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Dated: 8th March 2013

To

The Principal Secretary (ITBT)
Government of Karnataka
Bangalore

CC:

Chief Secretary, Government of Karnataka
Chief Minister, Government of Karnataka
Minister of Law and Parliamentary Affairs, Government of Karnataka
Chief Justice, Karnataka High Court
Karnataka State Human Rights Commission, (KSHRC)
Governor of Karnataka

Sub: Adjudication System in Karnataka under Information Technology Act 2000 as Amended in 2008 (ITA 2008)

Dear Sir,

This is not the first letter I have written about this subject to your good self or to each of the persons to whom this letter is copied (Excepting the KSHRC and the Governor).

My previous letter sent in the form of an e-mail dated 9th February 2013 is copied in annexure I of this letter.

If I am writing this letter again it only reflects that people in the Government both in the bureaucracy and the political leadership appear to have no time to hear and understand the vows of the public and need repeated reminders and perhaps an agitation if not financial incentives to make them do what they are there to do under the Constitution.

Perhaps the Judiciary is also too busy to recognize that what I am writing about is a serious reflection of “Lack of Judicial Process” in the State of Karnataka and hope to wake up to their own responsibility to the public of Karnataka.

I am marking a copy of this letter to the KSHRC and the Honourable Governor of Karnataka also to ensure that appropriate attention is drawn to the matter referred to here.

Background:

ITA 2008 is the law of the land that determines inter-alia the rights of Cyber Crime victims. The IT Secretary of Karnataka is the “Adjudicator” under the Act having sole jurisdiction for rendering justice to Cyber-crime victims in terms of financial compensation up to Rs 5 crores for any wrongful loss suffered by them. Civil Courts have no jurisdiction for such cases unless the amount of damage is higher than Rs 5 crores. The appeal authority is the Cyber Appellate Tribunal (CAT) which presently has only one office in Delhi and exercises all India jurisdiction. The second appeal authority is the High Court.

If the system of Adjudication in a State is not functioning, it means that there is no “Cyber Judiciary” in the State. If the official in charge shuts of the public and refuses to entertain any complaints, it amounts to dereliction of duty. If Ministers don’t respond to complaints against such wrongful denial of justice to public, they are failing in their duty to the public.

Lack of a “Judicial System” is a “Human Rights Deficiency” and the Human Rights Commission needs to take cognizance. The High Court of Karnataka has a remedy and hence is in a position to correct the problem created by the executives of the Government and neglected by the Ministers in chair.

Current Problem

Presently, in the State of Karnataka, the system of Adjudication has been rendered dysfunctional because of what we can humbly represent as an erroneous interpretation of law. Whether it is an honest mistake or there is any deeper malicious reason thereof is a matter to be investigated by the appropriate arms of the Government of Karnataka.

The reason for this state of affairs is that while assessing the complaint of one M/s Gujarat Petrosynthese Ltd, Bangalore against Axis Bank in respect of an Internet Banking fraud of around Rs 39 lakhs, Mr M.N.Vidyashankar the then Principal Secretary in charge of the IT Department and E Governance department and acting as the Adjudicator decided that the term “Person” used in Section 43 of ITA 2000/8 means only an “Individual” and does not include a “Corporate”. As a result he gave his opinion that Gujarat Petrosynthese Ltd being a Company cannot be provided the protection under Section 43 of ITA 2000/8.

Following the same logic in an earlier application filed by one Mr Rajesh Yadav against ICICI Bank involving another Internet Banking fraud for around Rs 4.14 lakhs, Mr Vidyashankar opined that since ICICI Bank is a corporate entity, a complaint cannot be filed against them under Section 43 since ICICI Bank cannot be considered as a “Person” under the section.

The absurdity of this argument was brought to the notice of the Adjudicator under a request for “Review” which is pending till date.

It can be presumed that Mr Vidyashankar did not consider it necessary to either correct his mistake or reply to the review petition justifying his interpretation.

This review petition is now in your hands since you are the current principal Secretary in charge of IT department of the State. I have already brought to your attention that the review request is pending and I am expecting you to initiate some corrective action regarding the same.

However you have also failed to bestow your administrative attention on the matter so far. As a representative of the public I need to however convey the people’s expectation that as a person who holds the position of the IT Secretary, you are responsible for completing all pending left pending by the predecessor.

