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**A STUDY CRIME AGAINST WOMEN AND CHILDREN'S IN INDIA.**

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**Abstract**

*India is a large and diversified country that confronts many difficulties, including major societal problems like crimes against women and children. The occurrence, trends, and effects of these crimes—which include child labor, human trafficking, sexual assault, domestic abuse, and child labor—are examined in this study. The study used a mixed-methods approach, integrating qualitative insights from case studies and interviews with quantitative data from national crime statistics and surveys. The research is to examine the efficacy of the present institutional and legal frameworks, identify the socioeconomic and cultural elements influencing these crimes, and make recommendations for changes to policy. India's human rights duties and socioeconomic progress depend on addressing crimes against women and children. The ultimate goal of this study is to promote a safer and more inclusive society by helping to develop policies and treatments that effectively improve the safety and well-being of these vulnerable populations.*

**Introduction**

There are a lot of problems that India, a country that is both varied and populous, has to deal with, including important societal problems like crimes committed against women and children. Domestic violence, sexual assault, human trafficking, child abuse, and child labor are all examples of the kind of violent acts that fall under this category of criminal offenses. In addition to having an immediate impact on the victims, the occurrence and impact of these crimes have far-reaching implications that affect not only the victims themselves but also society as a whole. There are a number of reasons why it is essential to do research on crimes committed against women and children in India. In the first place, it provides a more accurate depiction of the existing circumstance by illuminating the gravity and scope of these problems. Second, it examines the underlying causes and contributing elements, such as socio-economic situations, cultural norms, and systemic deficiencies. These are all examples of factors that are identified. In the third place, it assesses the efficiency of the laws, regulations, and interventions that are currently in place with the intention of preventing and resolving these crimes.

## CONCEPT AND CLASSIFICATION OF CYBER CRIME

The introduction of information and communications technology has made it possible for people to communicate in a more sophisticated and expedient manner. It is now possible for us to do business with greater ease, speed, convenience, and expediency thanks to this cutting-edge information and communication technology (ICT) that has replaced the traditional methods of communication. The manner in which trade and commerce are conducted has been enhanced, and it has propelled trade and commerce to new heights of growth and development along the path. ICT has made it simpler for individuals to connect with one another; but, it has also resulted in an increase in the number of crimes that are committed using ICT. These crimes are referred to as "Cyber Crimes," and they have led to an expansion of the size and scope of Cyber Law. Concerns have been raised over the legal protection and consequences for the use of information and communication technology (ICT) for illegal purposes. This is because to the growing number of instances, techniques, and modes that are utilized to commit such occasional crimes through the utilization of computers. In this field of law, there are two basic goals: one of them is to encourage the use of information and communication technology (ICT), and the other is to prohibit the use of ICT in a manner that is illegal and unapproved.

Communities have been able to construct and grow their communication networks as a consequence of the technical advancements that have taken place in recent years. These advancements have made it possible for communities to network more quickly and easily, as well as facilitating the flow of information. ICT, which stands for information and communications technology, has, in a nutshell, provided society with an excellent platform that has enabled it to make tremendous leaps and bounds in terms of progress. In today's society, technology has become an indispensable component of our day-to-day lives, and it has almost completely been interwoven in the activities that we engage in on a daily basis. As the use of technology continues to grow into practically every element of human existence, there is almost no room left for us to even consider the possibility of living a life that does not profit from the advantages that technology provides. We are fortunate that India is also making development in the field of information and communications technology (ICT), and this growth is occurring at a rate that is assisting in preventing the country from becoming stagnant. More over one billion people were using the internet in India as of June 2016, making it the country with the second-highest number of internet users in the world, behind only China. The percentage of the overall population in India that has access to the internet is presently 36.5%, and this percentage has increased dramatically over the course of the last ten years. Information technology has unquestionably had a big influence on the world. When it comes to keeping up with each other's progress, society and technology are collaborating to achieve this goal. In tandem with the progression of the globe, the emergence of new technologies is becoming more common, which in turn drives societal advancement. The growth of information and communication technologies has already had an effect on a variety of domains, including education, health, entertainment, and communication, to name just a few. Every good thing comes with a price, and the world of information and communications technology is not an exception to this rule. Nevertheless, it has also resulted in a number of positive and negative possibilities and challenges.

