

## Chapter-18

### Cyber Crimes

Cyber crimes are a new class of crimes rapidly increasing due to extensive use of Internet and I.T. enabled services.

The Information Technology (IT) Act, 2000, specifies the acts which are punishable. Since the primary objective of this Act is to create an enabling environment for commercial use of I.T., certain omissions and commissions of criminals while using computers have been included in the amended Act in 2008. Several offences having bearing on cyber-arena are also

registered under the appropriate sections of the IPC with the legal recognition of electronic records and the amendments made in several sections of the IPC vide the IT Act, 2000.

The statistics on cyber crimes are collected under the following heads:

- i) Offences registered under the Information Technology Act 2000.
- ii) Offences under the IPC (with use of computers)

**Table 18(A)**  
**Cyber crimes/cases registered and persons arrested under IT Act during 2010 – 2013**

SL. No.	Crime heads	Cases Registered				% Variation in 2013 over 2012	Persons Arrested				% Variation in 2013 over 2012
		2010	2011	2012	2013		2010	2011	2012	2013	
1	Tampering computer source documents	64	94	161	137	-14.9	79	66	104	59	-43.3
2	Hacking with computer system										
	i) Loss/damage to computer resource/utility	346	826	1,440	1,966	36.5	233	487	612	818	33.7
	ii)Hacking	164	157	435	550	26.4	61	65	137	193	40.9
3	Obscene publication/transmission in electronic form	328	496	589	1203	104.2	361	443	497	737	48.3
4	Failure										
	i) Of compliance/orders of certifying authority	2	6	6	13	116.7	5	4	4	3	-25.0
	ii) To assist in decrypting the information intercepted by govt. agency	0	3	3	6	100.0	0	0	3	7	133.3
5	Un-authorized access/attempt to access to protected computer system	3	5	3	27	800.0	6	15	1	17	1600.0
6	Obtaining licence or digital signature certificate by misrepresentation/suppression of fact	9	6	6	12	100.0	4	0	5	14	180.0
7	Publishing false digital signature certificate	2	3	1	4	300.0	2	1	0	8	@
8	Fraud digital signature certificate	3	12	10	71	610.0	4	8	3	51	1600.0
9	Breach of confidentiality/privacy	15	26	46	93	102.2	27	27	22	30	36.4
10	Other	30	157	176	274	55.7	17	68	134	161	20.1
	<b>Total</b>	<b>966</b>	<b>1,791</b>	<b>2,876</b>	<b>4,356</b>	<b>51.5</b>	<b>799</b>	<b>1,184</b>	<b>1,522</b>	<b>2,098</b>	<b>37.8</b>

Note: @ zero value in previous year

## **Cyber crimes – cases of various categories under IT Act, 2000**

A total of 4,356 cases were registered under IT Act during the year 2013 as compared to 2,876 cases during the previous year (2012), thus showing an increase of 51.5% in 2013 over 2012. 15.6% of total such cases (681 out of 4,356 cases) were reported from Maharashtra followed by Andhra Pradesh (635 cases), Karnataka (513 cases), Uttar Pradesh (372 cases) and Kerala (349 cases).

45.1% (1,966 cases) of the total 4,356 cases registered under IT Act 2000 were related to Loss/damage to computer resource/utility reported under hacking with computer systems. 818 persons were arrested for committing such offences during 2013. There were 1,203 cases of obscene publications/transmission in electronic form during the year 2013 wherein 737 persons were arrested. Out of 2,516 hacking cases, the cases relating to loss / damage of computer resource/utility under sec. 66(1) of the IT Act were reported as 78.1% (1,966 cases) whereas the cases related to hacking under section 66(2) of IT Act were 20.7% (550 cases). Andhra Pradesh (330) Karnataka (247), Maharashtra (246) and Madhya Pradesh (226) registered maximum cases under sec. 66(1) of the IT Act out of total 1,966 such cases at the national level. Out of the total 550 cases relating to hacking under Sec. 66(2), most of the cases (182 cases) were reported from Karnataka followed by Uttar Pradesh (71 cases) and Kerala (56 cases).

20.3% of the 2,098 persons arrested in cases relating to IT Act, 2000 were from Maharashtra (426 persons) followed by Andhra Pradesh (296 persons). The age-wise profile of persons arrested in Cyber Crime cases under IT Act, 2000 showed that 56.7% of the offenders were in the age group 18 – 30 years (1,190 out of 2,098 persons) and 34.4% of the offenders were in the age group 30 - 45 years (722 out of 2,098 persons). Maharashtra, Kerala, Andhra Pradesh, Punjab, Madhya Pradesh and Rajasthan, Haryana and Tripura reported 17, 9, 9, 4, 2, 2, 1 and 1 respectively of juvenile offenders (below 18 years) apprehended during 2013. Further details on the State/UT-wise and age-group wise profiles may be seen in **Table -18.2**.

