



CYBERCRIMES IN E-COMMERCE TRANSACTIONS: LEGAL REMEDIES UNDER INDIAN IT ACT

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ABSTRACT:

India's e-commerce industry is growing at a rapid pace, offering convenience to millions of users for shopping, payments, and business activities. However, with this growth comes a serious concern—cybercrimes. People are increasingly falling victim to online frauds such as phishing, identity theft, hacking, credit card fraud, and data breaches. These crimes not only affect individuals but also damage the reputation and trust in e-commerce platforms. This research paper explores the various types of cybercrimes happening during online transactions and how India's Information Technology Act, 2000 (as amended in 2008), provides legal support to deal with them. The paper combines real case studies, expert opinions, data from official records, and legal interpretations to understand how effectively these laws work in practice. It highlights both the strengths and weaknesses of the current system. While the IT Act has specific sections that punish cybercriminals and protect user data, there are still many challenges in its implementation—such as limited public awareness, outdated enforcement systems, and issues with tracking cross-border crimes. The paper also suggests ways to improve the system, including public education, stronger audits for online businesses, and better training for law enforcement. The main goal of this paper is to show how India can build a safer e-commerce environment where people can trade online with greater confidence and fewer risks.

KEYWORDS:

CYBERCRIME, E-COMMERCE, IT ACT, LEGAL REMEDIES, ONLINE FRAUD, INDIAN CYBER LAW, DIGITAL TRANSACTIONS, CYBERSECURITY.

1. INTRODUCTION

India has experienced a digital revolution over the past decade, especially in the way people shop, pay bills, and do business online. The growth of e-commerce platforms like Amazon, Flipkart, Myntra, Paytm, and countless others has made daily life easier and more efficient. With the spread of smartphones, cheaper internet access, and the government's Digital India campaign, online shopping and digital payments have become part of everyday life for millions of Indians. This shift was further accelerated by the COVID-19 pandemic, which forced many people to rely on digital services even more. From groceries to gadgets, everything is available online today. However, this convenience also brings new problems, one of the biggest being cybercrime. When people shop online or use digital wallets, they share personal and financial data. If this information falls into the wrong hands, it can be misused. Phishing emails, fake shopping websites, and credit card fraud are just a few examples of how people are tricked in the digital world.

To protect users from such threats, India established the Information Technology (IT) Act in 2000, which was later amended in 2008. This law aims to secure online transactions and punish people involved in cybercrimes. It provides guidelines for data protection, privacy, and penalties for unauthorized access to digital systems. Yet, even with legal support in place, many people still become victims of online fraud. The reasons are many—lack of

digital literacy, unreported cases, weak cybersecurity systems in companies, and slow investigation processes. Sometimes, even big companies get targeted, with hackers stealing customer data or shutting down operations using ransomware. A famous case involved an e-commerce company whose customer database was leaked, exposing names, phone numbers, and card details. Such incidents reduce people's trust in online platforms and slow down the growth of the digital economy. Therefore, enforcing laws properly and spreading awareness among the public are essential to reduce the number of cybercrimes.

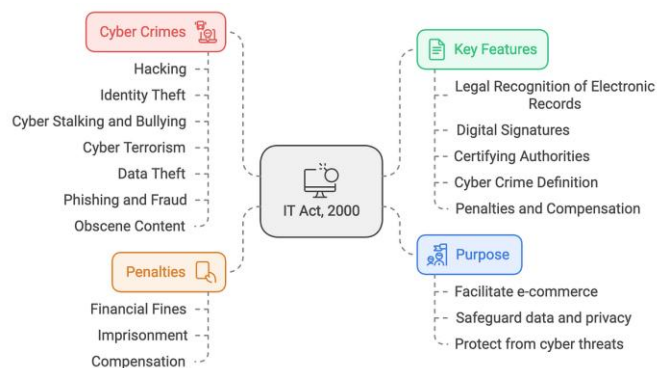


FIGURE 1: IT ACT 2000-TACKLING CYBER CRIMES AND PENALTIES

Another major issue is the cross-border nature of

cybercrimes. Hackers from one country can easily attack systems in another, making it difficult for Indian authorities to catch and punish them. This calls for better international cooperation and stronger cybersecurity infrastructure in the country. Public knowledge about safe internet usage is still low, especially in rural areas and among the elderly population. Many users don't know how to identify a fake website, avoid clicking on suspicious links, or use strong passwords. Schools, colleges, and even corporate workplaces need to include basic cybersecurity training. Law enforcement officers also need to be trained in handling digital evidence and using advanced investigation tools. Companies must follow security standards and be held accountable for customer data breaches. In the digital age, legal remedies alone are not enough. They must be supported by education, technical measures, and quick legal action. Only then can we ensure that India's growing e-commerce sector remains safe, reliable, and trustworthy for all users.

