefore, additional layers of defense are needed. Cyber crime has been increasing in complexity and financial costs since corporations started to utilize computers in the course of doing business. Some of the case studies of cyber crime include Parliament attack case.
 11. Nir Kshetri (2016), in *Cybercrime and Cybersecurity in India: Causes, Consequences and Implications for the Future Crime, Law and Social Change*, holds that cybercrime is rising rapidly in India. Developing economies such as India face unique cybercrime risks. The framework developed in the study delineates the relationships of formal and informal institutions, various causes of prosperity and poverty and international relations related aspects with cybercrime and cyber security and apply it to analyze the cybercrime and cyber security situations in India. The findings suggest that developmental, institutional and international relations issues are significant to cybercrime and cyber security in developing countries.

Hypothesis

1. Communication is the greatest and most powerful tool in the hands of man to express himself
2. There have been several means of communication
3. Change is inevitable in the means of communication, and a significant change was noticed in the means of communication during the various ages and periods
4. The modern technology introduces advanced means of communication that are helpful in linking the people with the process of globalization
5. The modern means of communication are different from the traditional means of communication
6. For the use of the modern means of communication, the knowledge of modern technology related to communication is necessary on the part of the individual
7. ICT is an advanced technology that enables the modern man to connect to the rest of the world within no time
8. Computer and internet link the modern man with the modern means of communication
9. Internet is revolutionary in the modern age
10. Internet has both positive and negative aspects

11. There are different types of crimes and criminals recognized by law
12. Cyber crime is a specific type of crime
13. Cyber laws are helpful in checking the cyber crime
14. It is essential and demand of time to discover some measure that can root out the increasing cyber crime in India

Research methodology

Grounded in the secondary data, inductive method, qualitative interpretative research, and approved research design, the current research paper is an important document to reveal the various aspects of the cyber crime. The study maintains objectivity and works out the formulated hypothesis and adheres to the specified objectives.

Eleven (11) studies conducted in India and abroad during the different years, published in the various national and international journals, form the basis of the elaboration of the theme and subject, and of the conclusion and suggestions. In addition to it, personal observations of all those all around who are involved in the use of the internet and computer including the various sites and social network, were used for the sake of the findings and elaboration. The study was made with a due consideration to the scientific method and all the prescribed steps of research.

Findings

1. Of the various gifts to man by nature and God, communication is the best gift that enables man to communicate to his fellow beings and exchange pleasantries and view with them
2. Use of code, code mixing, code switching, sending and receiving messages through pigeons, face-to-face communication, use of symbols while making communication, letters, telegram, telephone, mobiles, androids, smartphones, social network etc. are some of the forms of communication that have been known to the man since times immemorial
3. The modern technology of communication has brought a revolution in the communication skill and communication habits and behavior of the individuals
4. The modern communication technology links the modern man to the process of globalization and the globalized world within no time
5. The internet world is a virtual world that is proving itself to be very effective in bringing the people of the world closer to the various cultures of the world
6. The virtual world created by internet with an over-involvement of the people in India to it through the excessive use of the various sites and Apps has opened the world of crime to millions of people
7. The graph of cyber crime is increasing very fast, and is making several innocent people, particularly, the children and adolescents its victims through frauds
8. The virtual world may be harmful if the people lack its proper knowledge

9. There are cyber laws to protect the cyber activities of the individual and to provide him cyber security, but in vain
10. There is an utmost need of the reform, improvement and amendment in the existing cyber laws in India

References

1. Esther Ramdinmawii , Seema Ghisingh and Usha Mary Sharma- A Study on the Cyber-Crime and Cyber Criminals: A Global Problem, Volume: 03, June 2014, Pages: 172-179 International Journal of Web Technology
2. Kshetri, Nir- Cybercrime and Cybersecurity in India: Causes, Consequences and Implications for the Future" Crime, Law and Social Change, 66 (3), 313-338, 2016.
3. Saurabh Mittal and Anshu Singh- A study of Cyber Crime and Perpetration of Cyber Crime in India, Asia Pacific Institute of Management, New Delhi, India January 2014
4. V.Karamchand Gandhi- An Overview Study on Cyber crimes in Internet, Journal of Information Engineering and Applications ISSN 2224-5782 (print) ISSN 2225-0506 (online) Vol 2.
5. Neelesh Jain & Vibhash Srivastave- Cyber Crime Changing Everything- An Empirical Study, International Journal of Computer Application Issue 4, Volume 1 (February 2014)
6. A. R. Raghavan & Latha Parthiban- The Growing Case of Cybercrime and Types of Cybercrime on a Global Scale, Journal of Computer Science Engineering and Information Technology Research (JCSEITR) ISSN(P): 2250-2416; ISSN(E): Applied Vol. 4, Issue 2, Apr 2014, 1-6
7. Roderic Broadhurst, Peter Grabosky, Mamoun Alazab and Steve Chon- Organizations and Cyber crime: An Analysis of the Nature of Groups engaged in Cyber Crime, International Journal of Cyber Criminology Vol 8 Issue 1 January - June 2014
8. Sunakshi Maghu, Siddharth Sehra and Avdesh Bhardawaj-Inside of Cyber Crimes and Information Security: Threats and Solutions, International Journal of Information & Computation Technology. ISSN 0974-2239 Volume 4, Number 8 (2014), pp. 835-840
9. Rita Dewanjee and Dr. R. Vyas- Cyber Crime: Critical View, International Journal of Science and Research (IJSR) ISSN (Online): 2319-7064 Index Copernicus Value (2013): 6.14 | Impact Factor (2014): 5.611
10. Ms M Lakshmi Prasanthi and Tata A S K Ishwarya- Cyber Crime: Prevention & Detection, International Journal of Advanced Research in Computer and Communication Engineering Vol. 4, Issue 3, March 2015
11. Dr. Ajeet Singh Pooniaon- Cyber Crime: Challenges and its Classification, International Journal of Emerging Trends & Technology in Computer Science (IJETTCS) Volume 3, Issue 6, November-December 2014