Crime head-wise and age-group wise profile of the offenders arrested under IT Act, 2000 (**Table 18.5**) reveals that 39.0% (818 out of 2,098 persons) of the offenders arrested for 'loss/damage to computer resource/utility under hacking with computer systems' of which 55.5% (454 out of 818 persons) were in the age-group 18 –30 years. 62.0% (457 out of 737 persons) of the total persons arrested for 'obscene publication/transmission in electronic form' were in the age-group of 18 - 30 years.

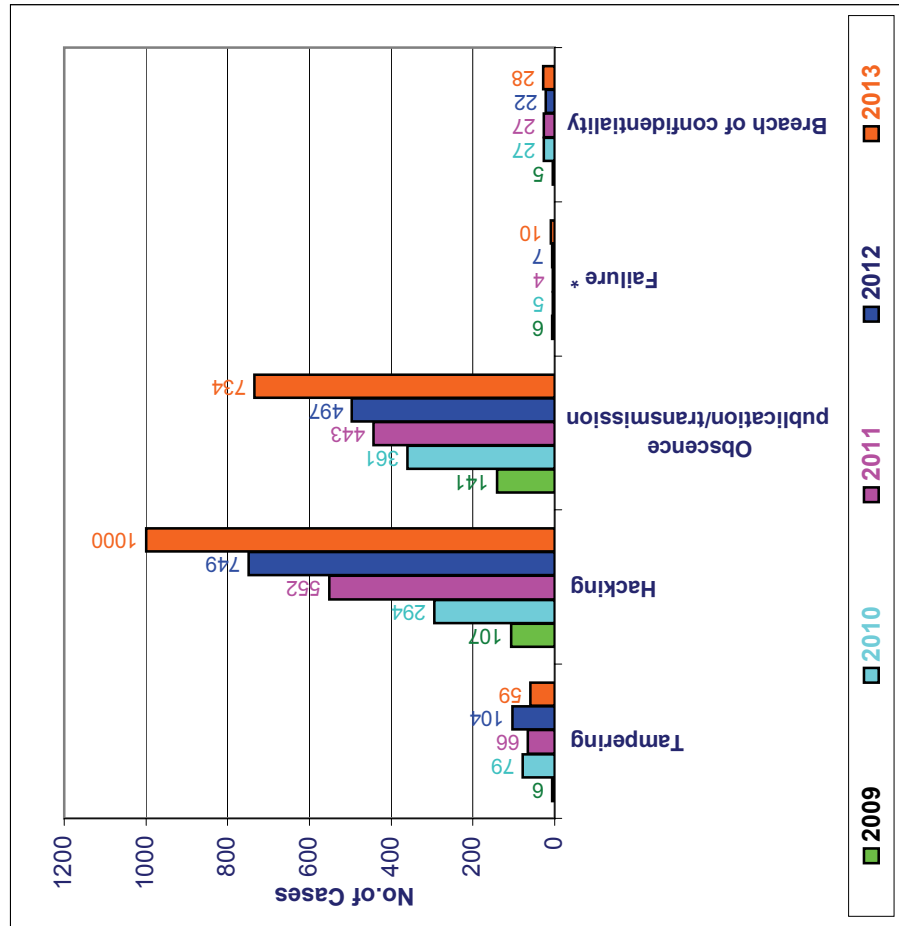
## **Incidences of cyber crimes registered under IPC**

Information on the cases registered under various sections of IPC which were considered as cyber crimes at all-India level is presented in **Table – 18(B)**.