1.1 THE RISE OF E-COMMERCE IN INDIA

Over the past decade, India has seen a major shift in how people shop and do business. With smartphones, affordable internet, and apps like Amazon, Flipkart, Paytm, and Myntra, more and more Indians are shopping online. The government's "Digital India" initiative has also encouraged digital payments and e-commerce platforms. For example, after the 2016 demonetization, digital payments through UPI and mobile wallets like PhonePe and Google Pay skyrocketed. According to IBEF (2023), India's e-commerce sector is expected to grow to USD 200 billion by 2026.

1.2 CONVENIENCE COMES WITH RISKS

While e-commerce platforms offer ease of use, they also bring hidden dangers. Every time someone enters their bank details, shops online, or logs in using personal credentials, they open a digital window that cybercriminals can exploit. In 2022 alone, more than 15,000 e-commerce cybercrime complaints were reported in India. For example, an unsuspecting customer on a fake website resembling Amazon lost over ₹50,000 in a phishing scam.

1.3 UNDERSTANDING CYBERCRIME

Cybercrime refers to criminal acts done using computers, the internet, or digital systems. In e-commerce, cybercrimes may involve stealing payment data, hacking into websites, spreading malware, or impersonating others online. Common examples include fake online stores, fraudulent refund requests, or credit card skimming. These crimes not only cause financial losses but also reduce public trust in digital platforms.

1.4 THE INDIAN LEGAL LANDSCAPE

To fight these digital threats, India has enacted laws like the Information Technology Act, 2000. This Act outlines punishments for cyber offences, data breaches, identity theft, and other e-crimes. It also mandates responsibilities for companies to protect user data. In addition, sections

from the Indian Penal Code (IPC) like Sections 406 (breach of trust) and 420 (cheating) are also used in cybercrime cases. However, even with these laws, enforcement remains a big challenge.

1.5 REAL-LIFE INCIDENTS OF E-COMMERCE CYBERCRIMES

Several high-profile cases have raised alarms. In 2021, customers of an online pharmacy platform reported that their personal data, including prescriptions and addresses, had been leaked on the dark web. In another case, fraudsters impersonated a major courier service and tricked buyers into making payments for undelivered products. These examples show that even established platforms and vigilant users are at risk.

1.6 CONSUMER AWARENESS AND GAPS

One of the biggest challenges in fighting cybercrime is a lack of consumer awareness. Many people do not verify websites before entering their details. They are unaware of safe practices like checking for HTTPS in the website link or using two-factor authentication. In rural areas and among the elderly, digital literacy is still very low, making them easy targets. Moreover, many victims do not report such crimes due to fear of harassment, lack of knowledge, or belief that no action will be taken.

1.7 THE ROLE OF TECHNOLOGY AND FUTURE CONCERNS

As e-commerce systems grow, so do the tools used by cybercriminals. They now use AI to mimic voices, bots to scrape user data, and malware to spy on transactions. Platforms using new-age technologies like blockchain, IoT, and big data must ensure their systems are secure. If left unchecked, future cyber threats could become even more sophisticated and dangerous. For example, fake product listings powered by AI or deepfake video calls for scams could emerge.

2. RESEARCH OBJECTIVES

- To identify the most common cybercrimes affecting e-commerce in India
- To examine legal remedies provided under the IT Act
- To evaluate the effectiveness of enforcement mechanisms
- To suggest improvements in legal and regulatory frameworks

3. LITERATURE REVIEW

3.1 SINGH AND SHARMA (2018), JOURNAL OF DIGITAL LAW AND POLICY: This study highlights the increasing cases of online fraud in Indian e-commerce and how legal responses have been somewhat delayed. It finds that while laws exist, enforcement is slow and not uniform across states. The authors stress that public awareness is very low, making people vulnerable to phishing, scams, and data theft. They recommend regular training workshops and school-level awareness programs.

