CHAPTER II
CYBER CRIME AND ITS CLASSIFICATION

1. Introduction

Cyber crime is not an old sort of crime to the world. It is defined as any criminal activity which takes place on or over the medium of computers or internet or other technology recognised by the Information Technology Act. Cyber crime is the most prevalent crime playing a devastating role in Modern India. Not only the criminals are causing enormous losses to the society and the government but are also able to conceal their identity to a great extent. There are number of illegal activities which are committed over the internet by technically skilled criminals. Taking a wider interpretation it can be said that, Cyber crime includes any illegal activity where computer or internet is either a tool or target or both.

The term cyber crime may be judicially interpreted in some judgments passed by courts in India, however it is not defined in any act or statute passed by the Indian Legislature. Cyber crime is an uncontrollable evil having its base in the misuse of growing dependence on computers in modern life. Usage of computer and other allied technology in daily life is growing rapidly and has become an urge which facilitates user convenience. It is a medium which is infinite and immeasurable. Whatsoever the good internet does to us, it has its dark sides too.[1] Some of the newly emerged cybercrimes are cyber-stalking, cyber-terrorism, e-mail spoofing, e-mail bombing, cyber pornography, cyber-defamation etc. Some conventional crimes may also come under the category of cybercrimes if they are committed through the medium of computer or Internet.

2. History and Evolution of Cybercrime

During the period of 1950's, it would be an astonished feeling for everyone who uses palmtops and microchips today, to know that the first

---

[1] Prof. R.K.Chaubey, *"An Introduction to Cyber Crime and Cyber law",* Kamal Law House, 2012

successful computer was built and the size of the computer was so big that it takes the space of entire room and they were too expensive to operate. The functioning of these computer were not understandable to large number of people and only select people with expertise had direct access to such computers, and has the knowledge to operate them. For obvious reasons, the computer technology was extremely expensive and beyond the purchasing capacity of almost the entire population until IBM's came into being wherein it introduced its stand-alone "personal computer" in 1981 and exposing many to the rewards of quick data access and manipulation that, up to that time, had been realized by few. The Personal computers become cheaper and become household item at the start of 21st century in India. The Internet was first started by the US department of defence, after World War II with the idea to have a network which could work in the event of disaster or war and securely transmit information. The First Network was known as ARPANET, with the development of Transmission Control Protocol/Internet Protocol, World Wide Web and Hypertext the internet become rage all over the world. With the growth of Internet the quality and variety of information grew. However at that point nobody anticipated the opportunities' the internet is going to provide the technology savvy criminals.

In India the internet services started by the state-owned Videsh Sanchar Nigam Limited in year 1995 and in 1998 the government has ended the monopoly of VSNL and market is opened to private operators. At that point, the internet users in India are 0.1% of total population, and now India has become the 2nd largest country in terms of internet users after china with 33.22% people using internet.[2]

The process of criminalization of human behaviour judged to be harmful the public is typically one that builds slowly in common law jurisdictions. Momentum gained through problem identification and pressures

---

[2] https://en.wikipedia.org/wiki/List_of_countries_by_number_of_Internet_users (Accessed on 3rd February, 2016)