I also need to point out to you that recently the IT Secretary of Maharashtra has given a series of decisions of similar nature in which Banks have been held liable for internet banking frauds and provided relief to the cybercrime victims. Copy of one such order is enclosed in Annexure II for your immediate reference. Other orders are available on the Maharashtra Government website a link to which is given below:

<http://it.maharashtra.gov.in/SITE/Information/statementOfCases.aspx>

As a responsible IT Secretary who is expected to take the statutory responsibility as the “Adjudicator of Karnataka”, I suppose you would find time to read through this judgment/s as also the pending review petition and understand why I have repeatedly stated that the decision of the Karnataka Adjudicator is a historical blunder which will go into the law books in the Country as against the acclaims the decisions of the IT Secretary of Maharashtra and the earlier decision of the IT Secretary of Tamil Nadu (S.Umashankar Vs ICICI Bank) will get in the legislative history of Cyber Laws in India.

Whether this privilege to be in the dark pages of legislative history is confined to the previous IT Secretary alone and you would break out of the shadow and create your own history will depend on how you will react to the incident now.

Requests

My request to you, sir, is that as the Principal secretary, IT Department and the current Adjudicator of Karnataka, you may kindly pick up the review petition already in your files in respect of Gujarat Petosynthese Ltd and Rajesh Yadav against Axis Bank and ICICI Bank respectively and pass an order one way or the other as per the merits of the case.

My request to the Chief Secretary, Chief Minister and the Law Minister to you sirs is to institute an enquiry as to the possible influence on the decision of Mr M.N.Vidyashankar by the fact that Axis Bank was a contractual beneficiary of the E Governance department which was also headed by the same IT Secretary during the time the subject award was given and to take necessary corrective action.

I may also mention here that in the event the Government of Karnataka fails to respond even to this communication, the matter would be placed before the citizens of the State through the media for a debate on “Lack of Governance” in the State.

My request to you the honourable Chief Justice of Karnataka, Sir, is to take such steps as you consider appropriate to ensure that the Government ensures the continued existence of an efficient and effective Cyber judiciary system in the State in the form of the maintenance of the office of the Adjudicator without the conflicts of interest pointed out in my previous paragraph.

My request to you the honourable Karnataka State Human Rights Commission Sir, is to take such steps as to ensure that the citizens of Karnataka are provided the basic rights of a Cyber Judicial system as envisaged under ITA 2000/8 in the form of the office of the “Adjudicator” which is effective, efficient and serves the interests of protection of the rights of our citizens.

My request to you the honourable Governor of Karnataka Sir, is to take such steps that the Government machinery responds in a manner that recognizes the requirements of the Aam Admi of the State.

Yours faithfully

Na.Vijayashankar

ANNEXURE I

Copy of E Mail sent on 9th February to the honourable Chief Minister of Karnataka

To

Sri Jagadish Shettar

Honourable Chief Minister of Karnataka

Bangalore

Dear Sir,

I take this opportunity to congratulate you on the two policy decisions announced yesterday during the budget introduction which has relevance to the Netizens of Karnataka, namely provision of Internet at Schools and setting up of Cyber Cafes in all villages.

These measures are likely to benefit the community in general by empowering them with tools of progress.

The move is also creating more Netizens in Karnataka and particularly creating Netizen population in rural areas.

I as the founder of www.naavi.org and the All India Forum of Netizens (www.aifon.org.in) has been a Netizen activist since 1998 and also involved in activities such as Police training on Cyber Crimes and some E Governance activities.

Incidentally, I was also part of Karnataka BJP's IT forum and have also addressed party functionaries in Chennai in one of the regional meets on Cyber policy initiatives a few years back.

In fact I had several years back placed a "Cyber Vidya" project for schools of Karnataka and "E-Bridge Center" project for Cyber Cafes without much of positive response from the Government of Karnataka. However it is better late than never. I am happy with the current announcements.

However I need to also point out that close observers of the developments in Cyber Space administration in Karnataka are aware that Karnataka at present has the dubious reputation of being the one State in India which does not have any "Cyber Justice Administration" system and the situation has arisen because of a questionable action of the previous IT Secretary.

I have already brought this to your attention through my previous emails. I have also brought this to the attention of the current IT Secretary, Law Secretary, the Chief secretary, Mr Suresh Kumar the minister for law and parliamentary affairs as well as the previous Chief Justice of Karnataka. Unfortunately no action has come forth in this regard. In the light of this background your new announcements appear to be good intentions on paper unlikely to see the light of the day unless you take steps to address the peculiar situation created by your insensitive officials.

