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**CYBER HARASSMENT: A MODERN FORM OF VIOLENCE
AGAINST WOMEN**- Sanjana Saha¹**ABSTRACT**

Women have been a victim of various types of crimes for a long time. While instances of sexual harassment are already on the rise each day, today they have to face a new menace in the form of cyber harassment. The digital world is fast becoming a space where the privacy and safety of individuals especially women is being violated now and then. Currently, cybercrimes against women are on the rise in the entire world more so after the pandemic situation where some perverted beings have found entertainment in causing harassment to another person from behind the computer screen. The need of the hour is thus, to bring out the true evil of technology through the lens of cyber harassment meted out towards women, its types and how it impacts the growth of an individual. This article thus aims to discuss all of the above-mentioned factors while also emphasizing how such violence contributes to the backlog in women's development.

INTRODUCTION

One of the biggest boons of modernization is the advent and advancement of technology. In this context, we cannot deny the fact that the internet has been the best discovery to date. Today it is an integral part of our lifestyle without which we cannot even imagine our lives. However just like there are good and bad to everything, even the internet has its regressive sides. On one hand, it has allowed us to get instant access to information, share the same with others and get connected with people living in different corners of the world. Similarly, on the other hand, it has left enough scope for some people to use it negatively one of which is online abuse or cyber harassment. With the existence of various social media platforms like Facebook, Twitter, Instagram, and the like, where the lives of people are pretty much like an

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open book, it has now become much easier to get access to their personal space and exploit the same to either harass or intimidate them.

Today cyber harassment is considered an evil, that has affected people belonging to every section of the society irrespective of whichever corner of the world they reside in. The three-fold increase in the use of the internet has significantly contributed to this ever-growing phenomenon. Although understandably, this form of violence can affect both men and women, studies say that women are most likely to fall prey since a gender-based factor comes into play in these cases. As per the National Crime Records Bureau (NCRB) data on Cyber Crime, we find that there has been a considerable increase in the number of online abuses committed against women in our country in the last few years. In the year 2018, the total number of Cybercrimes against women throughout India was 6030 while in the following two years that is in 2019 and 2020 the number shot up to 8379 and 10405 respectively.

ONLINE SEXUAL HARASSMENT: THE ROOT OF EVERY CYBERCRIME AGAINST WOMEN

Harassments directed against women in the online world are mostly sexual. As already discussed before, gender has a big role to play in this aspect. Online sexual harassment is thus the wider paradigm that houses a plethora of other types of abuses which are aimed towards women on an everyday basis to malign their sexual modesty through cyberspace. From the above-mentioned lines we can easily infer that the aforesaid kind of sexual harassment encompasses within itself a wide range of activities and behavioural patterns that can be categorized into the following broad genus:

- Recording a woman while she is engaged in some private activity without her permission or tricking a female to share her intimate pictures and videos and then circulating the same in the internet community without her consent or knowledge. Voyeurism, upskirting, and revenge porn as these terms are commonly referred to are the greatest source of online sexual abuse of women in the modern world.
- Using intimate photographs and videos of a woman as bait for sextortion or pressurizing a female to engage in some sort of inappropriate sexual performance with the aggressor through some online mode.
- Making comments against women and judging them on various social media handles in a sexualized, discriminatory and gender-biased manner intending to break their morale down.

The most alarming factor out of all these is the fact that online sexual harassment can be directed towards a woman from any person be it known or unknown. Thus, it can include strangers, friends, colleagues, neighbours, and even one's relative.

In the current pandemic situation, while we are all trapped inside our homes, many companies have decided to relocate their workplace from the office to the homes of their employees². As a result, many working women are facing issues related to online harassment in the form of unprecedented video call requests from the boss or fellow male co-worker during odd hours of the day, cyberbullying and so on which requires immediate attention from the concerned authorities. In the case of *Sanjeev Mishra v. Bank of Baroda*³, the court expanded the meaning of the term 'workplace harassment to include within its purview online abuse.

While we have previously discussed all of the possible abuses committed under the umbrella of online sexual harassment, we will now concentrate on three major types of violence committed under its purview. They are the most commonly committed cyber-crimes against women in India at the moment.

➤ **Cyber Pornography**

Viewing any pornographic content is not a crime per se. However, this entire equation changes when any picture or video containing pornographic content is either published or circulated over the internet to cause harm to the reputation of an individual. What we read just now is known as cyber pornography, one of the increasing menaces against women in the online world. It is seen as a thriving business where money is made by exploiting the sexual modesty of women.

The various pornographic websites are used as a mode to threaten the victims that if they do not give in to the unusual demands of the aggressor then their private videos will be made viral on those websites. There have been many cases as well where faces of women were morphed with nude photographs and uploaded in web pages supporting such obscene content. In the *Puri Cyber Pornography Case*⁴, the accused created a fake profile of a woman and linked the same with an American-based pornographic website where he also posted some

²Coronavirus: How the world of work may change forever, *available at: [Coronavirus: How the world of work may change forever - BBC Worklife](#)* (last visited on February 28, 2022).

³S.B. Civil Writ Petition No. 150/2021.