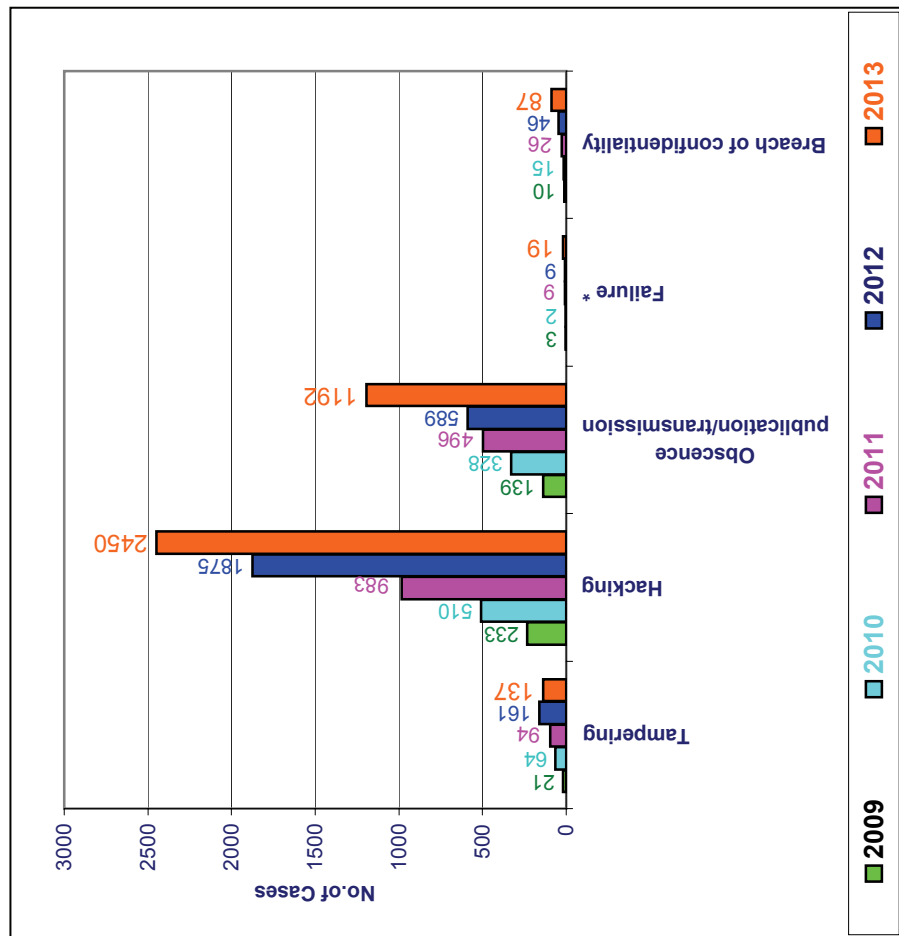
# Cyber crimes / cases registered and persons arrested under IT Act during 2009-2013

Figure 18.1

Persons Arrested



Cases Registered

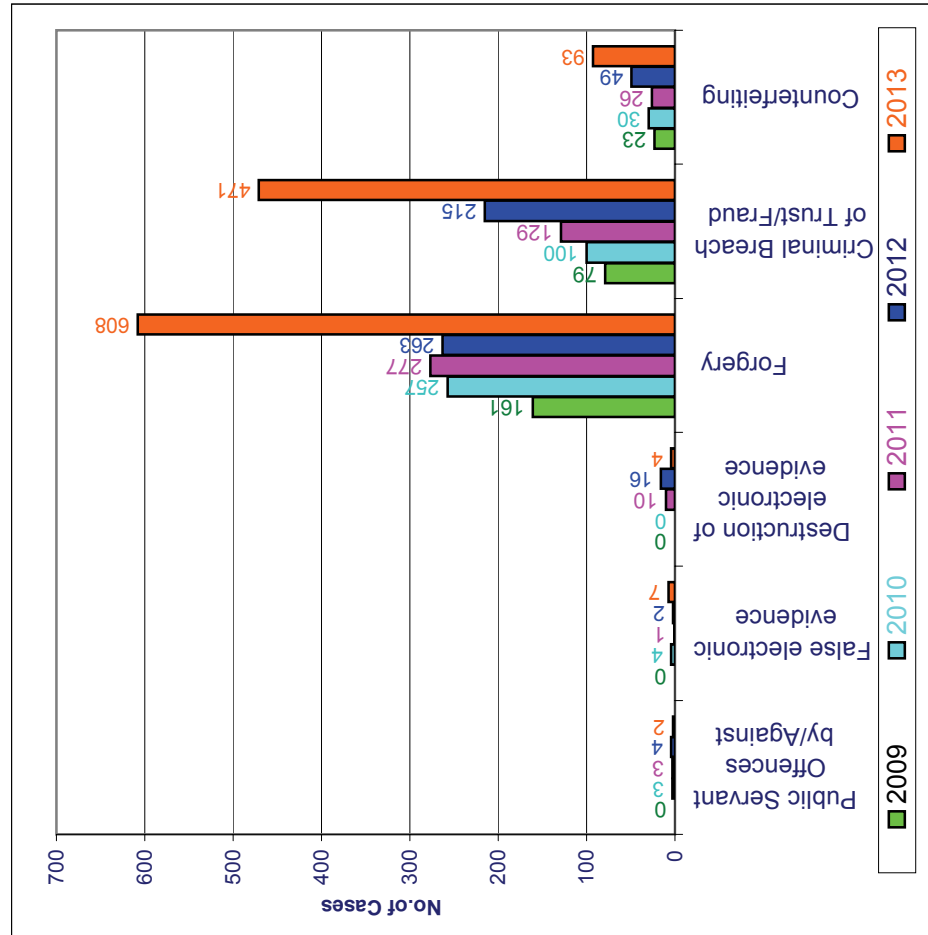


\* Failure includes the data (i) Of Compliance/Orders of certifying Authority (ii) To assist in decrypting the information by Govt. Agency