I would like to reiterate the issue briefly as a repetition.

The IT Secretary of the State is called the "Adjudicator" under Information Technology Act 2000 (ITA 2000) amended in 2008. He is the sole judicial authority for the State of Karnataka for conducting enquiries and awarding compensation to any victim of a contravention of the ITA 2000/8 upto a value of Rs 5 crores. No civil court has jurisdiction under such matters. The matters coming under his jurisdiction includes all cyber crimes such as Bank Frauds, ATM Frauds etc which touch the hearts of the population closely.

In one of the earlier cases Gujarat Petrosynthese Ltd Vs Axis Bank followed by two other cases of victims of Cyber Crimes against other Banks, the then adjudicator namely Mr M.N.Vidyashankar gave a judgment that no complaints will be accepted by him against any corporate authority or by any corporate authority under Section 43 of ITA 2000/8. As a result judicial remedy for all contraventions mentioned under Section 43 of ITA 2000/8 which is also linked to most of the Cyber Crimes punishable under Section 66 of the Act has been shut off for every corporate entity in Karnataka and for everybody against any corporate authority in Karnataka.

This is an absurd decision and raises serious doubts about the competence of the then IT Secretary. The fact that Axis Bank was the beneficiary and it is the Bank working as a business partner of the E Governance department of Karnataka makes the decision even more uncomfortable.

If this decision is not corrected at the earliest the incompetance of the earlier IT Secretary gets endorsed as the incompetance of the current IT Secretary and the Government of Karnataka.

I suppose neither you nor the current IT Secretary would like to go down in the history of Cyber Legislation in Karnataka as persons who failed to respond when required. My own repeated references to the authorities indicate that the lack of action cannot be attributed to lack of being brought to the notice of the Officials or the Ministers.

At some point of time in future this matter will come for a discussion in a Court of Law and the reputation of the State of Karnataka as an IT Savvy state will come for ridicule.

The matter is of utmost importance to the welfare of the Netizens of the State who are also Citizens of the State.

I am personally pushing the need for Netizen oriented action from the State Government through the All India Forum of Netizens and intend to make this a serious issue for contention during the next general elections.

Though I am a friend of the Government this issue of Netizens of Karnataka is close to my heart and I am forced to address this strong communication to you. I have also placed several suggestions to the Karnataka Government on re branding Bangalore as "Cyber Security Capital", improving the "Cyber Cafe Regulation", developing a "Cyber Security policy for Karnataka", 'Cyber Vidya project for Government High Schools", etc. I will continue to place suggestions in public domain for any administrator to implement if they consider it useful for the Citizens of Karnataka.

I suppose you would appreciate my concern and take necessary action. If possible you should develop a Cyber Space Policy for Karnataka as a part of BJP's election strategy.

This letter will be documented through a publication on the web space so that we can revisit the issue if need be as a friendly suggestion to the Government of Karnataka which was either respected and acted upon or ignored.

Regards

Na.Vijayashankar
Founder www.naavi.org and All India Forum of Netizens
37, 20th Main, B S K Stage I
Bangalore 560050
9343554943

9th February, 2013

IN THE OFFICE OF THE ADJUDICATING OFFICER

**SH. RAJESH AGGARWAL,
SECRETARY, (INFORMATION TECHNOLOGY),
GOVERNMENT OF MAHARASHTRA**

Complaint No. 4 of 2011 dated 09/11/2011

IN THE MATTER OF

1. Poona Auto Ancillaries Pvt. Ltd., Pune

..... **Complainant**

Versus

1. Punjab National Bank, Head Office, New Delhi
2. Branch Manager, Punjab National Bank, Kirkee, Pune
3. Branch Manager, Punjab National Bank, Kathua, J&K
4. Branch Manager, Punjab National Bank, Mulund, Mumbai
5. Branch Manager, Punjab National Bank, Bhavnagar, Gujarat
6. Branch Manager, Punjab National Bank, Vyara, Gujarat

..... **Respondents**

This is proceedings of a complaint filed by the complainant for Adjudication under section 46 of the Information Technology Act, 2000. In keeping with the basic principles of natural justice and reasonable opportunity, detailed hearings were held in which both parties i.e. the Complainant and the Respondent(s) were presented with equal and adequate opportunities to present and defend their case. Following the completion of hearing and response of both the parties, conclusion has been arrived at and the judgment is being delivered herein.



