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**PRIVACY DEFAMATION AND DATA PROTECTION IN  
CYBERSPACE****ABSTRACT**

*In the recent times, online media has been the oxygen for almost everyone in this entire world. It is impossible for anyone who has not heard about the online platforms nowadays, and with this growth in the cyber mode and it does not matter that how old are you, from the age of 3 to the age of 93, every person we come face to face on the internet which means it is very dynamic platform. But this brings a sense of precaution that we have to take so that our privacy and data is protected and unharmed, in a layman language we can say that the term cyber security is very necessary to be known around.*

*This research paper will deal with different kinds of ways in which we all can protect our data while being on the online platform. And will also try to understand the meaning of privacy defamation as it is actually very easy for a person to get defamed on such a wide platform where the facts are not double checked. And how can data can be saved from any intruder and what will be the steps to safe browsing.*

**KEYWORDS**

*Online platform, Dynamic platform, Cyber security, Privacy defamation, Safe browsing.*

**INTRODUCTION**

A cyberspace was first developed in the year 1983 by two mainly credited computer scientists Mr. Vinton Cerf and Mr. Bob Kahn. They at first developed basic internet protocols for basic purpose of communication. Then it step by step in a slow procedure started spreading its roots and became more than just a platform to communicate. Prior to 1983, the computers did not use any standard or fixed way to communicate with each other and after the development of the internet protocol this practice changed. As it grew wider and more accessible for more people to connect with, its existence became more overpowering in the lives of the people.

With the more development of different apps on the internet, the cyberspace became more and more engaging for the people and everyone began posting about themselves and their lives which also sometimes led to quarrels and resulted in false accusations and defamation of privacy of individuals. Different problems and hurdles came in way to safe browsing which were cyber security so that our personal data does not get stolen by the methods of fraud. Hence, various measures were then made to better the safety of every browser.

### **What is a cyberspace?**

A cyberspace is a virtual space in the online media where different things can be done from entertaining acts to interacting acts. Here people from different nations and different countries can connect within fractions of seconds. Cyberspace is a place which is as dangerous as much as it is engaging. This can also be said as online media which means all the ways in which one can go online and surf in a virtual mode is a cyberspace. It is welcoming for everyone, all kinds of people from different backgrounds, history, ethnicity can include and involve themselves in this online mode.

Meaning of cyberspace is diverse and it can be used for many reasons, a cyberspace is a space on the online mode or internet. It can be used for many purposes, from wanting to connect virtually with someone from a different place or to create content or showcase any talent of yours to for the commerce or trade purposes. It is widespread all around the world.

### **History of cyberspace in India**

Cyberspace was not that well developed in India because the network stability and coverage in India came after a while and still the accessibility of network was not easy for everyone back in the era of 2000s and hence very few people were even able to put their hands upon this technology. Therefore, there was not much use of the cyberspace back then as compared to now. Back then the children were more involved in real life game and not in the games on the mobile phones or computers. The children used to involve with real people and they used to live in the real world compared to now where they have created a shell hiding themselves in the virtual media and away from the world they actually reside in and the lives they live.

