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## WOMEN EMPOWERMENT THROUGH CYBER LAW

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**Abstract:** Women all over the world are generally considered as occupying a secondary position to men. The prevailing social conditions in India she led to a persistent denigration of women. Social legislation, property, inheritance and such laws, in general, have not been favorably disposed to women. Slowly, education, taking up jobs emerging consciousness about the status and rights of women; they are increasingly becoming target of attacks also.

Cyber crime is a global phenomenon, with the advent of technology; cyber victimization of women is high and poses a major security threat. Though India is one of the very few countries to enact IT Act 2000, to combat cyber crimes, the said Act has termed certain offences as hacking, publishing of obscene materials over internet, tampering the data is punishable offences. But the grave threat of women security in general is not covered fully by this Act.

**Keywords:** Denigration, Social discrimination, Stalking and Women Empowerment.

*“Women Rights are Human Rights and Human Rights are Women Rights”*

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**Introduction:** The Oxford dictionary defines stalking as “pursuing stealthily” cyber Stalking involves following a person’s movements across the internet by posting messages (sometimes threatening) on the bulletin boards frequented by the victim, entering the chat-room frequency by the victim, constantly bombarding the victim with emails etc., Cyber stalking usually occurs with women, who are stalked by men, or children who are stalked by adult predators or pedophiles. Typically, the cyber stalker’s victims are new on the web and Inexperienced with the rules over 75% of the victims are female. The motives behind cyber stalking have been divided into four reasons, or unstable, etc.

In every society there are certain vulnerable groups which, because of *past traditions, prevailing social practices, social and economic status, and physical age conditions, etc.* are either discriminated against or suffer violations of their rights or cannot exercise these rights. In such cases, law enforcement agencies are not only supposed to act in a way as not to violate human rights of such sections but also expected to play a positive role to help such groups exercise and enjoy their rights Cyber bullying can affect everyone.

Amongst the various Yoder crime committed against individuals and society at large the crimes which can be mentioned as specially targeting women are as follows:

- a) Harassment via e-mails
- b) Cyber-stalking
- c) Cyber pornography
- d) Defamation
- e) Morphing
- f) Email spoofing

Women in India attain their rightful share and live in dignity, freedom, and peace free from crimes and aspersion.

The concept of general equality advanced by Article 14 is thus qualified in Article 15(3) which has empowered the State to make laws to protect women and children. The Article relating to public employment covered by Article 16 also has a clause vide Article 16(2) which prohibits any discrimination on the ground of sex, thereby ensuring equality of opportunity for public employment of women.

Article 2 of the Universal Declaration of Human Right says that everyone is entitled to all rights and freedom set forth this declaration without destination of any kind while Article 7 says that all are equal before law and entitled, without any discrimination, to equal protection of the laws, Article 2 of the international covenant on Civil and Political Right Ensure rights ensures rights to all without discrimination and Article 3 adds that states must ensure equal rights of man and women to enjoy all civil and political rights set out in the Elimination of Discrimination against and the Convention on the Elimination of all forms of Discrimination against Women.

The Indian Constitution also provides for special protection of women and equal rights. Article 14 of the Constitution talks of equality before law, Article 15(1) prohibits discrimination on grounds of sex among others and Article 16(1) about equality of opportunity for all citizens in matter public employment.

**The Indecent Representation of Women (prevention) Act, 1986:** Statement of objects and Reasons of the Act, The law relating to obscenity in this country is codified in Sections 292, 293 and 294 of the Indian penal Code. In spite of thee provisions, there is growing body of incident representations, of women or references to women in publications, particularly advertisements, etc. which have the effect of denigrating women and are derogatory to women.

**The Married Women's property Act, 1874** {Act No. 3 of 1874-dated 24<sup>th</sup>. February, 1874: All women to whose marriages it applies are absolute owners, of all property vested in, or acquired by, them and their husbands do not by their marriage acquire any interest in such property, but the above said Act does not protect such husband from liabilities on account of the debts of their wives contracted before marriage, and does not expressly provides for the enforcement of claims by or against such wives.

