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THE SURGE OF CYBER OBSCENITY: **SAFEGUARDING THE WOMEN**

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Abstract

The rise of cyber obscenity has become a pressing concern, particularly for women who are disproportionately targeted. This paper examines the various forms of cyber obscenity, including cyber defamation, cyber stalking, and online harassment, and their detrimental impact on society, privacy, and safety. It analyzes the existing legal frameworks and technological solutions aimed at combating cyber obscenity and protecting women online. Additionally, it explores the reasons for the growth of cyber-crime against women and proposes recommendations for policymakers, law enforcement agencies, and technology companies to effectively safeguard women online. This research contributes to the ongoing discourse on cyber obscenity and highlights the urgent need for comprehensive measures to protect women from online abuse and harassment.

Key words: *Cyber-Crime, Cyber stalking, Law, Obscenity, Women*

“The nation which doesn’t respect women will never become great now and nor will ever in future”

Swami Vivekananda

1. INTRODUCTION

India is a nation where ladies is celebrated as the one who gives life) and is adored as a “Devi”. This status of ladies is within the soul of Indian logic and conventional sacred writings. But it is additionally genuine that the ladies have moreover been casualty of a few brutal deeds like Draupadi, Sita, Anusuiya and so on. Ladies have been casualties of distinctive sorts of badgering at domestic, sati pratha, acid-attack, rape, eve-teasing, sexual badgering, honor – killing, young lady child kill and so on¹. Indeed within the present day time due to instructive

¹ Saurabh dubey, (Cyber Crime and Cyber Laws : A Perspective of Women Victimization), 6 *IJARCT* 643 (2021)

improvement and mindfulness ladies strengthening issues have picked up notoriety but on the ground level ladies is being treated second rate, and face violence amid each organize of life cycle and battles with a few security issues². The later advancements within the field of science and innovation through Web and social media has made it very straightforward for individuals to remain associated. But it has moreover made an opportunity for different offenders like programmers, wafers to meddled with the web accounts and have been fruitful in picking up unauthorized get to the user's computer framework and stolen valuable information. The cyber world in itself may be a virtual reality where anybody can fake or stow away his character and hurt the other individual. Within the final few a long time there has been expanded number of cyber wrongdoing against ladies³.

2. UNDERSTANDING THE CONCEPT OF CYBER CRIME

Cyber-crime alludes to any wrongdoing that includes a computer or a arrange. It is an illegal act where in the computer is either a device or a target or both. It is the criminal exercises committed through the utilize of electronic communications media. It is taking something of the computer over the web. The term Cyber Wrongdoing has been characterized not one or the other in Indian Parliament nor within the Data Innovation (IT) Act,2000⁴.

3. TYPES OF CYBER CRIME AGAINST WOMEN

Basically, cybercrime is any illegal activity that uses a computer as the primary means of execution. It has been expanded to include activities such as Internet crime, crime of the Internet, violation of Internet laws, illegal activity on the Internet, violation of Internet laws, computer crime, violation of any law of the Internet, Internet - related corruption, criminal activity on the Internet, disruption of operations through malicious programs on the Internet, electronic crime, Internet crime, selling contraband on the Internet, stalking victims on the Internet, identity theft on the Internet. Cybercrimes can be committed against persons, property and management⁵. The common types of cybercrimes are discussed below -:

3.1 Cyber Pornography: It is the worst threat to women Internet users. This includes non-fiction websites or magazines created using computers to publish and publish materials and the Internet (to download and upload images, photos, text, etc.). The Internet has provided an

² Shobhna Jeet, (Cyber-crimes against women in India: Information Technology Act, 2000) *Elixir Criminal Law* 47 (2012)

³ Available at <https://papers.ssrn.com> visited on 21 February 2024.

⁴ *Supra Note 1*

⁵ Available at <https://www.research.net/publication.com> visited on 21 February 2024

avenue for the promotion of criminal activities such as fiction. , especially those who do not have internet. Today, about 50% of websites on the Internet contain encrypted content. Cybercriminals are using women's photos and turning them into nude photos or videos, which can undermine women's credibility. The photo or video is similar to that woman⁶.

3.2 Email Bullying: This is not a new concept. This is very similar to letter bullying. This includes blackmail, threats, harassment and even fraud by mail. Although e-bullying is similar to bullying, it often causes problems when it is published by fake IDs⁷.

3.3 Cyber Stalking: This is one of the most talked about and instructive cybercrimes in the world today. According to the Oxford dictionary, persecution is defined as insidious. Monitoring a person's movements on the Internet, sometimes posting threatening messages constitutes a cyber-stalking⁸.