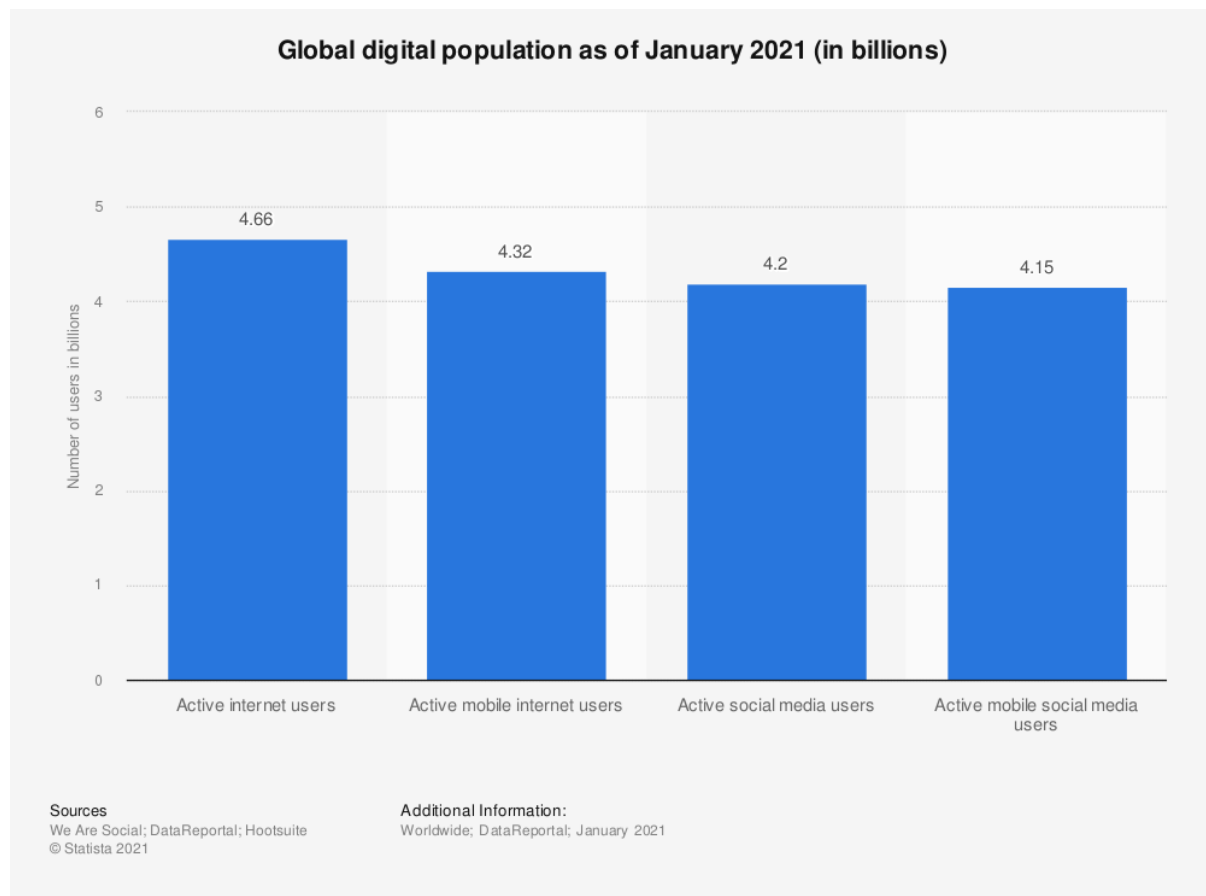
It sometimes becomes very difficult for the people who are very social in the online media or in the cyberspace that they often find it challenging to open up and communicate in real life face to face.

Some people in this mode are also not aware of the bad consequences that it can put harm as not everything is safe in this mode. There are many things or personal information that can be leaked if safety precautions are not taken prior and other measures to safety are delayed.

Not every person on the internet is aware of the pros and cons of the cyberspace and moreover there are many crimes that take place on the online media including cyber stealing, phishing, cyber bullying etc. Researches shows that the most people who use internet for various purposes are from the ages of 12-34. Which means that the maximum population of the people who are active on these platforms are the youths of our country, who are not even well aware of the bad sides of the internet and hence, also do not know how to protect their data from

getting leaked from a person who might use that data for wrong purposes as there are many people on internet who are just, they're for the sole reason of stealing that pertinent information from the people who are lenient with handling their data.

### Statistical Analysis on How Many People are On the internet [Comprising of different age-groups]



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### Analysis of the Above Picture

In the particular picture the given scenario is that on the horizontal line of the graph we can see that there is given the information regarding the active internet users, active mobile internet users, active social media and the active mobile social media users. The count of these people are in billions and therefore we can see that there are a lot of people who surf on the internet for the year 2021. On the other side which is the vertical side of the graph we can see that there are people in billions that are using these platforms and are globally active or are in the internet. In the particular graph we can only see that the active users on the internet are 4 billion and 66

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<sup>1</sup> Statista, [www.statista.com](http://www.statista.com) (Last visited (February 15, 2022))

million, Active mobile internet users which are 4 billion and 32 million, Active social media users like the people on the platforms like Instagram, Twitter, Snapchat, Facebook etc. are around 4 billion and 2 million and lastly the active mobile social media users are around 4 billion and 14 million globally.

