



# Lecture- 33



## Investigation of cyber-crimes

For conducting cyber-crime investigation, certain special skills and scientific tools are required without which the investigation is not possible. Due to the Information Technology Act, 2000 (“IT Act”), certain provisions of Criminal Procedure Code and the Evidence Act, have been amended. Along with this, certain new regulations had been enforced by the Indian legal system to meet with the need of cyber-crime investigation.

### Who can investigate?

The power to investigate the accused in regard to the cyber offences, has been entailed in Section 78 of the IT Act, which says that “*notwithstanding anything contained in the Code of Criminal Procedure, 1973, a police officer not below the rank of Inspector shall investigate any offence under this Act*”. Nevertheless, the IT Act is not sufficient to meet the necessity, therefore the Criminal Procedure Code, 1978 and the Indian Penal Code, 1860, were also amended accordingly to introduce cyber-crime under their ambit. This gives power to the Inspector to register and investigate the cyber-crime as like another crime.

### Process of search & arrest

The power of the police office and other officers to enter, search etc. is entailed in Section 80 (1) of the IT Act, which says that, notwithstanding anything contained in the Code of Criminal Procedure, 1973, any police officer, not below the rank of the Inspector or any other officer of the Central Government or State Government authorized by the Central Government in this regard, may enter any public place, search and arrest without warrant any person, who is reasonably suspected of having committed or of committing or about to commit an offence under the IT Act.

Pursuant to Section 80 (2) of the IT Act, any person who is arrested under sub-section (1) by an officer other than a police officer then such officer shall, without any unreasonable delay, take or send the person arrested before a magistrate having jurisdiction in the case or before the officer-in-charge of a police station.

### Offence by Companies

If any offence under the IT Act is committed by a Company then every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of business of the company as well as the Company, will be guilty of such offence and will be liable to be proceeded against and punished as per the provisions of the IT Act.

If the Company contravenes any of the applicable provisions of the IT Act and it is proved that such contravention has taken place either by consent or in connivance of or is due to the negligence of the Company, then any director, manager, secretary or other officer of the company, shall also be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly (Sec. 85).

The Government of India had launched the online cyber-crime reporting portal, [www.cybercrime.gov.in](http://www.cybercrime.gov.in), which is a citizen-centric initiative, to allow the complainants to lodge complaints relating to child pornography/child sexual abuse material or any content which is sexual in nature. The Central Government has launched a scheme for formulating of Indian Cyber Crime Coordination Centre (I4C) to handle the cybercrime incidents in India, in an inclusive & coordinated manner.

The said scheme has following seven components:

- National Cybercrime Threat Analytics Unit (TAU)
- National Cybercrime Forensic Laboratory (NCFL)
- National Cybercrime Training Centre (NCTC)
- Cybercrime Ecosystem Management
- Platform for Joint Cybercrime Investigation Team
- National Cybercrime Reporting Portal
- National Cyber Research and Innovation Centre (NCR&IC)

The government is also planning to set up Regional Cyber Crime Coordination Centres at respective States/UTs.

By following below-mentioned steps, one can report a cyber-crime online:

Step 1: Go to <https://www.cybercrime.gov.in/Accept.aspx>.

Step 2: Click on '**Report Other Cyber Crimes**' on the menu.

Step 3: Create '**Citizen login**'.

Step 4: Click on 'File a Complaint'.

Step 4: Read the conditions and accept them.

Step 5: Register your mobile number and fill in your name and State.

Step 6: Fill in the relevant details about the offence.

[Update Mobile Number](#) | [Report Cyber Crime](#) | [Check Status](#)  
[Complaint Withdraw](#)

**Incident Details** | [Suspect Details](#) | [Complainant Details](#) | [Preview & Submit](#)

### Complaint / Incident Details

Category of complaint\*

--Select--

Sub-Category of complaint : \*

--Select--

Approximate date & time of Incident/receiving/viewing of content \*

dd/mm/yyyy

HH: HH ▾ MM: MM ▾ AM ▾

Reason for delay in reporting :

Where did the incident occur? :\*

--Select--

Please provide any additional information about the incident :\*

Maximum of 1500 characters - **1500** characters left

[Save & Next](#)