As a consequence of this, a broad variety of significant issues have surfaced, such as worries around the invasion of privacy and the overarching cultural influence, a greater reliance on technology, the boycott of societal participation, and so on. In this day and age of information and communication technology, there is a growing amount of cyber crimes being perpetrated all over the world. As a consequence of the fast improvements in information and communications technology (ICT) and the growing frequency with which individuals utilize the internet for a variety of reasons, a number of illegal activities that are classified as cyber crimes have also emerged. The word "cybercrime" refers to a type of criminal activity that is carried out by technocrats who make use of technology as a tool. "With increasing mobile and internet usage in the country, cyber crimes have also increased proportionately," according to data<sup>5</sup> that was released not too long ago. In the United States, there were more than 32,000 instances of cybercrime that were recorded between the years 2011 and 2015. Every other instance falls under the various sections of the Indian Penal Code and other State Level Legislations (SLL), with over 24000 cases being filed under the Information Technology Act. In 2014, a total of 7,201 cases were reported under the IT Act, which is a 65.3 percent increase from the 4,356 cases that were registered in the previous year (2013). Computer-related offenses accounted for 77% of all 7,201 cases under the Information Technology Act, followed by 10.5 percent (758 occurrences out of 7,201 cases) connected to the publishing or transfer of pornographic or sexually explicit content (under sections 67A, 67B, and 67C of the laws governing the information technology act). There is the potential for a cybercrime to be tied to computer-related networks that entail the utilization of computers, networks, and other electronic devices. When crimes of this nature are committed, the safety of individuals, networks, organizations, or even a whole nation may be put in jeopardy and threatened. There are unethical methods that hackers use to obtain sensitive data, and then they use this information and data for objectives that are not legitimate. High-functioning scams are known as cybercrimes, and they have the potential to wipe out significant financial transactions that take place online and move the full amount into criminal accounts. Computers, other hardware devices, and networks are all examples of digital equipment that may be used as tools or targets in cybercrime. It is possible to describe it as an illegal conduct that is carried out with the intention of causing harm to another person. This is one of the most difficult problems that might arise in the realm of cyberspace. It is a common misconception that cybercrime pertains to the act of harassing them and taking their money.

However, it is not the situation at all. Frauds involving credit cards, voice phishing, the propagation of viruses, cyberstalking, child pornography, forgeries, illegal access, and other forms of online criminal activity are all examples of cybercrimes. Internet-based criminal activity is a rapidly expanding sector of the criminal justice system. By virtue of the progress that has been made in technology, we are becoming increasingly dependent on the internet. In order to participate in a wide variety of activities, such as social networking, gaming, transactions, e-commerce, online studies, shopping, and job searching, among others is essential. The first instance was documented in the year 1820. A minimum of four thousand lawsuits have reportedly been filed in Malaysia over the course of the past several years, according to reports. All of these instances include fraudulent activity, malicious software, the loss of files, threats of hacking, and denial of service. The government identifies piracy,

cracking, and cyber-terrorism as three of the most significant areas of criminal activity. The prevalence of these kinds of cybercrimes is only going to continue to rise as the number of individuals who use computers continues to rise. The similar situation is being experienced by a great number of other countries.