ORDER

1. The Complainant in this case is a Private Limited Company, having its registered office in Pune. Manmohan Singh Matharu is the authorized representative and Managing Director of the Complainant Company. On 23/08/2011, Rupees 80,10,000/- was fraudulently transferred from the current account of the Complainant with PNB to PNB's, Jammu and Kashmir Kathua Branch in the account of M/s Sutlej Textiles, which is a K.K. Birla group firm. The amounts were transferred in 40 transactions of Rs. 2 lakh each and one transaction of Rs. 10,000/- in quick successions. Out of the Total Rs. 80.10 lakh transferred into the account of M/s Sutlej Textiles, Rs. 40 lakh was transferred to a PNB, Mulund a/c of Maxima Trading Company Private Ltd owned by James Pulikotti, Rs. 20 lakh was transferred to PNB, Bhavnagar, Gujarat a/c no. 0051002100049723 of Imran Kalva of Samudra Trading Company in and Rs. 20 lakh was transferred to PNB, Vyara, Gujarat a/c 6698002100000235 of Dalvirsingh Khurana.
2. From the Rs. 40 lakh transferred to PNB, Mulund a/c of Maxima Trading Company Private Ltd, Rs. 60,000/- was transferred to account of Zeenat Mansoori in Syndicate Bank branch of New Marine Lines, Mumbai and Rs.38 lakh was transferred to an account of M/s Ascent Global Consultant of Rambharosh G. Safi in Shyamrao Vitthal Co-operative Bank.
3. The Complainant filed a complaint with PNB immediately, and also filed a complaint with police on 25/08/2011.
4. According to Sutlej Textiles, they issued a letter to the PNB on 24/08/2011 regarding some unauthorized debits and credits in the account on 23/08/2011. Police complaint was also filed regarding hacking of the account in Kathua Police station on 25/08/2011 and letter was sent to the Bank to deactivate their a/c. They claim that their



password etc. were hacked and not leaked. The Bank has subsequently found out that the account was logged in from various places, and Bank has written to Sutlej Textiles on 29/02/2012 that their account was accesses from January 2011 to May 2011 from IPs traced to Delhi, Mumbai and Hyderabad. Vide their reply dated 01/03/2012, the company has replied that officially they never accessed the account from these places, and this indicates hacking of the account. The IP addresses used in the online transactions do not belong to the Sutlej Textiles and the company official claimed to not have travelled to Hyderabad, Delhi or Bangalore during the period the aforementioned transactions took place. In his statement to Pune police on 4/4/2012, the concerned official from the company, Shri Pareek has also mentioned that before the big amount of Rupees 80 lacs came into their account, an amount of Rupees 1000 had been withdrawn from their account and transferred fraudulently to account number 1277002100020819.

5. An interesting fact in this case is that Police investigation report in this case suggests that none of the holders of the Punjab National Bank accounts in which money was transferred from Sutlej Textiles could be traced at the address provided by their respective Banks.
6. According to the Police report, the account of Imran Kalva was opened with Introducer Pratik Gandhi of M/s Vitarag Impex and both the account holder and introducer could not be traced. The account of Dalvirsingh at Vyara Branch was opened by the Branch Manager without following any procedure. The account was opened was "Known to the Branch Manager", however the account holder is now absconding.
7. Another important fact in the case is that the Complainant had shared its password and account details with the accountant of the Complainant Company and with his son, which according to the PNB, is against the terms and conditions of the PNB. Further, the Complainant has also accepted responding to a phishing mail. Police has investigated the IP



addresses and the phishing mail received by the Complainant. The mail was sent from kishorshah52@usa.net mail id of US based service provider. The IP address used in online fund transfer was initiated from Andheri ISP In2Cable, ISP Tata Teleservices and ISP Reliance. It is also placed on record that the Complainant had NOT registered for mobile alerts from the PNB.