There are some more very crucial Constitutional dictates that have spelt the welfare protective mandates of the law in favor of women in general. They can be briefly stated as under:

1. The character to secure a social order for the promotion of the welfare of the people (Article 38)
2. The call for social justice under that clause-meaning gender justice (Article 38(1) )
3. The call for equality of status, opportunity and facilities (Article 38(2) )
4. The policy to ensure adequate means of livelihood (Article 39(a) )
5. The policy to ensure equal pay for equal work amongst sexes (Article 39(d) )
6. The policy to protect health, strength tender age (to help women) (Article 39(e) )
7. The policy regarding and humane conditions and maternity (Article 42)
8. The policy on uniform civil cod (Article 44)
9. The call as a duty to renounce practice derogatory to the dignity of women (Article 51(a) s

**The Criminal law (Amendment) Ordinance, 2013:** This new Act has expressly recognized certain acts as offences which were under related laws. These new offences like, acid attack (sec 326 A), Attempt acid attack (326 B), Sexual harassment (354 A), Voyeurism, stalking have been incorporated into the Indian Penal Code.

**Information technology act 2000:** Unfortunately even though Chapter XI of the Act deals with the offences such as Tampering with computer source documents (s.65), Hacking with computer system (s.66), publishing of information which is obscene in electronic form (s.67) Access to protect system (s.70), Breach of confidentiality and privacy (s.72) publication for fraudulent Purpose (s.74) IT Act still needs to be modified. It does not mention any crime specifically against women and children.

The elementary problems, which are associated with Cyber crimes, are jurisdiction, Lack of evidence, lack of cyber army and cyber savvy judges who are the need of the day. Judiciary plays a vital role in shaping the enactment according to the order of the day. One such stage, which needs appreciation, is the P.I.L., which the Kerala high court has accepted

through an email. Today with the growing arms of cyberspace the growing arms of cyberspace the territorial boundaries seems to vanish thus the concept of territorial jurisdiction as envisaged under S.16 of C.P.C. and S.2. of the I.P.C. will have to give way to alternative method of dispute resolution.

Again under no section in IT ACT 2000, Obscenity – personal viewing – Is an offence, intact like in IPC 292 again if it proved that you have published or transmitted or caused to be published in the electronic form only then under section 67 it can be an offence. Last but not the least, the IT Act 2000 does not mention the typical cyber crimes like cyber stalking, morphing and email spoofing as offences.

**Conclusion:** Indian women's are protected by legally, related acts amendments by parliament for their status as equal as men. Literate women, IT professional women and respectively net gens of Indian women are not responding properly for the report the cyber abuse or cyber crime

The biggest problem cyber crime lies in the modes operation and motive if the cyber criminal. Everyone should not leave cyber space including offenders and people. In realities it is seen many chatting prints, enjoy teasing their women friends by words such as sexy, attractive, which are virtual beginning obscenity. Cyber space is regent pie for many people they come and go like any other places many websites and blocks provide security tips for the safety of women and children in the net the more common method used by a men is to vulgar photograph of themselves to women, parsing their beauty, and ask ling for a date or enquiring how much they charge of services besides sending exploit messages via email , sms and chart and many also mark, photograph etc., these things in every city but only one in every 500 cases is reported.

The problem solved only when the victimized women through a cyber tort, legal, and defamation. Then and there, they report back or even warn the abuser taking strong actions taking strong action about the cyber crimes. Hence in many option they are successfully turning the friendship in strong bond and gradually proceed to sent obesity

**Agarwals remarks:** Women studies can play a significant role in expanding the scope of theoretical research in the social sciences.

**Kamaladevi remarks:** Women turned every home into a sanctuary for the law-breaker. They lent sanctity to their act by their purity of spirit. Even the mightiest military power cannot cope with a struggle that has it being in the scared precincts of the home.

“yathra – naryanthu pujyanthe Tathra ramanthri – devathaa”

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