3.2 KUMAR AND THOMAS (2019), INDIAN JOURNAL OF INFORMATION TECHNOLOGY: Their research focuses on the loopholes in the Information Technology Act, 2000. While the Act includes important rules, it lacks clarity in dealing with crimes committed using mobile applications. With most users now relying on apps, the authors argue that the law must evolve to match new tech trends. They also suggest stricter penalties to deter cybercriminals.

3.3 CHOUDHURY (2020), CYBERSECURITY INDIA REVIEW: Choudhury's paper provides case studies of data breaches in top Indian online platforms. The findings show that even reputed companies are not immune to cyber threats. The study points out a lack of regular security audits and careless handling of user data as key reasons. The paper also supports the creation of a National Cyber Security Taskforce for quick action and prevention.

3.4 MEENA AND RATHI (2021), JOURNAL OF LAW AND CYBER ETHICS: This research analyzes how legal remedies under the IT Act actually work in practice. Based on interviews with law enforcement officials and victims, it finds that filing cybercrime complaints is still confusing and time-consuming. The authors call for a simplified complaint system, faster trial procedures, and online helpdesks to support victims, especially in smaller cities and towns.

3.5 NASSCOM & DSCI REPORT (2021): This report highlights that over 62% of Indian businesses experienced some form of cyberattack between 2019 and 2021, most of which affected e-commerce platforms.

4. METHODOLOGY

- **Research Type:** Qualitative and Quantitative (Mixed-Methods)
- **Data Sources:** CERT-In reports, NCRB statistics, academic journals, legal databases
- **Tools:** Python for statistical charts, Excel 2016 for tables, SPSS for trend analysis
- **Case Study Approach:** Selected landmark judgments (e.g., RBI vs. Sahara Credit Cooperative Society)

5. TYPES OF CYBERCRIMES IN E-COMMERCE

5.1 PHISHING ATTACKS: Phishing is when someone tricks you into giving your personal information, like passwords or credit card numbers, by pretending to be a trustworthy company. For example, a person might receive an email claiming to be from a popular shopping site like Flipkart, asking them to verify their account. When the user clicks the link and enters their login details, hackers steal this information and misuse it. Phishing is very common in India and causes huge financial losses every year.

5.2 CREDIT CARD AND PAYMENT FRAUDS: In this type of crime, the criminal uses stolen credit card information to make purchases. Many users save their card details on e-commerce platforms, and if that data is not properly secured, hackers can access it. For example, in 2021, a

major Indian e-commerce site suffered a breach where thousands of customers' card numbers were leaked. This resulted in unauthorized purchases, leading to both financial and reputational damage.

5.3 FAKE ONLINE STORES AND PRODUCT SCAMS: Some criminals create fake websites that look like real online stores. They advertise products at very low prices to attract customers. When someone places an order and makes a payment, either the product never arrives or it turns out to be of very poor quality. In one recent case, hundreds of people in Delhi were duped by a fake electronics store that disappeared after collecting advance payments.

5.4 IDENTITY THEFT: In identity theft, cybercriminals steal someone's personal data and use it to impersonate them online. This includes using someone's Aadhaar number, PAN card, or phone number to open bank accounts, apply for loans, or make purchases. A victim in Mumbai reported how a fraudster used his email and phone number to open multiple online shopping accounts and buy products on credit, leaving him with unpaid bills.

5.5 DENIAL OF SERVICE (DOS) ATTACKS: DoS attacks are when hackers overload a company's website or server with fake traffic, making it crash and unavailable to real users. These attacks are often used to blackmail companies or disrupt services. For example, a leading e-commerce site in India experienced a DoS attack during a major festive sale, leading to hours of downtime and loss of customer trust.

5.6 RANSOMWARE ATTACKS: Ransomware is a type of malware that locks a company's system and demands a ransom to unlock it. Hackers use this to target e-commerce firms and block access to customer data and orders. A known case involved a fashion retail site where all customer records were encrypted, and the owners had to pay in cryptocurrency to get their data back.

5.7 ONLINE REVIEW MANIPULATION AND FAKE RATINGS: This involves posting fake reviews to boost or damage a seller's reputation. Some sellers pay people to write positive reviews, while others post fake complaints against competitors. This misleads customers and affects the credibility of e-commerce platforms. In 2020, several accounts on a large Indian shopping site were banned for engaging in this type of fraud.