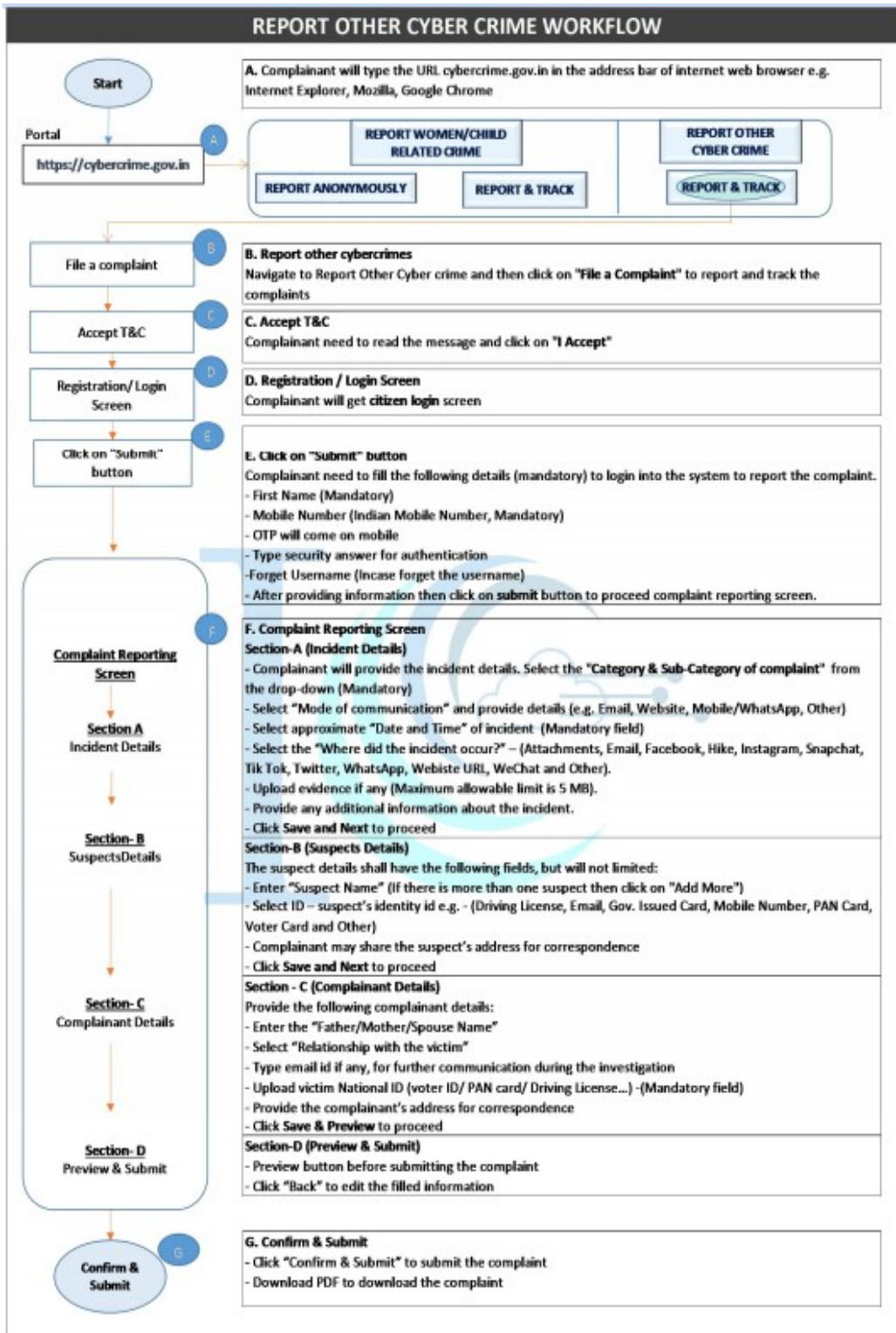
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*Note: One can also report anonymously.*



Source: <https://www.cybercrime.gov.in/UploadMedia/MHA-CitizenManualReportOtherCyberCrime-v10.pdf>