Chapter 5

CYBER CRIME: EXTENT AND MAGNITUDE IN JAIPUR CITY
5.1 Introduction

In the contemporary society, cyber crime has become a major issue which is affecting individual as well as society at large. The word ‘cyber’ is derived from the term ‘cybernetics’ which means science of communication and control over man and machine. Thus, crime committed in cyberspace relating to machines or cyber technologies are treated as cyber crimes. In the era of globalisation it is recognised that cyber crime is significantly new phenomena which has economic, political and social impact worldwide. Multiple information is transferred through internet at a global level without much control and specific jurisdiction which is an important cause for the fast growth of cyber crimes. India has also seen spurt in technological development in last few years. This development has given rise to a new breed of crime i.e. Cyber crime in Indian society.

The words of Prasun Sonwalkar\(^1\) reflect the threat of cyber crime in India ‘India is fast emerging as a major hub of cyber crime, as recession is driving computer-literate criminals to electronic scams’. About 1.75 per cent of computers in India were found accessing Botnet (that makes victim’s computer its slave) connected servers,” Sharda Tickoo of Trend Micro, said \(^2\).(The Hindu, July 10, 2013)
Norton (Symantec) has stated in its report that approximately 42 million cyber crimes are committed every year in India. In 2012, 52 per cent of victims suffered attacks such as malware, viruses, hacking, scams, fraud and theft. The report adds that eighty people are victimised under various cyber crimes every minute across India, and seven out of 10 adults have been victims of different modes of cyber crime in their lifetime³.

In India metropolitan culture is characterized by technical and digital growth. Rich in folk and culture, Rajasthan is highly admired among tourists and people nationwide as well as worldwide. In a report published by National Crime Records Bureau (NCRB)⁴ in 2011, an increase of 134% was seen in cyber crime cases in Rajasthan in comparison to 2010. Not only this, 181.5% increase in cyber crime was witnessed in Jaipur city during the same period. It is worthwhile to compare the growth of cyber crime in three years, viz. 2010, 2011 and 2012 in Jaipur city. It provides us with a representative picture of cyber crime scenario in the state of Rajasthan. Jaipur, a metropolitan city has also seen the spurt of technological crime. Jaipur has become a hi-tech city in last few years, and the incidence of cyber crime is increasing every year. The data shown below reveals the magnitude and extent of cyber crime in Rajasthan and Jaipur.
5.2 Extent and Magnitude of Cyber crime in Jaipur

Cyber crimes in Jaipur are increasing steadily. The crime rate has seen an increase during last three years i.e. 2010, 2011 and 2012. The following facts and figures show its magnitude.  

Even though many districts in Rajasthan reported cyber crime cases, but Jaipur, being the capital city has seen spurt in cyber crime. It is worthwhile to narrate the incidence of cyber crime in Rajasthan and then in Jaipur city.

5.2 (i) Cyber crime cases registered in Rajasthan in 2010, 2011 and 2012

Rajasthan has 33 districts with a population of 6.86 crores (2011 census). The following diagram highlights the number of cases registered in Rajasthan in three years; 2010, 2011 and 2012.

Cyber crime cases registered in Rajasthan in 2010, 2011 & 2012
Diagram 5.2(i)

In comparison to 2011, 156 cases were registered in Rajasthan in 2012 which shows an increase of 6.85%. In 2011, a total of 146 cyber crimes were registered in Rajasthan as compared to 69 cases in the year 2010. It shows an increase of 111.59% increase in cyber crimes.

5.2(ii) Cyber Crime Cases Registered in various districts of Rajasthan in Year 2012

Diagram 5.2(ii)

The data above reveals the position of Rajasthan in Cyber crimes. Jaipur City registered the highest number of cyber cases i.e 74; followed by Jodhpur (25) cases; Bhilwara (4) cases; Banswara (4) cases; Jununjhunu(4) and Jaisalmer(4) cases. Sikar, Bundi, Bharatpur, Ajmer, Nagaur, Dausa, Alwar, Ganganagar, Jalore, Jhalawar, Chittorgarh and Kota city registered no case.