3.4 Cyber Defamation: Cyber abuse, including defamation and defamation, is another form of abuse against women on the Internet. This occurs when abuse occurs with the help of computers and/or the Internet. For example, a person posts defamatory information about someone on a website or sends an email containing defamatory information to all of that person's friends or family. Most of this happens by hacking someone's identity on Facebook, Google, other social media or email websites. It is also done by creating a fake profile containing all of that person's personal information, which appears to be a real profile to others on a website⁹.

3.5 Morphing: The alteration of the original image by an unauthorized user or fake identity is called morphing. Fake users have been found taking photos of women, editing them, creating fake news and reposting/posting them on other websites¹⁰.

3.6 Cyber Hacking: In this kind of cyber violence, some particular targets are chosen for hacking their profiles, using their personal information for evil purposes. Moreover, the hacker may even distribute open invitations for having sex with the profile owner at her home address Section 43(a) and 66 under IT amendment Act, 2008 and section 379 and 406 of Indian Penal Code are applicable for punishment after the law regarding cyber hacking is broken¹¹.

4. IMPACT OF CYBERCRIME

⁶ Karnika Seth, (Cyber Crime Against Women: An Indian Law Perspective) 7 *LWLJ* 21 (2024)

⁷ *Ibid*

⁸ Sanjeev Kumar, Priyanka, (Cyber Crime Against Women: Right To Privacy And Other Issues), 5 *JLSR* 161 (2019).

⁹ *Ibid*

¹⁰ *Supra Note 2*

¹¹ *Supra Note 8*

In this era of technological progress, women are the most affected. Now all areas of the world begin and end with digital intervention, that is, computer technology. With this in mind, both positive and negative situations arise. Cybercrime is a global phenomenon. With the advancement of technology, cybercrimes and victims of women are increasing rapidly, there is a real threat to everyone's safety. As the problem of cybercrime grows in cyberspace, individual privacy and personal security are threatened¹². The Internet is the largest information system and network in the world. As mobile infrastructure continues to develop in small towns, Internet usage numbers will show the effects as the user base continues to grow. The Internet is now part of a global movement that is completely erasing old and certain truths and creating new ways and challenges to live in a small world. Cyberspace is a boon to the human world. The Internet has connected people all over the world. The desire to know the unknown is an important part of being human. The desire to meet the people living on earth became stronger than the desire to find a way to the future. This is how you discover the online world¹³.

5. CYBER LAWS IN INDIA

The penalties for these offenses include fines, imprisonment for up to two years, or both. Cybercrime against woman in India. Cybercrime against women is on at alarming stage and it may pose as a major threat to the security of a person as a whole. In India the term “cybercrime against women” includes sexual crimes and sexual abuses on the internet. India is considered as one of the very few countries to enact IT Act 2000 to combat cybercrimes; This Act widely covers the commercial and economic crimes which is clear from the preamble of the IT Act¹⁴. Section 65, Chapter XI of the IT Act deals with the offences such as Tampering with computer source documents. Section 66 Hacking with computer system. Section 67 publishing of information which is obscene in electronic form. Section 70 Access to protected system. Section 72 Breach of confidentiality and privacy. Section 74 Publication for fraudulent purpose. I.T Act 2000 still needs to be modified. Section 67 of Information Technology Act, 2000 which dealt with obscene publication in the internet. He was sentenced for life imprisonment and a pecuniary fine of Rupees 1,25,000 under the Immoral Trafficking (Prevention) Act, 1956¹⁵.

¹² Jaishankar Karuppanan, (*Cyber Crimes Against Women In India*), 43 (Sage Publication ,2017)

¹³ Available at <https://www.xournals.com> visited on 24 February 2024 at 2:30 p.m

¹⁴ *Supra Note 1*

¹⁵ *I bid*

6. REASONS FOR THE GROWTH OF CYBER CRIME AGAINST WOMEN IN INDIA

The reasons for the rise in cybercrime against women can be classified into two factors: legal and social. This does not seem to be relevant to the protection itself as it is clear that the laws relating to cybercrime do not specifically mention the offense in the relevant terms, but the various laws such as IPC, Constitution etc. they have special protection for women. . They are usually issued under special rules. On the other hand, most cybercrimes go unreported for many reasons, including the victim's laziness and shame, and fear of harming the family. These victims often believe that they are responsible for the crimes they have committed¹⁶.

