Chairperson, Justice N.K. Jain
(Former Chief Justice
High Court of Madras & Karnataka)

With best Compliments
RSHRC

RAJASTHAN STATE HUMAN RIGHTS COMMISSION

Chairperson

Hon'ble Chief Minister Shri Ashok Gehlot

Under the guidance of

Justice N.K. Jain
(Former Chief Justice
Madras and Karnataka High Court)

Chairperson, RSHRC

Prepared by:-
Internship students of various law university and colleges.

Hon'ble Chairperson and Members Of Rajasthan State Human Rights
Commission are :

From 06-07-2005

Justice N K Jain,
Chairperson

Members

Justice Jagat Singh
Shri D.S.Meena
Shri Pukhray Seervi

BY:-
Manthan Saksena
Bharati Vidyapeeth University's
New Law College
BBA LLB - 4 semester (5year)
Manthan1989@gmail.com
ABOUT INTERNET

- The Internet is a linking of computer networks. You can speak with the neighbor next door or across the street by simply walking next door. By using the roads within your neighborhood you can walk to or drive to any other neighborhood in your city and speak to anyone. This connection via the digital roads makes it possible for anyone with access to the Internet to visit, chat or speak with anyone else connected to the Internet. It makes the world an online global village.

ABOUT CYBER CRIME

- Any illegal behavior committed by means of, or in relation to, a computer system or network, including such crimes as illegal possession and offering or distributing information by means of a computer system or network

- Cyber crime is a criminal activity committed on internet.

- Cyber crimes are unlawful acts where the computer is used as a tool or a target or both.

INFORMATION TECHNOLOGY ACT 2000

- In May 2000, both the houses of the Indian parliament passed the Information Technology Bill.

- The Bill received the assent of the President in August 2000 and came to be known as the Information Technology Act, 2000

- Cyber laws are contained in the IT Act, 2000
CYBER CRIME INVESTIGATION CELL

- In keeping with the demand of the times, the Cyber crime Investigation Cell (CCIC) of the CBI, notified in September 1999, started functioning w.e.f. 3.3.2000.

- The Cell is headed by a Superintendent of Police.

- The jurisdiction of this Cell is all India, and besides the offences punishable under Chapter XI, IT Act,2000.

- It also has power to look into other high-tech crimes

AIM OF IT ACT 2000

- This Act aims to provide the legal infrastructure for e-commerce in India.

- The cyber laws have a major impact for e-businesses and the new economy in India.

- The Information Technology Act, 2000 also aims to provide for the legal framework so that legal sanctity is accorded to all electronic records

- The Act states that unless otherwise agreed, an acceptance of contract may be expressed by electronic means of communication and the same shall have legal validity and enforceability

CLASSIFIED INTO 3 BASIS

- Cyber crimes against persons.

- Cyber crimes against property.

- Cyber crimes against government

CYBER CRIME AGAINST PERSON

- Child-pornography

- Trafficking, distribution, posting, and dissemination of obscene material via internet

- Virus Transmission

- Cyber Harassment
**CYBER CRIME AGAINST PROPERTY**

- Computer destruction
- Transmission of harmful programmes
- Destruction of other’s property through internet

**CYBER CRIME AGAINST GOVERNMENT**

- Threaten the international governments
- Terrorize the citizen
- Growth of Global Terrorism
- Cracking on Defense & government sites
- Intra-bank transfer of funds for terrorist activities

**E-MAILS**

- E-Mail is an instrument to communicate with one others in cyber world
- The first email system of this type was called MAILBOX. It was used in 1965 at Massachusetts Institute of Technology
- Addressing the email message was invented in 1972 by Ray Tomlinson.

**CRIMES THROUGH EMAIL**

- Email Spoofing
- Email Bombing
- Flaming
- Mail Frauds
- Spreading Trojans, viruses and worms
EMAIL SPOOFING

- E-mail spoofing is a term used to describe (usually fraudulent) e-mail activity in which the sender address and other parts of the e-mail header are altered to appear as though the e-mail originated from a different source.

EMAIL BOMBING

- In Internet usage, an e-mail bomb is a form of net abuse consisting of sending huge volumes of e-mail to an address in an attempt to overflow the mailbox or overwhelm the server where the email address is hosted in a denial-of-service attack.
- Email bombing is characterized by abusers repeatedly sending an email message to a particular address at a specific victim site.

