



## CYBER CRIMES : SECURITY ISSUES AND LOOP HOLES IN INDIAN INFORMATION TECHNOLOGY ACT 2000

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### **Abstrac**

No words can better describe the present scenario of technology than the following stated by cosmos-the villain in the movie 'SNEAKER':

"The world is not run by the weapons any more , or energy or money . It is run by ones zeroes-little bits of data . It is all electrons. There is a war. It is about who controls the information. What we see and hear, how we work, what we think.[ sneakers MCA/ UNIVERSAL,1992 ]"

The present generation cannot imagine a life without the computers. But this multipurpose uses of computer increased the crime which has been spread throughout the world, the main purpose of this research paper to find out the measures of security issues and capability of our "INFORMATION TECHNOLOGY ACT 2000" .

Are there any loopholes in this act. In a nut shell manner I have tried to find out the problems with the IT ACT 2000. Because some security issues and problems related with cyber crimes have been taken place . some words are introduced now which are not included in cyber law, most of the crimes related with cyber committed now , so for the main purpose of this research paper is find out the security issues and the need of amendments in IT Act 2000 .

**KEY WORDS** : - SMS SPOOFING , CYBER STALKING , PHREAKERS , TROJAN HORSE , CYBER SQUATTING .

### **INTRODUCTION**

The word 'Internet' was coined from the words 'Inter connection and network. Internet is the inter work of hundreds of connecting networks made up of different types of computers all over the world that can share messages and information with each other. Now-a-days use of internet has been increased for different purpose .Which is used with the help of computer which means any electronic magnetic optical or other high speed data processing device or system which performs multifunction. But the rapid expansions of the computer networks and the increasing abilities to access the

opportunity for their misuse for criminal activity .

Illegal work is done through the system , an expert person perform these types of activities which are very harmful to the society and the nation . the internal provides many advantages to the criminals to commit following type of crimes :-

- 1 Crime affecting individuals .
- 2 Crime affecting economy.
- 3 Crime affecting national security.
- 4 Intellectual property rights.

### **Changes Made are**



1 Electronic documents are now accepted as evidence in a court of law.

2 Electronic cheques are now accepted as a valid means of transaction.

3 In section 81 of the IT act 2000 through the negotiable instruments [ Amendments and Miscellaneous Act 2002.

### **Snapshots: India 'S IT ACT 2000**

Loopholes - No clear provision for handling of domain name issues. They are presently not covered, cyber theft, stalking, defamation, harassment etc. It is very vague. It is covered into the civil procedure. There are not any clear provision.

Amendments which are needed :- A clear definitions must be there, criminal procedure must be there to give fast speed for trial, jurisdiction issues, intellectual property rights issues must be covered.

Cyber crime is an illegal activity that is committed by using a computer or the Internet. Cyber crime includes credit card and bank account fraud, software piracy, copyright infringement, stalking and harassment. Malicious software (malware) is often hidden in harmless looking email attachments. Phishing scams are designed to trick Internet users into sharing passwords and other private information. Cyber crime can be committed against people, property and organizations. Diligent monitoring of computer networks is necessary to protect sensitive information.

**Proposed Methodology :** I will use the DOCTRINAL METHODS of research methodology so that I can explore my own ideas and tranquilize the anxiety of curiosity.

### **Conclusion**

There was no statute in India for governing Cyber Laws involving privacy issues, jurisdiction issues, intellectual property rights issues and a number of other legal questions and security issues specially in the case of defamation and security issues.. With the tendency of misusing of technology, there arisen need a strict statutory laws to regulate the criminal activities in the cyber world and to protect the true sense of technology "**INFORMATION TECHNOLOGY ACT, 2000**" [ITACT- 2000] was enacted by Parliament of India to protect the field of e-commerce, e-governance, e-banking as well as penalties and punishments in the field of cyber crimes. The above Act was further amended in the form of **IT Amendment Act, 2008 [ITAA-2008]**.

People must be aware about the crime and effects on the society. People must be aware about the security issued related with cyber space. So that people can make safe themselves from the infringements , hacking, cyber stalking , spoofing etc. cyber crimes must be stopped. On line data must be protected ,Many type of problems are there so the law is not sufficient to stop it but the duty of law towards society is to give protection to the people so far this



phenomenon, the law constitution body must come ahead, there must be a law which can prohibit to the service provider so that the technical loop holes can be designed out to stop or reduce this type of problem.

There must be some rules & Regulations which make the position of service providers precarious. It was criticized by the service provides community on the ground of strict liability. The control of the law is must upon the cyber activities. If difficulties are there which have been experienced by the service provider then there must be some restriction in any transactions to secure the personal data. It can be secured if the law will be able to make the special laws on the security to secure the data so nobody can harm through the cyber activities of computer.

In IT Act 2000, punishments and types of Cyber Crimes are there but there must be some strict law which can stop the infringement in the form of Cyber stalking, hacking, spoofing etc. And if we talk about the punishment so it must be very strict for the all people. It is said that prevention is better then cure so, in this Phenomenon Cyber Crime's existence will not be removed but few steps of security we can adopt to protect the data so that in each & every field we can come ahead to try to solve the problems.

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