6.1 Legal Reasons

The purpose of the IT Act is clear from the preamble which confirms that it was originally enacted to improve electronic commerce, thus covering commercial or economic crimes such as hacking, fraud, breach of privacy, etc. However, the authors did not know much about protecting network users. As mentioned above, most cybercrimes are prosecuted under sections 66 (hacking), 67 (transmission or transmission of false information in electronic form) and 72 (breach of confidentiality). Most cybercrimes, with the exception of crimes related to e-commerce, fall into these three categories. Cyberbullying, cyberbullying, email spoofing, cybersex, hacking, invasion of privacy, etc. they are all too common these days, but they are not. The IT Act specifically mentions it in any section or section 11. The IPC, Criminal Procedure Code and the Constitution of India provide special protection to women and children. For example, the dignity of a woman is protected under Section 509 and rape, forced marriage, abduction and abortion against a woman's will are offenses and are prosecuted under the IPC. Indian constitution guarantees equal right to live, education, health, food and work to women, however until recently there were no specific penal provisions protecting women specifically against internet crimes¹⁷. Ever since the 2012 Delhi Gang Rape case (Nirbhaya Case) there has been a huge outcry over bringing out new reforms and penal provisions so as to protect women against the criminally minded. The 2013 Criminal Law Amendment Ordinance contains several additions to the Indian Penal Code, such as to sections 354, 354 A, 354 B, 354 C and 354 D, with the assistance of these sections now the issues of MMS scandals, pornography, morphing, defamation can be dealt in proper manner. As it has been discussed

¹⁶Available at <https://www.ijlmh.com> visited on 24 February 2024 at 4:01 p.m

¹⁷*Supra note 2*

earlier that transcendental nature of Internet is one of the main reasons for the growth of cybercrime so whereas Section 75 of the IT Act deals with the offences or contravention committed outside India but it is not talking about the jurisdiction of the crimes committed in the cyberspace specially the question of place for reporting the case arises when the crime is committed in one place affected at another place and then reported at another place. Although in the most of the cases, for the matter of territorial jurisdiction Criminal Procedure Code is being followed¹⁸.

6.2 Sociological Reasons

Most of the cybercrimes remain unreported due to the hesitancy and shyness of the victim and her fear of defamation of family's name. He often feels responsible for the crimes he commits. Women are more vulnerable to the dangers of cyberbullying because the identity of the perpetrator remains hidden and they can threaten and harass the victim under different names and identities. Women are afraid that if they tell a crime, it will make life difficult for the family, they wonder if they will support family and friends, and how society will feel if they find out about them. Because of this fear, women often do not report bad things, which boosts the morale of criminals¹⁹.

7. JUDICIAL APPROACH

RituKohli Case: The RituKohli case is the first cyber bullying case in India. In this case Mrs. RituKohli complained to the police that someone was chatting on the website <http://www.micro.com/> (mainly a Delhi channel) using her identity for four days. Ms Kohli also complained that people were talking on the internet using her name and address and using abusive language. The same person deliberately gave his phone number to other speakers and encouraged them to call RituKohli after business hours. As a result, Ms. Kohli received as many as 40 calls in three days, most of them at overtime. The call threatened the complainant's personal life, so on finding his IP address, the police investigated the whole matter and the perpetrator was arrested. A case under Section 509 of the IPC was registered after which he was released on bail. This is the first time an internet case has been reported. Like email harassment, cyberbullying is not covered by Indian internet laws. Remote prosecution of violators for breach of privacy and confidentiality is only possible under Section 72 of the IT Act. The accused can also be charged under section 441 of the IPC for sexual assault and under

¹⁸Available at <https://onlinelibrary.wiley.com> visited on 24 February 2024 at 4:59 p.m

¹⁹*I bid*

section 509 of the IPC for inciting the humiliation of a woman²⁰.

2. In the case of State of Tamil Nadu v. SuhasKatti, in this case, sent emails to the victim, a divorced woman, for information through a fake email account opened in her name by the accused. By posting the message, the victim received harassing calls and suffered emotional abuse. So he filed a complaint in the Egmore court in February 2004 and the cyber agency of the Chennai police arrested the accused. He was charged under Section 469/509 IPC and Section 67 of the IT Act, 2000. The charges against him were confirmed and he was booked under the section mentioned above girl reported from Kottayam in Kerala. Know the person that person was on Facebook. But when she meets him, she is kidnapped. However, the girl was pursued and later told the police that when she met the boy he took her to a hotel and raped her²¹.

8. PREVENTIVE MEASURES TO PROTECT WOMEN AGAINST CYBER CRIME

Preventing cybercrime against women involves a combination of education, awareness, and proactive measures. Here are some suggestions:

- **Education and Awareness:** Educate women about the risks of cybercrime and how to recognize and avoid them. This includes understanding phishing scams, social engineering tactics, and the importance of strong passwords²².
- **Privacy Settings:** Encourage women to review and adjust their privacy settings on social media platforms and other online accounts to limit the amount of personal information that is publicly available²³.
- **Secure Passwords:** Encourage strong and unique passwords for every online account and use two-factor authentication whenever possible²⁴.
- **Browsing Protection:** Teach women to be careful when clicking on links or downloading attachments from unknown sources as they may be the source of malware or phishing attempts²⁵.