EMAIL FLAMING

- Flaming is the often deliberate act of posting or writing messages on Internet bulletin boards and message groups that have the intent of insulting or creating dissent within a group.
- An Internet flame is often filled with coarse language and personal insults.
- It is never conversational, but it may be meant to upset an entire group, provoking conversation about someone’s flame or on the practice of flaming in general.

EMAIL FRAUDS

- Almost as soon as e-mail became widely used, it began to be used to defraud people via e-mail fraud.
- E-mail fraud can take the form of a "con game" or scam.
- Confidence tricks tend to exploit the inherent greed and dishonesty of their victims: the prospect of a 'bargain' or something for nothing' can be very tempting.
Spreading Trojans, viruses and worms

- E-mail worms use e-mail as a way of replicating themselves into vulnerable computers. Although the first e-mail worm affected UNIX computers, the problem is most common today on the more popular Microsoft Windows operating system.
- Infected files are being sent through email once if they are downloaded then it will affect your computer system.
- Sometimes these infected files are automatically downloaded and then affect computer system.

CHATTING WITHUnknown PERSON

- Exposure to inappropriate material (sexual, hateful, violent)
- Vulnerability to predators who can lure children (abduction, sexual assault)
- Harassment or cyber bullying through email or chat rooms
- Financial risks when giving out personal information (e.g., parent's credit card)
- An unknown file containing a virus may be downloaded which could increase the risk of a hacker getting hold of personal information

INTERNET PREDATORS

- Internet Predator can be of any age, sex, race or ethnic background.
- They tend to spend a lot of time on the internet and often masquerade behind the computer screen.
- Their main aim is to seek children to befriend, control, and exploit.
- The grooming process is not a quick; it takes couple of weeks to months, during this time they tend to be very patient.
- Predator will also assume many different identities by lying about age, sex etc.

CYBER PORNOGRAPHY

- It includes pornographic websites; pornographic magazines produced using computers (to publish and print the material) and the Internet.
- The greatest disadvantage with a media like this is its easy availability and accessibility to children who can now log on to pornographic web-sites from their own houses in relative anonymity and the social and legal deterrents associated with physically purchasing an adult magazine from the stand are no longer present.
**CYBER DEFAMATION**

- Cyber tort includes libel defamation is another common crime against individual on net. This occur when defamation takes place with the help of computer and internet.

- Example: someone publishes defamatory matter about someone on a website or send e-mail containing defamatory information to all of that persons friend.

**SOME PROVISION UNDER IT ACT 2000**

- Chapter XI of IT act 2000 deals with:-
  - Tampering with computer source code (sec 65)
  - Hacking with computer source code (sec 66)
  - Publishing of information which is obscene in electronic form (sec 67)
  - Access to protected system (sec 70)
  - Breach of confidentiality and privacy (sec 72)
  - Publication for fraudulent purpose (sec 74)

**PROBLEMS ASSOCIATED WITH CYBER CRIMES**

- Jurisdiction Problem

- Loss of evidence

- Lack of Cyber Army

- Lack of Cyber Judges

**GUIDLINES**

- Never give out any personal information like name, address, phone number etc to harassment if the personal information goes into wrong hands.

- Use age appropriate chat rooms to avoid children's to get into conversation with adults.

- Never agree to send and receive any file without permission of parents because children's can send any important file like list of bank accounts and passwords to unknown person.

- Avoid online purchasing, as one have to pay first before getting the product.

- Immediately report to local law enforcement agency any attempt by others to meet your child or any inappropriate sexual conversation.
CONCLUSION

There has been a sharp decline in cases of cyber crime in Gujarat where such incidents have come down from 155 cases in 2005 to just six in 2006. One of the six minors who got arrested on charges of cyber crime also hailed from Gujarat, according to Crime in India 2006 report prepared by National Crime Records Bureau. Out of the six cases, five were registered under provisions of the Information Technology Act while one was filed under relevant sections of Indian Penal Code. While 153 cases were registered under IPC sections in Gujarat in 2005, only one was filed in 2006 under IPC. However, no reasons were attributed in the report for the decline in the registration of cyber crime related cases in Gujarat. A senior official said the decline does not indicate that the incidents of cyber crime in the state had actually decreased. The report also said a total of 565 people were arrested across the country in 2006 on charges of cyber crime, which registered a decrease of 28 cases as compared to previous year. Madhya Pradesh registered the largest number of cyber crimes (131) in 2006 followed by Andhra Pradesh (116). The largest state of Uttar Pradesh, which had four cyber cases in 2005, did not register a single case in the same year.