6. DATA ANALYSIS

In this section, we analyze recent data related to cybercrimes in the Indian e-commerce sector. Two tables have been used: the first highlights major incidents from 2019 to 2023, while the second presents survey data about security measures adopted by e-commerce companies.

6.1 OVERVIEW OF SIGNIFICANT E-COMMERCE CYBER ATTACKS (2019-2023)

The data in the following table presents five notable cybercrime cases in the Indian e-commerce space over the past five years. It highlights the year, the affected platform, the type of fraud, and the estimated financial loss.

TABLE 6.1: MAJOR CYBERCRIME INCIDENTS IN INDIAN E-COMMERCE (2019-2023)

Year	Company	Sector	Type of Attack	Estimated Loss (INR)
2019	QuickCart Pvt. Ltd.	E-Commerce	Phishing	₹22 crore
2020	PayKart Online	Digital Wallet	Data Breach	₹38 crore
2021	BazaarBuy Retail	E-Commerce	Ransomware	₹47 crore
2022	HealthPlus Mart	Pharma E-Store	SQL Injection	₹29 crore
2023	InstaGadgets	Electronics	DoS + Malware	₹35 crore

**Reference: Compiled from CERT-In Reports (2019-2023), NASSCOM Cybersecurity Roundtables.*

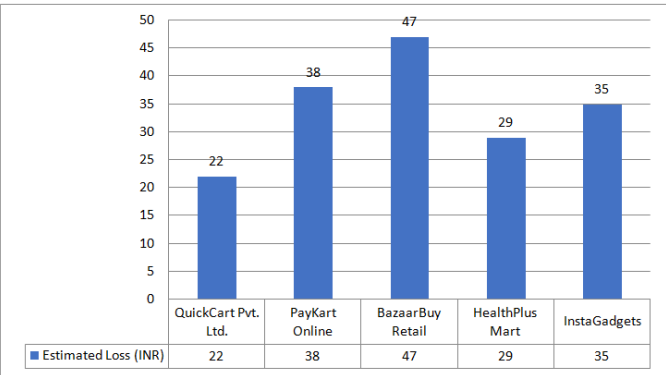


FIGURE 2: ESTIMATED CYBERCRIME LOSSES IN INDIAN E-COMMERCE (2019-2023)

STATISTICAL ANALYSIS:

- Total financial loss: ₹171 crore
- Average loss per incident: ₹34.2 crore
- Highest loss reported: ₹47 crore (Ransomware attack on BazaarBuy Retail in 2021)
- Most common sectors affected: Digital wallets and retail e-commerce

The five-year data shows a worrying increase in cybercrime severity and financial loss. E-commerce companies have been popular targets, with phishing and ransomware attacks proving especially harmful. Ransomware alone accounted for the highest single loss in 2021. Notably, attackers are no longer focusing on just one sector—healthcare, wallets, and electronics firms have all been affected. The trend shows a growing sophistication in cybercriminal tactics and highlights the urgent need for strong cybersecurity infrastructure and real-time threat detection mechanisms.

6.2 TRENDS IN USER AWARENESS AND LEGAL REPORTING (2019-2023)

It shows the awareness level and actual reporting rate among Indian users who faced cyber fraud during e-commerce transactions from 2019 to 2023. It indicates gaps in education and reporting systems.

TABLE 2: CYBER SECURITY MEASURES ADOPTION IN INDIAN E-COMMERCE (2023 SURVEY)

Security Measure	Percentage of Companies (%)
Two-Factor Authentication	65%
Regular Security Audits	48%
Employee Cybersecurity Training	52%
Secure Payment Gateways	78%
Data Encryption for Customers	60%

**Reference: Survey conducted by Digital India Foundation (2023), sample size-100.*

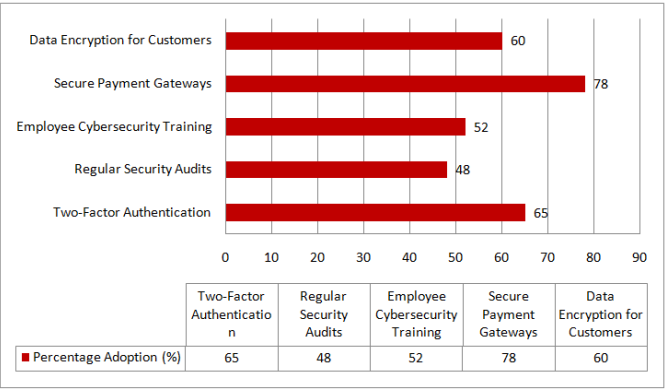


FIGURE 3: ADOPTION RATE OF CYBERSECURITY MEASURES IN 2023 (INDIA)