²⁰Manisha Kathuria Vs RituKohli, C.C. No. 16616/2014

²¹Available at <https://www.legalserviceindia.com> visited on 24 February 2024 at 5:02 p.m

²²Shashva Mishra, (Dimension Of Cyber Crime Against Women In India – An Overview), 5 *IJRAR* 976 (2018)

²³ *Ibid*

²⁴ *Ibid*

²⁵ *Supra Note 2*

- **Reporting and Support:** Encourage women to report all cybercrimes to the appropriate authorities and seek support from organizations that specialize in helping victims of cybercrimes.
- **Cyberbullying:** Educate women about online harassment and how to respond, including blocking and reporting abusive users²⁶.
- **Online Dating Safety:** Provide guidance on safe online dating practices, including meeting in public and sharing personal information too quickly.
- **Online Shopping Safety:** Teach women to be careful when shopping online, including using secure payment methods and only buying from reputable sites.
- **Cyber Security Tools:** Encourage the use of anti-virus software, firewalls and other cyber security tools to protect against malware and other cyber threats.
- **Antivirus should be kept up to date:** You should keep your antivirus up to date. According to Fight Cyber stalking, trojans, worms, and email viruses are common ways for cyber stalkers to access your information. To reduce the risk of your PC being compromised by Trojan viruses or email viruses, make sure your antivirus is up to date²⁷.
- **Protect data in transit:** In our daily life, we often use public computers, such as Internet shops. If you're using the Internet on a public computer, be aware that your web browser may log your passwords and every page you view. I didn't get it. So don't forget to delete cookies and history from your web browser (Doyle 2012). Your little mind will affect you. Generally women should be cautious when using the Internet because hackers may try to scam you²⁸.

In addition to the suggestions above, women should have access to important information about cybercrime and be careful before reading Internet links. If the Internet is threatening, the mobile phone and Internet space for women's safety, good results. There is a lot of information on the Internet about how to prepare for cybercrime and how to prevent it. Cybercrime needs serious attention from the Indian government to raise funds for research institutes related to fighting cybercrime. In addition, women's education can play an important role in crime prevention²⁹.

9. CONCLUSION

²⁶ *Ibid*

²⁷ Available at <https://pcpc.gov.in> visited on 24 February 2024 at 10:33 p.m.

²⁸ *Supra note 1*

²⁹ *Supra note 27*

Crimes against women are not new in India, but cybercrime has added another chapter to it. In the 21st century, where a new digital world has been created and the Internet has become an important part of personal life, online activity is a threat and a threat to the safety and rights of women as well as to society. This violates women's right to privacy. The more time women spend online and the less aware they are of the dangers of the Internet, the more vulnerable they become. The after effects of online activity are very serious in all aspects including cyber bullying, harassment and slander. The rise in cybercrime cases targeting women is a major concern for law enforcement agencies, governments and society at large. To reduce cybercrime, governments must strengthen their legal systems. This is because criminals find online crime easier than traditional crimes because the chances of detection are low and the punishment is low³⁰. Focusing on women we don't think of women as objects. People need to understand that violence against women is only a manifestation of gender discrimination and inequality in gender power relations. Women should know that it is time to break the silence and silence and fight against cyberbullying and stand up for their rights. We must regularly investigate and focus on cybercrime³¹. What the government should pay should be carefully studied. Police personnel must be trained to respond to and deal with cybercrime. For this purpose, workshops and seminars on online education should be organized. Women should also participate in this type of work. But ultimately, people need to change the way they think about women and create equality. Because cleaning starts at home. Women in India face barriers to access to justice. Reasons include illiteracy, social and cultural barriers, lack of support from family and subordinates, time consumption and legal malpractice. This is also the main reason why most cybercrimes go unreported³². To address the issue of cybercrime targeting women, an analysis of all aspects must be done. Strict legal action should be taken against the violators. The first responsibility is for women themselves to be aware of all trends, be strong and courageous to speak out against such evil practices. There are many unique applications that can detect all types of online tracking and whether someone is tracking your mail ID. So it can be said that to deal with cyber-crimes targeting women, government policies and changes in the Indian Penal Code and changes in the attitudes and outlook of the education system are needed in India and Society³³.

³⁰Available at <https://www.journalppw.com> last visited on 24 February 2024 at 10:51 p.m.

³¹*Ibid*

³²Available at <https://ijlmh.com> last visited on 24 February 2024 at 11:05 p.m.

³³*Ibid*