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## Adultery Site Case Ups Anxiety

By Seema Prasad | Published: 02nd September 2015 04:58 AM | Last Updated: 02nd September 2015 04:58 AM

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This picture greets visitors on the homepage of Ashley Madison, the website that says, "Life is short. Have an affair."

**QUEEN'S ROAD:** The disclosure that Bengaluru has thousands of users on the adultery site Ashley Madison has brought to the fore many Internet privacy concerns.

So what are people in the city worried about? City Express spoke to Net security experts, a women's rights advocate and a relationship counsellor to find out.

One growing worry in tech-savvy Bengaluru is that employers are systematically gathering sensitive personal information from their computers.

Many corporate companies spy on their employees, according to an expert based in New Delhi.

"Medical records of employees are often stolen," says Pavan Duggal, senior cyber law advocate, who has penned several books on the topic.

The reason a website like Ashley Madison, with 124 million users, failed to protect the privacy of its users was because 100 per cent security is virtually impossible.

"Zero day exploit is a method most commonly used by hackers to access information. Hackers keep a strict watch on a particular website, waiting for a vulnerability," says Rahul Tyagi, Internet security expert.

The time taken to report and detect a threat is 0, hence the Zero Day Exploit refers to an ambush on the system.

"There is no defence against this and a solution has to be found," he adds.

The hackers of the extra-marital site have still not been found as they could be operating from an anonymous Torr network, traced by the FBI only once.

The locations of most high profile hackers remain untraceable.

"We have to increase awareness and inform people against the misuse of their personal data. Galvanising a cyber army like China could stop Pakistan and other neighbours from hacking into Indian networks," says Tyagi.

#### Legal questions

So when does breach of privacy become a legal issue?

The Information Technology Act of 2005 is the only legislation in India that punishes people who commit crimes in cyber space.

Section 66 of the Act, which declares hacking as an act punishable with imprisonment of up to three years, only protects web users from the state and not from private companies, according to Duggal.

"There is an urgent requirement to initiate a law to safeguard the privacy of netizens. We do not have a specific law dedicated to preserving the privacy of online data," Duggal explains.

#### Women's worries

Women's rights lawyer Pramila Nesargi believes the fundamental rights enshrined in the constitution can be interpreted broadly to include privacy.

"Article 21, which guarantees the right to life with dignity, ensures that dignity is inclusive of privacy. A case can be filed under the law even against someone just peeping into a woman's bathroom," she says.

A Bengaluru woman who had received 150 calls on her phone from a UK number was unable to have the man put behind bars, but that was because of the absence of a treaty. "Both countries needed to have an agreement, and hence he is still free," says Nesargi.

Sometimes, even when the law is deployed, there is no justice. A talented young dancer was constantly eyed by her neighbour. He promised to marry her and on one occasion, he spiked her drink and recorded the subsequent physical violation with a friend's help.

She then found out that he was married and went away to take part in a central government programme in Dehradun. She was later posted in Mangaluru for her apprenticeship. The neighbor tracked her down and leaked the video online. The girl lost her job.

"He was given bail within 10 days and the case is still languishing with the higher authorities. The slow system is delaying justice," explains Pramila Nesargi, who was fighting the case.

Therapist Kala Subramaniam believes technology is creating curious new problems.

"In the past, an affair meant a torrid sexual affair, but today technology has given new dimensions to cheating," she told City Express.

People don't consider continuous Whatsapp messaging a breach of trust as it does not involve physicality, even if the conversation becomes sexual.

"They brush it off as 'just talking'. Often this casual approach leads to the breakdown of relationships," she says.

As for the Ashley Madison case, she says monogamy is facing a challenge when spouses spend long hours and days away from one another.

"We are an evolved species, capable of holding impulses back. Both partners need work on keeping the spark alive after the honeymoon phase is over," she says.

#### **Bengaluru hacking scene**

The cyber crime wing in Bengaluru has recorded 78 cases in the past six years. Most relate to phishing and hacking, punishable under Section 66 of the IT Act. The numbers have dwindled this year. The wing has only registered five cases in 2015, as against 18 in 2010.

However, this only refers to the cyber crime wing. Crimes related to hacking and cyber activities can be lodged at any police station.

#### **So what is Ashley Madison?**

The website, created in Canada in 2001, describes itself as 'the world's leading married dating service for discreet encounters'. On July 15, hackers released details of the site's users as their threats could not shut it down. Avid Life Media, the parent company, has announced a 5 lakh dollar reward for the location of the hackers.

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