

“Identity Theft”

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Identity theft is one of the most widely committed crimes in the world. It involves the use of personal data of one by another individual. As everything has become online, one can find many possible ways to get personal information from others very easily. Identity theft is one of the easiest ways to steal someone's personal information and use it in a wrong way.

WHAT IS IDENTITY THEFT?

In the 21st century, the development of the IT Sector is rapid. But due to this development, some people have found a new way to commit a crime known as identity theft. It's basically because of the widespread introduction of services which were provided remotely and which had no presence initially. In the beginning, it was limited to stealing pins of the credit cards from the population which owned one. This crime involves personal data which can be used illegally to make transactions or purchases. Information like the social security number, credit card and debit card numbers, bank account number, electronic signatures and other types of personal data can be used by any other person for stealing money or any other valuables. In some of the cases the only necessary thing is to know the victim's name in order to commit identity theft. The victims of identity theft may not only have a financial loss, but also struggle to restore their reputation as their personal data was also used wrongfully. These thieves can apply for false loans or credit cards or can make fraudulent withdrawals from bank accounts of the stolen identity.

WAYS TO COMMIT IDENTITY THEFT

Nowadays to commit any crime, it is not necessary to break into someone's house. There are more easier and secure ways to obtain someone's personal data and information. The simple way is to observe the activity of victims when he or she makes transactions or when they reveal it over the phone while having a conversation. Some of the criminals may use the trash bin to find copies of checks, bank statements, withdrawal forms or any other documents that contain the victim's private information. The internet is a space where people with high-tech skills can get the password of emails in order to steal any important information. At global level, criminals can get access to the corporate database to steal customers personal information to make fraud.

TYPES OF THE IDENTITY THEFT

There are several types of the identity theft that are identified as;

Criminal Identity Theft; It occurs when a person, who was just arrested, presents a fake id to police or any other stolen documents that identify him or her as another person. If this type of fraud works, criminal charges could be filed against the identity theft victim, and real criminals may be off the hook. Most of the victims learn about the incident by getting court summons, getting their driving license suspended, or through employment background check. It could be difficult for the victims to clean the criminal record. As a result, there is a violation of their rights.

Financial Identity Theft; It is the most common form of identity theft which is basically used to get a credit card, loan, and simply buy things by claiming to be someone else. At the large perspective, people steal private financial information with the help of computer programs and conduct transactions with a victim's money. This can be extremely to a victim's credit score and their ability to get a loan in future.

Medical Identity Theft; It occurs when theft uses victim's identifiable information to fraudulently obtain a medical service, prescription drugs or medical insurance coverage. It can be costly and complicated to resolve. Some of the medical identity theft victim's pay an amount to resolve an issue. It can also result in the identity of the thief's medical history being added to the victim's medical records.

Child Identity Theft; It occurs when someone steals a personal information of a minor. In most cases the thief uses the child's Social security number to open lines of credit, to get a driving license and obtain government benefits. It can go undetected for years because most children don't discover the problem until they become adults. This theft is fairly common and it's growing day by day.

Identity Cloning & Concealment; It occurs when a criminal pretends to be a different person so he can hide his true identity. These people may be one who are hiding from the police department, creditors and illegal immigrants for some reason. It is not like any other identity theft it may go on forever without being detected.

FACTS & FIGURES OF IDENTITY THEFT

Identity theft is a growing problem in the world and especially in the IT Sector. According to sources it is the fastest growing crime in the United States. The department of justice in the U.S. indicated that over 8.6 million Americans suffered from identity theft in 2010. It was 2.2 million more than in 2005. The Consumer Sentinel Network, maintained by the Federal Trade Commission (FTC) tracks consumer fraud and identity theft complaints that have been filed with federal, state and local law enforcement agencies and private organizations. In 2019 consumers reported losing more than \$1.9 billion related to fraud complaints, an increase of \$293 million from 2018. 20% of complaints were related to identity theft in 2019. Identity theft claims fell

from 2015 to 2017 by 24% but again it increased in 2018 and was up 46% from 2018 to 2019. On average it's necessary to spend approximately 33 hours and 500 dollars for the victim in order to resolve identity theft crime. According to sources in **India**, 80% of people were victims of identity theft. The report by global annual cyber safety sight records states that 39% of indian adults experience identity theft. 63% of indian adults don't know what to do after they became victims of identity theft. Only some of the identity theft crimes end up with the arrest of criminals. As it's very difficult to detect the criminals and arrest them.

LAWS AGAINST IDENTITY THEFT

Basically identity theft can be done in two ways;

- 1.) Stealing someone's personal identity.
- 2.) Misuse of private information with an intention of causing legal harm (defamation) to that person.

As in India identity theft involves both theft and fraud, so provisions regarding forgery comes under the Indian Penal Code, 1860 (IPC) along with the Information Technology Act, 2000. Some Sections under IPC;

SECTION 464- For Forgery

SECTION 465- For Making false Document

SECTION 468- For Cheating Purpose

SECTION 469- Reputation

SECTION 471- Using genuine Documents as forged

The Information Technology ACT, 2000 (IT ACT) is a main act which deals with cyber crimes.

SECTION 66C of IT ACT provides punishment for identity theft; As whoever fraudulently uses someone's personal identity to make false electronic signature, Pin numbers for making transactions shall be punished with imprisonment for either described term or may be extend to three years and shall also be liable to pay fine which may extend to one lakh rupees.

WAYS OF PROTECTION FROM IDENTITY THEFT

As of now identity theft is known to everyone. So there are many ways of protection that banks and governments use in order to prevent identity theft among the general population. Because of fraud most of the people buy offline instead of online. To prevent this banks continually check the accuracy of personal documents and promptly deal with any discrepancies. Lots of firms

provide services that help people to avoid and mitigate the effects of identity theft. Typically this service provides safeguard for their personal information, monitor public records as well as private records such as credit reports to alert their clients for excessive transactions. It is better to pay from credit cards which gives you guarantee under federal law. As entering your personal data on any websites it is important to be careful. People should monitor their credit reports, bank and credit statements. For large corporations and companies it is necessary to shred all private and sensitive documents that can provide criminals with financial and private information.

CONCLUSION

Identity theft could be one the growing criminal issues. An increase in the number of cases is proving its tendency to cause harm and how difficult it is for the authorities to detect the person who commits identity theft. It is important to address the problem so that people will know what is the best way to fix this problem that is often disguised and difficult to recognize. Taking an approach that is proactive is a practical strategy to minimize the exposure to such crimes. Ultimately, with the help of legislation, businesses and individuals can begin to work together in order to eliminate or at least deal with such problems associated with identity theft.

REFERENCE

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