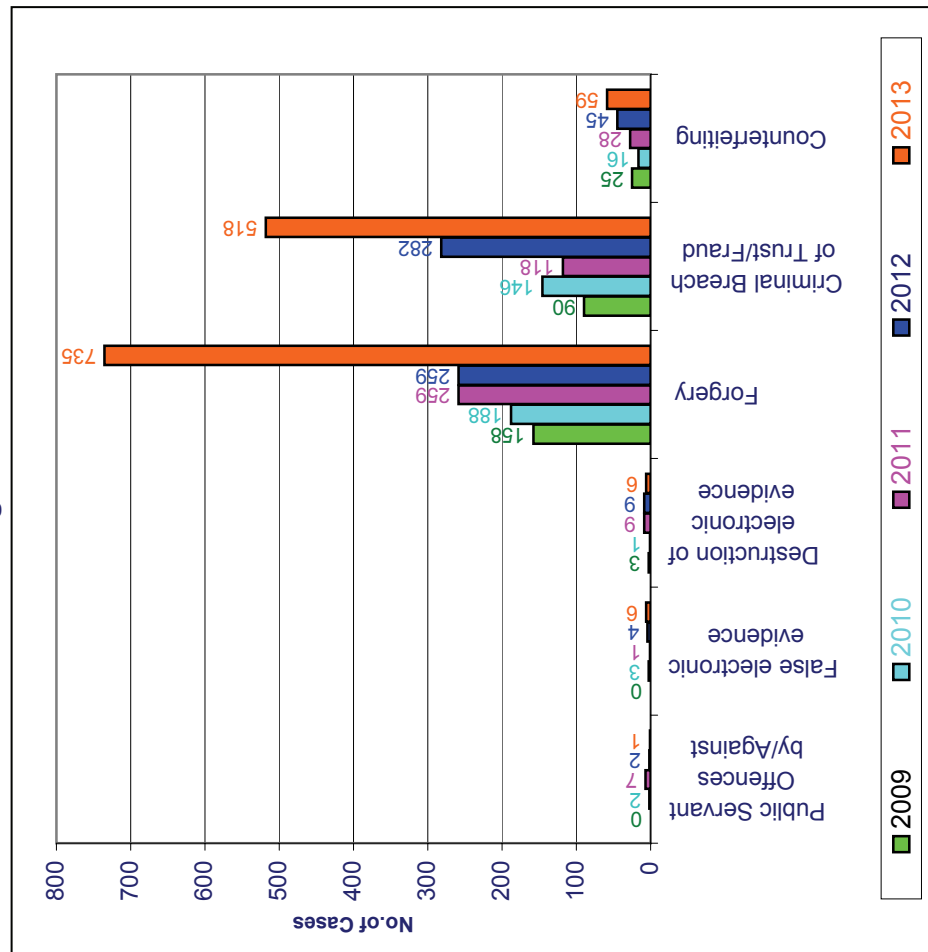
**Figure 18.2**

**Cyber crimes / cases registered and persons arrested under IPC during 2009 - 2013**

**Persons Arrested**



**Cases Registered**



**Table-18 (B)**  
**Cyber crimes/cases registered and persons arrested under IPC during 2010-2013**

Sl. No.	Crime heads	Cases Registered				% Variation in 2013 over 2012	Persons Arrested				% Variation in 2013 over 2012
		2010	2011	2012	2013		2010	2011	2012	2013	
1	Offences by/against public servant	2	7	2	1	-50.0	3	3	4	2	-50.0
2	False electronic evidence	3	1	4	6	50.0	4	1	2	7	250.0
3	Destruction of electronic evidence	1	9	9	6	-33.3	0	10	16	4	-75.0
4	Forgery	188	259	259	747	188.4	257	277	263	626	138.0
5	Criminal breach of trust/fraud	146	118	282	518	83.7	100	129	215	471	119.1
6	Counterfeiting										
	i) Property Mark	1	6	21	10	-52.4	2	8	13	34	161.5
	ii) Tampering	8	5	19	8	-57.9	12	7	26	10	-61.5
	iii) Currency/stamps	7	17	5	41	720.0	16	11	10	49	390.0
7	<b>Total</b>	<b>356</b>	<b>422</b>	<b>601</b>	<b>1,337</b>	<b>122.5</b>	<b>394</b>	<b>446</b>	<b>549</b>	<b>1,203</b>	<b>119.1</b>