### **WHEN CAN WE SAY THAT A PERSON'S PRIVACY HAS BEEN DEFAMED?**

When someone with the intention to hurt or make false allegations about a person defames the person by issuing any false statement or announcement about any person. This can be done by any person whether simply out of rage or for pure entertainment purpose as a joke.

A person can be defamed either by oral, written or by any other form. This act is basically done to defame the reputation of that person. As the use and dependency on the internet has increased in recent times, therefore making people more active on the social media platforms. We can say that a person's privacy has been defamed as when any statement or announcement is made against him which is completely false in nature and because of which the person has a depreciation in his reputation.

### **CHALLENGES FACED WHEN PRIVACY IS DEFAMED IN A CYBERSPACE**

It is more difficult than in real life to get to the defaulting person as the person who defames the other online on any posts, blogs or any other page is not that easily caught as often times the person defaming does not use his/her real name as they are not needed and normal usernames are used instead of them and hence it becomes challenging for the authorities to find the person and punish him.

### **HOW TO PROTECT YOUR DATA WHEN IN A CYBERSPACE**

Protection of data is very necessary in today's times where the internet is not a safe space for anyone as there are many crimes occurring in this online space like phishing and malware attacks and other cyberattacks where the main motive of the attacker is to steal the data and use it for unethical reasons, there are up to 10 types of cyberattacks which are faced by people in their day to day lives.

Hence, it becomes very important for the people to secure their data and therefore people use the following ways to secure their data in a cyberspace and which can hence allow them to browse safely without worrying about someone stealing their data.

First step when you think of increasing the protection of your device and the data, anti-viruses should be the must. Followed by backing up all your data.

Another solution can also be, securing your wireless network either at your home or at business, be careful while connecting your network with any other network.

And a very common way of which we are aware of to protect our computer from any unwanted attackers is to use uncrackable passwords and when selling any old computer or laptop make sure that all the cloud files are also deleted.

Protecting your data is very important as we don't know that for what purpose it can be used.

In addition to this we should always make sure that what are our kids doing on the internet and should overwatch their activities as there are different pop-ups and random URLs that should not be clicked as they often redirect us to different fishy looking websites which can be hence harmful as they can have viruses which can inflict danger to our devices.

## **JUDICIAL INTERPRETATION**

This section will be based on different judgements which would have been taken in the courts for the matters of privacy defamation or any other complaint which would have been lodged because of the stealing of the data in a cyberspace.

In the **Indian Penal Code** there are in total four sections in regards of defamation.

**Section 499** every person will be punishable in the eyes of law if he/she defames any person through either verbal/speech mode or in any written way.

**Section 500** this section provides the punishment for this act which will be imprisonment for 2 years and fine, one of the following or both.

**Section 469** this section deals with forgery, if any person on the cyber media makes a fake document or any account then the minimum of the punishment, he/she can get will be of in total 3 years.

**Section 503** this section will take action against any person who with an intent commits an offence to depreciate or damage the reputation of the person.

### **Information Technology Act, 2000,**

**Section 66A**, here states that a complaint will be filled in the cyber cell of the criminal department against the person who tries to defame any the image or reputation of any person who is well respected. The person who is at default and commits the crime is harder to find as they don't usually use their names for the account names and generally remain anonymous by creating fake IDs so that it becomes a task to find them.

## **CONCLUSION**

In conclusion, we should know that how much the internet has evolved from the earlier times and hence we should know that as much as there are benefits of internet in the same amount there are risks involved on these cyberspaces.

A very common and must needed fundamental right of any individual is right to privacy where basically a person is expected to respect each other's privacy, same should be expected and needed on social media where there are millions of people and every person shares something or the other on these platforms, but sometimes right to privacy is not respected by some people and they defame a person and this hence becomes a type of cybercrime.

Defamation is a crime in the law of torts which means it is a civil wrong, generally these types of wrongs are committed against a single person in a manner which depreciates his/her reputation and self-esteem. Hence, this should not be taken lightly and should be reported immediately. Same as data theft which is also a very serious crime and can happen to us very easily if not taken care of, hence data should be operated carefully.