According to a statistic, China alone has close to 300 million people who use the internet. Computers are essential to criminal activity because of their global networked nature. These criminals are both individual hackers and organized hacking groups. In most cases, they are involved for two different reasons. The first reason is that they want to demonstrate that they are really good at breaking into computer software. The second factor is associated with financial considerations. They mostly target large corporations, organizations, or financial institutions. The rate at which data is being circulated has grown as a direct result of the increase in the speed of the internet infrastructure. Regarding the protection of all of the organizations, the steps that are taken for the purpose of investigating, controlling, and preventing these unlawful acts are of utmost importance. The government of our country needs to acquire highly competent knowledge in the field of cybercrime. The regulation of this serious matter will be aided by doing so. The term "cyber crime" is defined by the Encyclopedia Britannica as any criminal act that is carried out via the utilization of specialized knowledge or the expert application of computer technology. Online resources such as Oxford Reference Online and the United Nations Manual on the Prevention and Control of Computer Crime both include a list of cyber crimes that are perpetrated via the internet. Criminal activity that involves the use of computers as either a tool, a target, or both a target and a tool at the same time is referred to as cyber crime. This definition is straightforward and easy to understand. The laws of the Indian Penal Code apply to cyber crimes, which include traditional criminal activities such as theft, fraud, forgery, defamation, and mischief. Cyber crimes are also subject to the provisions of the Indian Penal Code. Abuse of computers has resulted in the emergence of a broad variety of new age offenses, and the Information Technology Act of 2000 handles all of these offenses in a single comprehensive package. Examples of such attacks include hacking, attacks using viruses or worms, denial-of-service attacks, and so on.

Cybercrime is a term that refers to any illegal activity that involves the use of a computer, a computer network, or a device that is connected to a network. On the other hand, not all of the money that may be generated in cybercrime is carried out by criminals or hackers. Cybercrime is a lucrative business. It is possible for individuals or organizations to be responsible for committing cybercrime. There are instances in which organized cybercriminals make use of technologically advanced hacking techniques in addition to inventive methods. There are some who are just starting to hack. The goal of cybercrime is almost never to cause damage to computers for purposes other than gain. This might be due to a private or political issue that has been brought to light.

### **Infrastructure and services:**

The Internet is one of the sectors in the realm of technological infrastructure development that is expanding at the quickest rate.<sup>1</sup> At this point in time, information and communication technologies (ICTs) are everywhere, and the trend toward digitalization is only going to

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continue to expand. As a result of the growing need for Internet and computer connectivity, computer technology has been incorporated into things that would have normally been able to function without it. These products include automobiles and buildings.<sup>2</sup> The utilization of information and communication technologies is essential to almost all modern services, including electrical supply, transportation infrastructure, military services, and logistics. Although the development of new technologies is mostly focused on satisfying the wants of consumers in western nations, developing countries as well have the potential to gain from the introduction of new technology.<sup>3</sup> The availability of long-distance wireless communication technologies such as WiMAX<sup>5</sup> and computer systems that are currently accessible for less than USD 2006 should make it simpler for a significant number of individuals living in poor nations to have access to the Internet and the products and services that are associated with it.<sup>4</sup> The impact of information and communications technologies on society extends well beyond the fundamental infrastructure of information. A basis for progress in the production, availability, and utilization of network-based services is the availability of information and communication technologies (ICTs). Traditional letters have been replaced by electronic mail; online web representation is now more significant for businesses than printed publicity materials; and the growth of Internet-based communication and phone services is outpacing the growth of landline communications.<sup>5</sup> A variety of benefits are made available to society as a whole by the availability of information and communication technologies (ICTs) and new network-based services, particularly for developing nations. The applications of information and communications technology (ICT), which include e-government, e-commerce, e-education, e-health, and e-environment, are considered to be facilitators for development because they offer an effective channel to supply a broad variety of fundamental services in rural and distant locations. Applications of information and communications technology have the potential to make it easier to accomplish Millennium Development Goals, which include alleviating poverty and enhancing the health and environmental circumstances of developing nations.

## **CYBERCRIME AGAINST WOMEN**

Throughout the course of many centuries, women have been subjected to a wide variety of types of harassment. Domestic violence, Sathi Pratha, rape, eve-teasing, and sexual harassment are some of the kinds of violence against women that are included in this category. Other forms of violence against women include dowry-related deaths and kidnappings. As a result of the murder of a paramedical student, who was 23 years old and had been gang-raped by a group of men in New Delhi in December, huge protests against violence against women broke out across the country for the very first time in the history of India. The United Nations defines violence against women as "any act of gender-based violence which results in, or is likely to result in... physical, sexual, and mental harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life." According to Swapna Majumdar, violence against women is not specific to any particular culture or region; rather, it is a problem that affects people of all social classes and communities. Despite the fact that this is a stunning reality, it is nevertheless a fact that violence against women has become a normal part of life. This is due to the fact that women tolerate violence as a part of their marital life