Diagram 5.2(iii)

As seen from the above figure, Jaipur city east registered a highest number of cases in 2012. A total of 25 cases were registered under this head as compared to 26 cases in 2011; it was followed by Jaipur west which registered 20 cases which is less in comparison to 22 cases registered in 2011; Under Jaipur city North, 8 cases were filed in 2012, while in 2011, 21 cases were filed; in Jaipur city south, 21 cases were lodged in comparison to 16 cases in 2011.
5.2(iv) Number of Arrests in Cyber crime Cases in Rajasthan


Diagram 5.2(iv)

As per the data given it could be seen that only 42 arrests took place in the year 2010 while it increased in 2011 at 132 cases. It has shown an increase of 214.28%. Even though it is very difficult to trace the cyber criminals because of anonymous nature of cyber space, still arrests have shown an increase. A total of 93 arrests were made in 2012 in comparison to 132 arrests in 2011. It shows a decline of 30.30% in number of arrests. The numbers of arrests have declined owing to the fact that cyber criminals are becoming more cautious to commit crime online. It indicates lack of proper law enforcement in Rajasthan.
Some of the cases are noted in the study to analyze the cyber crime scenario and its magnitude in Jaipur city. Various sources have been used for their compilation viz. newspapers, websites and first hand information.

5.3 Cases of Cyber Crime through Social Networking Sites in Jaipur City

A twenty seven-year old doctor pursuing PhD in microbiology, was found involved in hacking password of his senior on a well known social networking site. He also wrote some obscene words on his senior’s blog. On a complaint filed by the victim, the police arrested the culprit under IT Act in 2012. This is a case of hacking and cyber defamation. In another instance, a girl approached the police when her ID was hacked and some of her photos(morphed) were posted on Facebook. Officials suspect this as a work of some jilted lover to defame her. Similar case was registered in which profile of a young female was hacked and eventually her morphed photographs were uploaded. However, cyber experts were able to identify the IP address from where her account was hacked. Adolescents of Jaipur city are found involved in cyber crime because they feel that it gives them a chance to vent their outrage against their girlfriends, teachers and institutions. Several incidents of this kind reveal such acts. According to Police officials, students are committing
cyber crimes for petty things. Moreover, in the recent past, cyber cases involving students have shocked both the schools and the parents. The "confessions" pages on Facebook have become popular platforms wherein, students vent out their anger against classmates, teachers or schools. The most common complaints are hacking of mail accounts and making of fake Facebook accounts of others. In both cases, students are not aware that such acts are punishable under the law. The misuse of these networking sites doesn't stop here. In some cases, school students were involved in phishing, spoofing, cyber defamation and threatening.

Many schools are struggling to find a solution as they failed to keep pace with the technological advancements. "Carrying feature phones have become outdated, as the in thing is smart phones, laptops and tablets. As such gadgets help students in education, so schools don't oppose it. But in some cases, we have also observed misuse that worried us," said Kamaljeet Yadav, principal of Subodh Public School (Airport Road).

Milind Agarwal, an expert on social networking sites, has been conducting such awareness programmes in schools. He was amazed by the technical knowhow of the students. Another cyber crime expert Mukesh Chaudhary forwarded a complaint to the police against an accused for posting obscene pictures of one principal of a school on the Jaipur-Delhi road. "My investigation revealed that the act was done by a 14-year-old school student as an act of revenge for public scolding by
his principal," said Chaudhary, adding that the student uploaded the pictures from his mobile phone. Such cases have become an eye opener for schools that can only sensitize students.6

A sixteen-year-old hostler used to spend a lot of time on social networking sites, usually interacting with her parents and friends. She mostly interacted with her parents through social networking sites as both of them were entrepreneurs. The school reported about her internet and mobile addiction to her parents, which subsequently led them to disconnect her net facility. As a result she went into depression and took some pills which landed her in hospital. Even though she revived, but her unusual behaviour towards her parents (she refuse to recognize them) has forced psychologist and sociologists to delve deeper into an issue of change in the behavioural trends among youth due to excessive networking. Nathawat, who has authored several books on behavioural patterns, counselled the girl on her unusual behaviour. She was suffering from a syndrome called 'disassociation'-an extreme form of hysteria."In reality, she was not ready to accept her parents subconsciously. From last two years she had interacted with her parents only through social networking sites, which severely impacted her social discourse," said Nathawat. These emerging trends between children-parents and student-teacher, are a cause of concern. A counsellor at a private school also
noticed behavioural change in some students. When they were enquired about the same, they responded that they were not getting as many ‘likes’ on facebook as their peers. This resulted in loss of self-confidence and inferiority complex. Rajiv Gupta, an eminent sociologist has analyzed the impact of social networking sites on society. In his views, these sites have perpetuated individualism and ego-centric attitude. Even success and defeat is dictated by one’s popularity on these sites. Other adverse effects are addiction, frustration, depression and aggression among children and youth. A well known college of repute in SFS, Mansarovar was defamed on Facebook by some anonymous persons. Derogatory remarks were also posted for some of the teachers of the college. The director lodged a complaint against unknown identity in Mansarovar Police station. Although no one has been caught in this case but still it can be said that cyber defamation is increasing in Jaipur city too as culprits can easily defame someone through social networking sites. Many more similar cases have been reported by the residents of Jaipur city. Even though cyber crime is spreading in various forms, but now it is very much rampant on social networking sites as seen from the cases. Youth and adolescents are active members of various social networking sites and even they can be victims or perpetrators of cyber crime on these sites. Thus, it becomes imperative to find out their involvement in various issues relating to social networking sites. It is
also important to reflect on the present laws and legislations relating to
cyber crime and to find new ways and means to control cyber crime in
Indian society. The following section deals with the present legislations
and their scope and applicability in Indian society.