8. According to the Respondents, PNB, the complaint is not maintainable under Sec 43 of IT act. Their contention is that the Adjudicating officer has neither territorial nor subject matter jurisdiction in the matter as the in the Banking Service terms and conditions that the complainant has signed clearly states Governing Laws and jurisdiction to be of courts and tribunals of New Delhi.
9. They allege that the Complainant fell prey to an email sent by some unknown source. PNB claims that they have all policies and checks in place and that penetration testing has been done by KPMG. They also state that RBI guidelines on KYC have been complied with. In their defense, PNB also claims that the Complainant had also not availed of the banking facilities for corporate account like monitoring and management of a/c, workflow and authorization levels user profiles etc and was using only single user id.
10. They state that PNB has responded actively and helped customer to freeze money in a/c of 3 banks Rs. 34.04 lakh. Vide interim order 9/12/2011, this office had asked PNB to transfer this frozen amount of Rupees 34.04 lacs to the Complainant, which was subsequently done by the Bank. In fact, the Investigation Report submitted by Chief Manager, Cyber Crime Monitoring Cell, IT Division, Head Office of PNB says that the Bank has reversed funds to the tune of Rs. 37,64,675/- to the customer. This office appreciates this pro-consumer step taken by the Bank.
11. I must also put on record, that during the case before me, the Bank officials have really taken some good steps in trying to help the customer, and to do their internal investigations. Their additional/supplementary



written statement dated 14/02/2012, 14/06/2012 and 17/09/2012 give detailed description of security scenario, the RBI guidelines, and Bank's internal investigations in the matter. The Bank has also approached the Finance Intelligence Unit (FIU-IND) which is a Central National Agency of the government of India for receiving, processing information related to suspect financial transactions.

12. I will start with the objection of the Respondent that the adjudicating authority does not have either subject matter jurisdiction or territorial jurisdiction in this matter. Regarding territorial jurisdiction, I am of the view that since the Complainant held account in State of Maharashtra, the adjudicating officer has the territorial jurisdiction. Though the Banking Service terms and conditions that the Complainant had signed stated that Governing Laws and jurisdiction would be of courts and tribunals of New Delhi, since such terms and conditions are standard and the customers do not have a negotiating power with respect to such terms and conditions, it would be unfair to deny the Complainant an opportunity to file a complaint in the state in which he is residing and has his account. Besides, the Respondent also has branches in State of Maharashtra and the fraudulent transactions originated from Maharashtra. Thus, I would not deny the Complainant an opportunity to be heard on pleas of lack of territorial jurisdiction by the Respondent.
13. With respect to the subject matter jurisdiction, according to me, under Section 46 of the Information Technology Act, 2000 (IT Act), if there is any contravention of provisions of IT Act, then the adjudicating authority has the authority to admit a complaint and award damages or penalty as per the provision of the IT Act. It needs to be examined whether, in the present case, any provision of the IT Act was contravened or not to determine if the adjudicating authority has any jurisdiction in this matter. In this regard, I am of the view that provisions of Section 43 of the IT Act certainly get involved as there has been an unauthorized access to data of not only the Complainant but also of Sutej Textiles. What needs to be



examined is whether the Respondents are liable for the contravention of Section 43A of the IT Act.

14. It is clear from the facts of the case that Sutlej Textile was not involved in the fraudulent transaction. Rather, it was also at the receiving end of the fraudsters. It is evident from the police report that the transactions were not undertaken by Sutlej Textile itself and that their account was used by fraudsters for accomplishing the fraud. Thus, no case is made out against Sutlej Textiles.
15. Investigation Report submitted by Chief Manager, Cyber Crime Monitoring Cell, IT Division, Head Office of PNB, and Police Report dated 21/08/2012 bring some interesting things to light:
- (i) Account of Sutlej Textiles had been compromised since a few months, and was also "tested" with a Rupees 1000 transfer before the big crime.
 - (ii) Regarding Bhavanagar account, where Rs. 20 lacs were transferred, the customer visited the branch on 29/08/2011 to withdraw money, but raised suspicion. He never came again. The Police report says that someone in the bank "alerted" the criminal. The Bank report also says that high value transactions were frequently seen in this account, where majority of funds were instantly drawn after receipts. I am intrigued why this never raised alarm bells in the bank's system.
 - (iii) In Mulund account transactions, one James George speaks about his 3.5% commission. This angle should have been further investigated by the police.
 - (iv) In Vyara, Gujarat account of Dalvirsingh Khurana, the customer withdrew Rs. 17.70 lacs on 24/08/2011 in six self-favouring cheques. That so much cash withdrawal went unnoticed is a telling commentary on the laxity in the banking system. Also, Rs. 50,000 was withdrawn from various ATMs. Neither PNB nor the Pune Police has taken any steps to get CCTV footage and try to identify the criminal.
 - (v) Regarding the account of Michelle Maxima trading company, the Bank report says that MD of the account, Ms. Kanupriya got the RTGS



transaction of Rs. 38 lacs done. I am surprised why the Pune police have taken no steps to apprehend Ms. Kanupriya.

