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Front Page
 Nation
 Calcutta
 Bengal
 Opinion
 International
 Business
 Sports
 Entertainment
 Sudoku
 Sudoku New **BETA**
 Crossword
 Jumble
 Gallery
 Horse Racing
 Press Releases
 Travel

WEEKLY FEATURES

7days
 Graphiti
 Knowhow
 Jobs
Telekids
 Careergraph
 Personal TT

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Metro
 North Bengal
 Northeast
 Jharkhand
 Bihar

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Front Page > Opinion > Story

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TRAIL OF THE TROLLS

Bullying and abuse on the Internet is on the rise. **Smitha Verma** finds out why most offenders are going scot-free



VICTORY LAP: Celebrations in Lucknow after the Women's Reservation Bill was passed in the Rajya Sabha

When Shahana Nair Joshi, a young professional from Delhi, wrote a blog post titled 'An Open Letter to a Delhi Boy' last year, she was not prepared for the repercussions that followed. The post went viral overnight and received as many as 7,000 comments. Her blog post, which was a rant against the stereotypical Delhi man, became a topic of discussion on social networking sites, inviting with it a flurry of praise. But the fan following also brought with it an equal number of trolls (those who post inflammatory messages in an online community).

"Soon sexual insults, derogatory messages and inflammatory content became the norm," says Joshi.

"Then I started moderating the comments on my blog and went on to block trolls on Twitter," says Joshi whose Twitter follower list jumped from 100 to 1,000 within a week. "One person even went to the extent of issuing a death threat to me over the phone," she adds. "I decided to ignore the trolls as that is the best possible solution."

Cases similar to Joshi's are on the rise in cyber world. At a time when social networking sites are being asked to monitor and censor their content, bullying on the Internet is at an all time high. Trolls hide behind the anonymity that a social networking site provides to post derogatory comments and obscene remarks.

According to Supreme Court lawyer Pavan Duggal, harassment on social networking sites is emerging as one of the biggest problems in the online world. "Six out of 10 people aren't aware of what constitutes a cyber crime. As a result they aren't reported. Neither the victims nor the abusers know what is an offence," says Duggal.

But even if a case of bullying on the Internet is reported, the law is somewhat fuzzy when it comes to bringing the offender to book. In India, social media come under a variety of civil and criminal laws. The Information Technology Act, 2000, tackles most cases related to cyber crimes. "However, we take recourse to not just the IT Act, 2000, and its amendments thereunder, but also to other legislation, such as the Indian Penal Code (IPC), the Trade Marks Act, the Copyright Act, etc., to tackle cyber crimes in India," says Gurpreet Singh, Internet law head, Amarjit & Associates, Delhi.

Bullying on the Internet consists of abuses that may have emotional and physical repercussions. "Trolling provokes a non-productive argument and as of now it is not considered a criminal offence anywhere in the world," says Sunil Abraham, executive director, Centre for Internet and Society, Bangalore. However, most Internet users point out that trolling is out and out harassment that often verges on sexual harassment as well.

"I am routinely harassed by trolls. Even if I block them, they create a new twitter handle, start following me and post abusive comments," says Joy Das, an advertising professional from Mumbai. His strong stand on several issues makes him a favourite among the trolls. Once Das had gone to the extent of filing a case and shared the details of the troll with the cyber crime cell department of the state police. He withdrew the case when the abuser retreated.

One of the main problems in taking action against a troll is that no legal definition of bullying is provided in Indian laws. As Karnika Seth, a Delhi-based cyber law expert, points out, "Even though the laws are in place, there is a clear lack of definition of offensive terms."

: Still, the laws do provide some relief in cases of harassment by Internet trolls. Usually, :
 : Section 509 of the IPC comes into effect when there is an intention to insult the modesty :
 : of a woman. "The offence also extends to an online medium," says Singh of Amarjeet & :
 : Associates. "Besides Section 509, various other sections such as Section 503 and :
 : Section 504 of the IPC can also be invoked based upon the particular facts of a case," :
 : adds Singh.

: The networking sites on their part aren't proactive when it comes to keeping a check on :
 : trolls. Twitter maintains that it is a communications platform, not a content mediator. :
 : "Removal of content does not in and of itself resolve the issue that led to the content :
 : being posted in the first place," blogs the head of Twitter's safety centre.

: If you want to know the IP address and other details about the bully, you will have to file a :
 : police complaint and the copy should be sent to Twitter, informs Nabeel Ziyaan, a :
 : Bangalore-based entrepreneur and a contributor to Twitter's '#140help' section which :
 : deals with user queries. "In such cases, Twitter will work with the law enforcement :
 : agency," says Ziyaan.

: An accused can be booked for mental cruelty and sexual harassment under the :
 : provisions of the IPC as well as under Sections 67(a) & 67(b) of the IT Amendment Act, :
 : 2008, depending upon the facts and circumstances of the case. Section 66(a) lays down, :
 : for example, that any person who sends, by means of a computer resource or a :
 : communication device, any information that is grossly offensive or has menacing :
 : character or any information which he knows to be false, but for the purpose of causing :
 : annoyance, shall be punishable with imprisonment for a term which may extend to three :
 : years or with a fine which may extend to Rs 5 lakh or with both.

: According to Section 67(a), whoever publishes or transmits in the electronic form any :
 : material which contains a sexually explicit act or conduct shall be punished with up to :
 : five years' imprisonment and with a fine which may extend to Rs 10 lakh. And Section :
 : 67(b) hands out punishment for publishing or transmitting material depicting children in a :
 : sexually explicit act in an electronic form.

: But law enforcement agencies are not always able to work out a way to track the trolls. :
 : "IP addresses can be spoofed using different software. In fact, innocent people can get :
 : punished if a troll hides under a proxy server," says Seth.

: Experts say that cyber laws need clarification and appropriate interpretation. The public :
 : should also be made aware of what constitutes a cyber offence. Until that happens, the :
 : trolls will, in all probability, trawl the Internet and maul Netizens at will.

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