5.4 Legislations dealing with Cyber Crime in India

Cyber space is such a place where criminal tendencies have emerged
which has no boundations of time, space or law. The Information
Technology (IT) Act provides the base for e-commerce in India. Even
though IT has globalised the society and economy, consideration of
security issues is need of the hour. Cyber Crime is rapidly expanding
due to the excessive networking. Cyber security is a top issue among
Indian Enterprises. As cyber attacks are increasing, a sizeable chunk of
the companies accept that the nature of cyber attacks consist of external
threats as well as internal threats.⁷

Information Technology Act was enacted in India in 2000 to govern the
laws related to e-commerce and e-governance. It also prescribes various
punishments as well as penalties in the area of cyber crime. IT Act was
amended in 2008, and its scope was increased. Communication devices
now include mobile phones or any other device which transmits text or
video. The Word "hacking" is renamed as "data theft" in this section.
Cyber crime offences now also include sending offensive messages,
stealing electronic signature or identity, cheating by personation through computer resource, publishing about a person without permission, cyber terrorism, data theft or sending viruses such as Trojan.

Even though ITA and ITA(Amended) are landmark steps, they are far from satisfactory. Many issues need attention; Territorial Jurisdiction is not satisfactorily addressed in the act. Investigators avoid accepting cyber crime cases on grounds of territory. Preservation of evidence is another problem as it is very easy to destroy disk where some evidence is present. Retaining it for a long time is also not possible.

5.5 Conclusion

The Contemporary Society is dependent on technology and crime based on electronic technology is increasing. From the secondary sources in the study, it is depicted that Rajasthan is backward in the enforcement of law in cases of cyber crime. Cyber experts are few and police officials incorporated into these are not trained properly to deal with it. Not even a day passes by when cyber crime is not in the news but very few cases are registered. The efforts of law making and enforcement machinery should be in accordance with the fraudsters, to keep the crime under control. The greatest challenge includes procuring and retaining evidence that stands scrutiny in a foreign court. For this global cooperation is solicited.
Even though Act of Information Technology is extensive and well developed but it has not considered many practical aspects. The act in the beginning was applicable to cyber crimes committed from all over the globe but it was not mentioned how this will be achieved in reality. The act does not cover some issues like electronic distribution of personal acts of an individual. Further, the amendments in the IT Act are not fully conducive for the growth of technology in India. The contemporary standards and requirements of society should be considered in enacting the laws. Moreover, its implementation and flaws will be tested in coming times when technology further advances in various areas.

Indian society needs a law that is qualitative and not just quantitative. An act is needed that fulfils the need of the hour and is dedicated and futuristic. Legislation of traditional offences may require this type of effort but cyber crime is vague and abstract in nature, and therefore, additional precautions are required. India needs to remove its traditional cover to counter attack future threats. Thus, a “futuristic aspect of the present law needs to be considered and evaluated in Indian scenario. Present legislation needs evaluation to consider its futuristic aspect. Another aspect to be analyzed is sound enforcement machinery. Cyber offences need to be dealt with by proper enforcement machinery. Cyber
experts need appropriate training. Finally, a good judicial system should be in place, because it is the basis for the preservation of social order. Therefore, the dream of an ‘Ideal cyber security in India’ needs proper amount of resources, money and time.

Thus, it is observed that Jaipur city has seen the rise of cyber crimes in last few years. However, the present legal and judicial system is ineffective to deal with it. Not only this, the society is witnessing the spread of cyber crime through social networking sites. In addition, adolescents have become avid users of various social networking sites. Thus an attempt is made to find out its impact on adolescents of Jaipur city. The foregoing chapter is based on the primary study conducted on Adolescents in Jaipur city and whether it is leading to any deviance on their part through these sites. The chapter also focuses on the commission of cyber crime through these sites.
Notes & References


2. Kurmanth K.V; Financial offences top cyber crimes in India; The Hindu Business Line; July 10,2013

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5. Crime in Rajasthan,2012;State Crime Records Bureau, Rajasthan, Jaipur

6. Virtual reality takes over the real; The Times of India; jaipur; December 1,2012