until it becomes intolerable. Honoring the contributions that women have made to society as well as the economics, politics, and culture of the world is the purpose of International Women's Day, which is celebrated annually on March 8th. However, even in India, where women are adored as goddesses (for example, Devi, Kanya, and Mata), the reality is considerably more bleak and sad than what is often believed. Despite the fact that women are held in high regard in religious contexts, in everyday life they are subjected to a broad variety of various forms of abuse, including those that are sexual, emotional, and physical in character. India is now considered to be one of the worst places in the world for the exploitation of women as a consequence of this. Recent events in Delhi, such as an all-girls Delhi bus gang-rape, domestic violence including molestation and kidnapping, dowry harassment and dowry death, honor killings, and cyber violence, reveal just how difficult life is for women in Indian democracy. India is the largest democracy on Earth, and it takes pride in its achievements. However, recent events in Delhi have illustrated how difficult life is for women in Indian democracy. Some of the allusions to equality for all that were included in the preamble were the following: "to secure to all its citizens, social and economic and political justice, liberty of thoughts and expressions; equality of status and opportunity; fraternity assuring the dignity of the individual and the unity of the nation." Despite all of these attempts, women continue to be denied the same rights as males (Pachauri 2010:1). As a result of the occurrence of each new type of violence against women, the situation is becoming increasingly dire. The focus of this study is on cyber violence, which is a new kind of violence against women that has evolved as a result of technological advancements brought about by the internet. It is claimed that the number of incidents of women being mistreated online is growing throughout India. There are a lot of examples of this happening. A new type of violence against women has emerged as a result of the proliferation of the Internet and information technology: cyber violence. males are more likely to be targeted in cyberspace than women, and women are more likely to receive disturbing emails from males they do not know. Women are more likely to be targeted than men. Blackmailing and uploading images of women on internet sites that become viral are frequent tactics that their ex-partners use to harass and exploit women who have given their passwords and accounts with their husbands or boyfriends if they don't mind to do so. Blackmailing is another prevalent approach. the growth in the number of people who have been victimized online in India is partially attributable to a lack of understanding on the hazards of impersonation, emotional cheating, and victimization through cloned online profiles.

75 percent of the victims are believed to be female, but this is purely an assumption. Most crimes of this type go unreported because they don't pose a direct threat and aren't clearly defined or properly implemented (Jaishankar and Sankary).

While it is essential to investigate the issue of cybercrime committed against women in India, it is of the utmost importance that those who harass women online be brought to justice. The majority of this work is devoted to discussing cyber violence against women, and it provides some examples of victims of cyber violence through the use of examples. The experiences that Indian women have had while using the internet are discussed in this article. Both the phenomenon of cyber victimization against women and the elements that contribute to it are investigated in this study. Despite the fact that it is hard to eradicate all forms of cybercrime,

the article offers some suggestions for reducing the amount of cybercrime committed against women. The proliferation of social networking sites has led to the development of unanticipated modes of communication and the dissemination of information. The method in which individuals communicate has been completely transformed by the Internet. To put it another way, the internet has made our globe into a community that is interconnected with one another. The number of people who regularly use social networking sites is estimated to be in the millions all over the world. Within the realm of cyberspace, which is a virtual reality in and of itself, it is possible for anybody to conceal or counterfeit their identity. Anyone, regardless of gender, can utilize a social networking site for a variety of purposes, including having fun, making connections with other people, and even gaining new knowledge. Within the context of the current development landscape, the internet has provided the majority of women with new opportunities. They are connected through a variety of websites. They are connected to activities such as online shopping, online banking, online mail, online tickets, and other social networking sites, which have made their lives simpler and more enjoyable. The availability of the Internet is a gift for women in the current day; nevertheless, on the other hand, it has made the lives of women more susceptible to danger as a result of the growing incidence of cybercrime in the digital realm.

### **LEGAL DEFINITION OF A CHILD**

According to Article 1 of the Convention on the Rights of the Child, which was adopted in 1989, "child" refers to any individual who is less than eighteen years old, regardless of whether or whether the bulk of the child's responsibilities are completed earlier in accordance with the legislation that applies to the child itself. Therefore, according to international law, those who are less than eighteen years old are considered to be children.

