

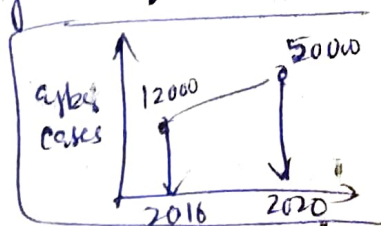
UPSC

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① Cooperative federalism is necessary in handling the cyber-crime happening across the country. Substantiate.

NCRB reports shows there is increasing cybercrimes in the country with increasing ICT.

But there is limited capacity with the investigative agencies.



Cyber Security

IT Act, 2008 defines cybersecurity as the protection of Devices, Information, stored information from detrimental activities of the perpetrator.

Digital Evidence

Contrary to the traditional evidence, the proof for cyber crime remains digital. This remains a challenge. SC in Anjun Panditrao vs Kailash and Ors

gave verdict that certificates under section 65(B) is mandatory to produce digital evidence

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List challenge

Police & public order remains in state list, & hence it is responsibility to build adequate infrastructure. On other hand IT Act and major policies were made by Centre. There needs to be synergy between both. ~~It~~ Certain policies ~~are~~ like IHC were created by the Centre under MHA, yet much more need to be done to address Infrastructure deficit.

Concerns

NO uniform code.

Draft guideline with 5 member committee created by court in 2016, was made; It was accepted in 2018, yet it was not given any statutory force.

Necessary staff

Status ^{giving} provide meagre in pro-interest in providing technical expert.

eg: Aarushi murder → Mupul Talwar vs J State of UP
CERT-IN staff was not provided Internet logs
Laptop logs etc, by the state.

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Number of Inspectors in districts to investigate cases is less. Most often it is done by sub-inspectors. So there must be an amendment to section 60 of IT Act to modify the provision to allow investigation by sub-inspector.

Data Localization

Today most of the crimes are transnational. It is difficult to access data, outside the country. So inclusion of Data Localization in Personal Data Protection Bill, will help in immediate access to Indian citizens involving in crime.
eg. can reduce 'Child Sexual Abuse material'.

Thus both the center and state must be cooperative in dealing with the cyber threat, with synergy in data guidelines and training experts, to reduce the rising cyber threats.