How the Duties can Minimize violation of Cyber laws

- Every official should follow its duties so as to prevent cyber crimes.
- Proper machinery should be set up to prevent Cyber crimes
- Special Courts with skilled cyber law judges should be installed at every tier.
- If every one discharge his duties properly then violation of human rights of others will be reduced automatically.

Books Published

- These books are kept in the Libraries of different schools and colleges for awareness of students as well as the teaching and ministerial staff. Some books are even kept in the UN-Congress Library at New Delhi.
- Teachers of various school are interacting with the students on these issues in zero hours.
- About legal aid committees, NGO’s / Educational Institutions above 55, and some Newspapers have re-printed/Published these booklets as intimate and about 80,000 booklets titled on women, child rights, dalits, arrest, human rights and HIV have been published and distributed free of cost among the general public to create awareness.

Legal Awareness Programmes

- For the awareness of the human rights in public at large, Justice Jain has wrote about 31 booklets of various legal issues. Out of these booklets 18 booklets have been published by the R.S.H.R.C. Many other organizations, District Legal Aid Authorities, Departments, Schools, Colleges etc. has also published some booklets like Women, Children, Dalits, Arrest, HIV/AIDS, Human Rights etc. by the permission of the Commission. They have distributed these booklets in 80000 in numbers.
- Some of these booklets are available on Commission’s website www.rshrc.nic.in and justiceagendrakjain.com. English translation of some booklets are also available on a German website herenow4u.de.
- These books are:
31 booklet have been written by Justice Nagendra Jain (Chairperson RSHRC, Jaipur) on different legal and important issues.
Students reciting the oath of section 51(A) of Constitution of India under the guidelines of RSHRC.

Reciting the Pledge — fundamental duties mentioned in Article 51-A, Constitution of India

"We are proud to be Indian"

It shall be the duty of every citizen of India:

(a) to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;
(b) to cherish and follow the noble ideals which inspired our national struggle for freedom;
(c) to uphold and protect the sovereignty, unity and integrity of India;
(d) to defend the country and render national service when called upon to do so;
(e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, and regional or sectional diversities; to renounce practices derogatory to the dignity of women;
(f) to value and preserve the rich heritage of our composite culture;
(g) to protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures;
(h) to develop the scientific temper, humanism and the spirit of inquiry and reform;
(i) to safeguard public property and to abjure violence;
(j) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly moves to higher levels of endeavor and achievement.

"BE AWARE OF YOUR RIGHTS AND DISCHARGE DUTY WITH DEVOTION."
Chairperson : Justice N.K. Jain
Former Chief Justice - Retired and Senior Advocate

For Legal awareness and In Public Interest published by:
Rajasthan State Human Rights Commission, Jaipur
website : rahro.nic.in, heronow.de http://justiceagandrajain.com

Courtesy : Rajasthan State Co-operative Press Ltd., Jaipur
Phone : 051-2751417, 2751352

In addition to that in legal literacy and awareness program, chairman motivated students and even general public to recite the pledge as mentioned in article 51(A) of Constitution of India. It is good sign that so many schools have started taking prayer as per instructions of different concerned authorities as per the request of the commission. Some of them are as follows:

-
Students of some institutions reciting the Oath as per Article 51(A) of Constitution of India under the guidelines of RSHRC.

Chairperson: Justice N.K. Jain

Rajasthan State Human Rights Commission

"BEWARE OF YOUR RIGHTS AND DISCHARGE DUTY WITH DEVOTION"
Chairperson: Justice N.K. Jain
REFERENCES

- www.rshrc.nic.in
- http://www.nethistory.info/History%20of%20the%20Internet/email.html
- http://cybercrime.planetindia.net/email_crimes.htm
- http://cybercrime.planetindia.net/cybercrime_cell.htm
- http://www.cybercellmumbai.com/general-tips/

THANKFUL TO

I am grateful to all concern particularly Honorable Mr. Justice Nagendra Kumar Jain (Former Chief justice of Madras and Karnataka High Court, Chairperson of RSHRC) for his wonderful guidance to complete my project on Cyber crimes.

BY:-
Manthan Saksena
Bharati Vidyapeeth University’s New Law College
BBA LLB 4 semester (5year)
Manthan1999@gmail.com
Thank you...