#### ***Different definitions of 'child' and 'minor', according to distinctive Indian laws abide by:***

A child is defined as an individual who is less than fourteen years old, according to Section 2(ii) of the Child Labour (Protection and Regulation) Actii, which was passed in 1986. The purpose of this Act is to prohibit the employment of children in labor-intensive jobs. As a consequence of this, this Act includes protections for children who are less than fourteen years old. As stated in subsection (c) of section 2 of the Plantations Labour Act of 1951, the term "child" refers to a person who is less than fifteen years of age. The purpose of this Act is to ensure the health and safety of the individuals who are involved in the plantation and its operations. A additional classification of juvenile minors is provided by Section 24 of the Act, which states that no kid less than twelve years old shall be forced or authorized to labor in any plantation. The employment of a "child" in the plantation job between the hours of six in the morning and seven in the evening is prohibited under Section 25. According to the Prohibitions of Child Marriage Act of 2006, the definition of a child is as follows: "child implies as an individual who, if a male, has not accomplished twenty-one years of age, and if a female, has not accomplished eighteen years of age." The major objective of this Act is to prevent weddings between minors, and Section 3 of the Act makes it possible for a person who was a child at the time of the marriage to choose to have the marriage declared invalid. According to the Juvenile Justice Act, a child is defined as an individual who has not yet reached the age of eighteen but is still considered a child. The Juvenile Justice Act includes

measures that are designed to ensure the well-being of juveniles and to accommodate their evolving wishes. In accordance with this legislation, a person who is less than eighteen years of age is considered to be a kid, and as a result, it is relevant to them. It is stated in the POSCO Act that "child implies any individual under the age of eighteen years." This is stated in Section 2(d). The primary objective of this Act is to protect minors from being subjected to sexual crimes and harassment. Each legislation is formulated with a variety of objectives, and as a result, in order to provide an explanation for the reason behind the establishment of these laws, the term "child" has been characterized in a particular manner. On the other hand, the many meanings of "child" in Indian law contribute to confusion and disarray, which is why it is of the utmost importance to provide a single term that is consistent throughout all of India's legal systems. There has been a widespread recognition of children and childhood all across the world in terms of a "golden age," which is synonymous with feelings of guiltlessness, privilege, contentment, joy, and other similar emotions. It is the period when one rarely feels responsible for any kind of authority or responsibilities, and it is the time when one is able to get by without the conscientiousness of adult life. On the other hand, it is a fact that children are helpless, particularly when they are in the juvenile or adolescent years of their lives. Due to the fact that children are defenseless, it is imperative that they get care and protection from the terrible elements of the outside world and the surrounding environment. As a result of this, the adult-child relationship, and guardians in particular, are considered to be accountable for "supervision and conservation," which means that they are responsible for serving the "eventual benefits of the child" and satisfying their "needs of existence and advancement" on a daily basis.

## **STATUS OF CHILDREN RIGHTS IN INDIA**

There are 472 million children in India who are less than 18 years old, which accounts for 39% of the total population of the nation. An astoundingly high percentage, 29% of that total is comprised of youngsters who are between the ages of 0 and 6 years old. In addition, seventy-three percent of children in India are living in rural areas, where they have limited access to basic necessities such as food, safety, education, and access to human services. Negative concealments regarding children's access to major rights are frequently brought about as a result of the considerable number of youngsters who reside in rural regions. One of the factors that has contributed to the advancement of children's rights in India is the Indian Commission for the Protection of Children's Rights, which was established in 2005 and revised in 2006. In a noticeable manner, eliminating child labor, protecting children and young people, and protecting children. It is abundantly clear that the advancement of children's rights is a vital administrative requirement in India, as it is cherished inside the constitution and protected by the legislation. In spite of this, children in India continue to have difficulty realizing these rights, particularly those that are associated with limited access to school, restricted employment opportunities, and child marriage and marriage. In light of the fact that children constitute 39% of India's total population of 1.30 billion, it is of the utmost importance that the objectives of these children be accomplished.