⁴Vartika Vasu and Krishnapriya.G, "Cyber Crime Against Women: A Cyber Exploitation" 2 *Lexforti Legal Journal* 7 (2020).

flamboyant remarks against her along with her phone number to take revenge from her husband. Subsequently, he was convicted under sections 66C, 67, and 67A of the Information Technology Act and sentenced to six years of imprisonment. A similar thing took place in the case of Prakash v. State of Tamil Nadu⁵, where the court found a doctor was guilty of detaining young girls, making pornographic content involving them, and selling the same to international porn websites.

➤ **Cyber Stalking**

While instances of physical stalking are not unheard of in our country, today we have a new genus of the same in the form of cyberstalking. Touted as one of the most widely and commonly practised forms of online sexual harassment against women, here the aggressor continuously and illegally keeps a tab on the online activities of the victim to collect enough intimate information about the concerned person and use it in some sort of negative manner. Today instances of cyberstalking are on the rise since the digital world gives the aggressor the option of maintaining secrecy concerning their identity which not only boosts their confidence but also helps them to go out and about with their unlawful activity without being detected easily. Hacking is one of the most important aspects of every cyberstalking case.

Online stalking can be prompted by several reasons the most common of which are an uncontrolled obsession, erotomania where the stalker imagines that the victim is in love with him, extreme hate for an individual, and the need to exact vengeance for the same or pure jealousy.

In the case of State of West Bengal v. Animes Boxi⁶, the accused was in a relationship with the victim for a few years. After they broke up, he hacked her phone and stalked her social media profiles to get access to some of her intimate videos and photographs and used the same to harass her. Later he even posted some of her videos on a pornography website.

➤ **Cyber Bullying and Vicious Trolling**

This is one of the most common types of online abuse directed towards women, and it stems primarily from a sense of frustration and deep hatred. Here the aggressors take the help of social media platforms to target their victims and send them threatening texts, derogatory

⁵AIR 2002 SC 3533.

⁶C.R.M. No. 11806 of 2017.

messages in various forms to defame them on the public sphere. They may even adopt a different screen name or pose as the victim herself to spread personal information and inappropriate photographs of the person in question. In the case of *Shubham Bansal v. The State*⁷, the accused created a fake Facebook profile of the victim along with her name, pictures, phone number, and address which caused her a great deal of harassment and humiliation.

At this juncture, it is important to take note of the fact that these kinds of online abuses are not always based on the objectification of a woman's sexual assets but on her sexuality in general. Since the inception of mankind on this earth, society has been running on a preconceived notion where men are considered as the main bread earners of the family and women are considered as supporting characters whose main job is to rear children and look after their husband and his family. Sadly, to date, this patriarchal mindset has not changed much which is why whenever a woman raises her voice against an issue or shares her opinion on a digital platform, she is humiliated and harassed publicly by some misogynists. For instance, in the wake of the Pulwama attack when through a tweet journalist Barkha Dutt offered to extend help to vulnerable Kashmiris, she received many hate comments on all her social media platforms. Similarly, when activist Kavita Krishnan condemned the #selfiewithdaughter campaign of our Hon'ble prime minister Narendra Modi as unsafe for women, she became a victim of online abuse with many people sending her rape threats.

CYBER HARASSMENT AS BACKLOG TO WOMEN'S DEVELOPMENT AND THE WAY FORWARD

Any form of harassment be it physical or online can have harmful effects on the well-being of a person. In the case of online abuse, the victim often suffers from mental breakdowns which leads to acute depression or suicidal thoughts. They start avoiding the outside world to cope with the situation which in turn does more injury than good.

The worst part out of all these is the fact that most of the cyber-harassment incidents against women go unreported since the victim and her family members fear that if the matter comes out in the public domain, then their reputation would get tarnished. Instead of taking

⁷CRL.M.C. 2024/2018 & CrI. M.A. 7164/2018, 7786/2018, 7787/2018 & 28577/2018.

appropriate actions against the aggressor, the sufferer is herself made to feel like a culprit who is solely responsible for the entire incident. They are taught to keep their mouth shut and move ahead in life which never really happens in the real sense. To add fuel to the fire, sometimes even the police refuse to take any action in case of similar happenings citing pointless arguments such as 'it is difficult to get hold of the accused' or that 'the effort would not be worth it or that 'the victim herself ought to be more careful. All these events directly or indirectly impact the growth and development of women both in their personal and professional life. They either quit their jobs or education or avoid leaving their houses in fear of the fact that the same incident might repeat with them physically.

Thus, the need of the hour is firstly to stop being a silent spectator to such intimidations and stand up for one's rights. Many laws in our country accord protection against such crimes which include sections 66A, 66C, 66D, 66E, 67, 67 A, and 72 of the Information Technology Act, 2000 along with sections 354C and 354D, 509 of the Indian Penal Code. The aforesaid sections of the IT Act encompass punishment for cyber defamation and trolling, cyber pornography, online impersonation, privacy infringement, while the Indian Penal Code extends protection to acts of cyberstalking and voyeurism. Besides, in recent times, the Criminal Law Amendment Bill of 2013 has also given a refined meaning to the provisions as enumerated under 354C and 354D to include harassment directed towards women through electronic media within its purview.

CONCLUSION

Many women can be saved from falling prey to perpetrators with a little bit of awareness and caution when using cyberspace. However, the legal provisions enacted to combat cybercrime are insufficient to fully combat it. What we require is a more robust and vigilant system capable of controlling these crimes at the ground level. However, this will not be possible without the combined efforts of both governmental and non-governmental organisations.