(vi) In Samudra Trading Company account at Bhavnagar, Gujarat, Rs. 20 lacs was withdrawn around 1 pm on 23/08/2011 through 3 self-cheques. The fact that so much cash withdrawal went unnoticed is a telling commentary on the laxity in the banking system.

16. In light of the foregoing discussions, in my considered view:

- a) The Complainant held a current account with PNB. For such corporate accounts, I understand that the PNB has stricter and more effective security services. However, these services were not availed by the Complainant. The Complainant had not even subscribed to the SMS alert services available with PNB for such accounts. Further, he responded to a phishing email. Hence, the complainant has to share part of the blame.
- b) Criminals used accounts of PNB opened on fake papers to defraud the complainant. This indicates that PNB has generally been very lax with the KYC norms. Also, major cash withdrawals were allowed at various bank branches, which is a major contributing factor to the crime. This was the fundamental reason that criminals were able to defraud the complainant.

I have carefully gone through the *"Master Circular – Know Your Customer (KYC) norms / Anti-Money Laundering (AML) standards/ Combating of Financing of Terrorism (CFT)/Obligation of banks under PMLA, 2002"* dated 2nd July 2012, and find that PNB has violated para 2.8 of the circular regarding Money Mule Accounts by not taking sufficient precautions in this regard.

I have also carefully gone through the ***"Guidelines on Information***



security, Electronic Banking, Technology risk management and cyber frauds” issued by RBI on 29/04/2011. It has detailed instructions to Banks on Fraud Risk Management; need of strong KYC norms to prevent cybercrimes; Transaction monitoring; Dedicated email ID and phone number for reporting suspected frauds; Mystery shopping and reviews; reporting of frauds as indicated in the RBI circular, dated July 1, 2010; Filing of police complaints (Banks should readily share data and documents requested by the police even in cases where the bank in question is not the victim of the fraud but has been a receiver of fraudulent monies into its accounts); customer awareness etc. It is very clear that PNB falls short on many of these counts, which has contributed to its customer getting cheated of his hard earned money. Chapter 6 on Cyber Frauds in the RBI notification dated 29/04/2011 clearly mentions that ***“... the response of most of the banks to frauds in these areas needs further improvement, thereby avoiding putting the entire onus on the customer ...”***.

I firmly conclude, based on these discussions and as detailed in para 15 above, that PNB Bank has failed to prevent the offence under Section 43 of IT Act, by its wilful negligence on multiple counts as indicated above, and is thus guilty of offences in Section 85 read with sections 43 and 43A of IT Act 2000 (as amended in 2008), and should shoulder responsibility in making good the losses incurred by the complainant. I order the Respondent i.e. **PNB to pay damages to the tune of Rupees 45,00,000 (Rupees 45 lacs)** by way of compensation to the Complainant, to partially cover his loss and costs. This will practically cover the original loss, but will not cover the Interest lost, which alone would come to not less than Rupees 20 lacs if calculated at about 15% per annum interest. The complainant must bear this Interest loss, as he was careless as mentioned in previous para (a).

c) I must also comment on the investigation by the Police. After lot of prodding by me, the police teams went to Gujarat, Kathua etc. and



recoded the statements. But as detailed in para 15 above, they had many leads (IP addresses, ATM CCTV footage, bank branches footage, some persons in the whole crime chain etc.) which could have been further pursued, but has not been done. The crime committed is not a one person act, but well planned conspiracy by many persons. That all of them are roaming free, robbing other innocent citizens, is a scary thought. That such a big cybercrime was not even reviewed by the Pune Police commissioner, or even the DCP, indicates that the Pune police is still not sensitised to cybercrimes. A majority of credit card and net banking fraud cases in Maharashtra are from Pune city.

As per powers vested in Adjudicating officer under Rule 12 of the "Information Technology (Qualification and Experience of Adjudicating Officers and Manner of Holding Enquiry) Rules, 2003" notified by the Central Government on 17th March 2003, I hereby ask Police Commissioner Pune to immediately review this crime at his level, and put a DCP rank officer in charge of this investigation. Director General of Police, Maharashtra should organize special training classes for all the personnel posted in cybercrime cells across the state, and to ensure that sufficient manpower is available to investigate cybercrimes.

d) No separate orders as to costs.



Rajesh Aggarwal

Secretary (Information Technology)
Government of Maharashtra,
Mantralaya , Mumbai- 32