## **SPEAKING THE RIGHTS OF CHILDREN**

### **The right to an identity**

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It is necessary for children to be given a name, to be legally enrolled with the government, and to have a nationality in order to have a presence inside of a country. As an additional point of interest, people should be able to access their identification as a public record. This guarantees access to social groups as well as assistance from the national government.

### **The right to health**

In accordance with the right to health, clinical thought, sustenance, protection from hazardous substances (including drugs), and safe working environments are guaranteed. Additionally, articles 23 and 24 recognize the right to special consideration and support for children who have exceptional requirements, as well as the right to quality medical services (including checking drinking water, food, and a safe environment) on their own.

### **The right to education**

In order to assist youngsters in developing their discipline and significant capacities while also locating a safe and wonderful atmosphere that may support a child's mental development, it is essential that children have the right to get free education. Freedom from viciousness, despondency, or degradation is included in this concept.

### **The right to a family life**

If the children are not cared for by their family, then the guardians are the ones who have the responsibility of looking after them. Children should continue to reside with their parents until it becomes detrimental to their well-being. For the purpose of "family reunification," for example, it is essential to get permission for members of the family who are now residing in other countries to travel together in order to restore contact with one another. Individuals who are under the care of a guardian or family should be provided with seclusion to protect them from being subjected to ambushes on their way of life and personal history. Children who are not able to participate in family life are entitled to special treatment and must be treated appropriately by adults who take into account their specific ethnic group, religion, culture, and language. A youngster who has committed a crime has the right to get particular assurance and assistance. When minors engage in inappropriate activity, they have the right to seek legal guidance through a component of the juvenile justice system, with the purpose of ensuring that processes are carried out in a timely and ethical manner.

### **The right to an opinion**

Every youngster should be given the opportunity to express their thoughts without fear of being ridiculed or discriminated against. When it comes to situations in which adults are essentially making decisions for children, the children are permitted to have their opinions considered via the process of decision-making. Despite the fact that the opinions of children might not be based on facts, it is still an important source of observation for parents, and it is something that should be taken into consideration. However, this is dependent on the child's age as well as their level of development. It is OK for children to express themselves freely, provided that they do not misuse the knowledge and ideas that they possess.

## **The right to be protected from exploitation**

In light of the fact that exploitation is typically accomplished by cruel means, providing children with protection against brutality is essential in order to free them from exploitation. This extends to other forms of abuse, such as negligence and roughness on the part of parents, regardless of whether or not it is considered to be a legitimate method of enforcing discipline inside the house. In addition, it is not permissible to force youngsters to labor in settings that are dangerous or difficult. Children are able to participate in job activities that are safe and do not require them to sacrifice their health or their access to educational or recreational opportunities. Sexual exploitation, which is another form of exploitation, is also unlawful since it is considered an interest that exploits the individuals involved. Those who have triumphed over neglect, exploitation, and abuse are entitled to receive extraordinary assistance in order to facilitate their rehabilitation and reintegration into society. In the same vein, children cannot be subjected to harsh punishments, regardless of whether or not the punishment falls under the jurisdiction of the legal system. It is not permissible to use the death penalty or life sentences with adult captives.

## **Conclusion**

Taking action to address crimes committed against women and children is not only an issue of justice and human rights, but it is also a necessary for the socio-economic development of India. It is necessary to take a multi-pronged strategy that includes interventions in the areas of law, society, the economy, and education in order to guarantee the safety and well-being of these especially vulnerable populations. With the implementation of the presented recommendations, India has the potential to make considerable progress toward the creation of a society that is safer and more inclusive, one in which women and children are able to flourish without the fear of being exploited or subjected to violence. The purpose of this study is to provide a contribution to the continuing efforts and discourse, with the goal of advocating for comprehensive and ongoing action to eliminate crimes committed against women and children in India. With the help of this study, the complicated problem of crimes committed against women and children in India has been investigated, and its prevalence, patterns, and consequences have been brought to light. Over the course of an exhaustive investigation that included both quantitative data and qualitative insights, a number of significant discoveries have been developed.

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