### Cyber crimes – cases of various categories under IPC Section

A total of 1,337 cases were registered under various sections of IPC during the year 2013 as compared to 601 such cases during 2012, thus showing an increase of 122.5%. Uttar Pradesh reported maximum number of such cases (310 out of 1,337 cases i.e. 23.2%) followed by Maharashtra 16.9% (226 cases), Haryana 15.8% (211 cases) and West Bengal 9.9% (132 cases). Majority of the crimes, out of total 1,337 cases registered under IPC, fall under 2 categories viz. forgery (747 cases) and criminal breach of trust or fraud (518 cases). Although such offences fall under the traditional IPC crimes, these cases had the cyber overtones wherein computer, Internet or its enabled services were present in the crime and hence they were categorised as cyber crimes under IPC. Cyber forgery (747 cases) accounted for 0.70% out of the 1,07,330 cases reported under cheating. Cyber frauds (518 cases) accounted for 2.6% of the total

criminal breach of trust cases under IPC (19,627 cases).

The crime head and State / UT-wise analysis of cyber crimes under IPC are presented in **Table 18.7**. Cyber forgery cases were the highest in Uttar Pradesh (219 cases) followed by Maharashtra (215 cases), Haryana (81 cases), Bihar (44 Cases) and Odisha (34 Cases). The cases of cyber fraud were highest in Haryana (122 cases) followed by West Bengal (96 cases), Uttar Pradesh (89 cases), Bihar (72 cases) and Madhya Pradesh (41 cases).

A total of 1,203 persons were arrested in the country for cyber crimes under IPC during 2013. 52.0% (626 persons) of these offenders were arrested for offences under 'cyber forgery', 39.2% (471 persons) for 'criminal breach of trust/fraud' (**Table 18.4**).

The States such as Uttar Pradesh with 319 arrests followed by Bihar (207), Maharashtra (177), West Bengal (151) and Haryana (136) have reported higher arrests for cyber crimes registered under IPC. The age group-wise profile of the arrested persons under this category showed that 50.1% (603 out of 1,203 persons) were in the age-group of 30-45 years and 37.2% (448 out of 1,203 persons) of the offenders were in the age-group of 18 - 30 years. Further details on the State/UT-wise and age group-wise profile of the Offenders are presented in **Table-18.3**.

Crime head-wise and age-wise profile of the offenders arrested under cyber crimes (IPC) (**Table 18.5**) for the year 2013 reveals that offenders involved in forgery cases were more (48.7%) in the age-group of 30-45 (305 out of 626 persons). 55.2% of the persons arrested under criminal breach of trust / cyber fraud offences were in the age group 30-45 years (260 out of 471 persons).

### **Incidence of cyber crimes in cities**

22 out of 53 mega cities did not report any case of cyber crime under IPC sections during the year 2013.

53 mega cities have reported 1,948 cases under IT Act and 396 cases under various sections of IPC. There was an increase of 39.5% (from 1,396 cases in 2012 to 1,948 cases in 2013) in total cases reported under IT Act. An increase of 112.9% (from 186 cases in 2012 to 396 cases in 2013) in cases registered under various sections of IPC (**Table 18.1**).

Bengaluru (399),

Vishakhapatnam (173), Hyderabad (159), Delhi (City) (131), Jaipur (110) and Pune (97) have together reported high incidence of cases (1,069 out of 1,948 cases) registered under IT Act, accounting for more than half (54.9%) of the total cases reported under the IT Act. Mumbai has reported the highest incidence (92 out of 396 cases) of total cases reported under various sections of IPC accounting for 23.2% of total cases reported in the country followed by Lucknow (72 cases i.e. 18.2%).)

### **Motives and Suspects**

In majority of cases, motives reported under cyber crimes with 21.8% (1,240 out of 5,693 cases) was registered under fraud/ illegal gain followed by eve-teasing/ sexual-harassment with 19.6% (1,116 cases) and greed/ money with 14.4% (821 cases).

Similarly in most of cases of cyber crime, suspects were 'neighbours / friends & relatives' with 13.2% of total such incidents (749 out of 5,693 persons) followed by cracker/ student/ professional learners with 7.4% (420 cases).

State/UT wise details on motives and suspects of cyber crime are presented in **Table 18.8**.

ଝରଝରଝର