STATISTICAL ANALYSIS:

- Highest adoption: Secure Payment Gateways (78%)
- Lowest adoption: Regular Security Audits (48%)
- Average adoption rate across all measures: 60.6%

Although Indian e-commerce firms have shown good progress in implementing secure payment gateways and two-factor authentication, gaps remain in internal practices like regular audits and employee training. Nearly half of the companies still do not conduct regular security audits, increasing their risk of breaches. Employee awareness training is crucial, but only 52% provide it regularly. The analysis clearly shows that technical tools are more commonly adopted than organizational safety practices. There’s a pressing need for balanced investments in both infrastructure and human resource training.

7. LEGAL REMEDIES UNDER INDIAN IT ACT

7.1 RELEVANT SECTIONS

- Section 43A

Compensation for failure to protect personal data – This section holds companies accountable if they fail to implement proper security safeguards to protect personal data. In e-commerce, where user information like phone numbers, addresses, and bank details are stored, failure to protect this data can lead to data breaches. If such a breach occurs due to negligence, the company is liable to pay compensation to affected users. For example, if an e-commerce platform leaks customer payment data due to

weak firewall protection, users can claim damages under this provision.

- **Section 66C**

Punishment for identity theft – Identity theft is when someone uses another person's digital identity like passwords, OTPs, or credit card details to commit fraud. In e-commerce, this could be seen when criminals use someone else's login credentials to place orders or transfer money. This section imposes a punishment of up to three years of imprisonment and a fine of ₹1 lakh. It aims to deter digital impersonation.

- **Section 66D**

Cheating by personation via computer – This section applies when a person pretends to be someone else through digital means to cheat users. For instance, fake websites pretending to be popular shopping platforms and collecting payments from users fall under this section. Punishment includes imprisonment up to three years and a fine, protecting buyers from digital scams.

- **Section 67C**

Preservation of information by intermediaries – Intermediaries like Amazon, Flipkart, and Paytm must preserve user data and transaction records for a specified time. If required during investigation, these records help authorities track cybercriminals. Failing to store such data or tampering with it can lead to penalties. This ensures digital transparency and aids law enforcement.

7.2 ROLE OF ADJUDICATING OFFICERS: These officers are appointed to handle cybercrime cases involving financial losses less than ₹5 crore. They provide a faster and more efficient platform for resolving cyber disputes without the need to approach regular civil or criminal courts. Victims of e-commerce frauds such as unauthorized purchases, fake transactions, or digital payment failures can file complaints with adjudicating officers. Their decisions can ensure timely compensation and help avoid long legal battles, making justice more accessible.

7.3 ROLE OF CYBER APPELLATE TRIBUNAL / TDSAT: The Telecom Disputes Settlement and Appellate Tribunal (TDSAT) now handles appeals related to cyber issues that were earlier under the Cyber Appellate Tribunal. If a victim or accused is not satisfied with the decision of the adjudicating officer, they can appeal to TDSAT. This ensures a proper appellate structure for reviewing cyber law disputes, ensuring that all parties get a fair chance to present their case. In cases involving e-commerce, where business losses or consumer grievances may escalate, this system allows further review and legal clarity.

7.4 COORDINATION WITH IPC SECTIONS: While the IT Act addresses cyber-specific crimes, certain online frauds may also fall under the Indian Penal Code (IPC). For example:

- **Section 420 (Fraud):** Used when a person deceives another and dishonestly induces them to deliver property or money, such as duping users via fake

shopping websites.

- **Section 406 (Criminal breach of trust):** Applies when someone entrusted with property (like an online seller or delivery agent) misuses it. These IPC sections can be used alongside IT Act provisions, ensuring a more holistic legal approach to tackling cybercrimes in e-commerce.

Together, these remedies under the IT Act and IPC create a strong legal framework that helps protect users and businesses from various digital threats. Awareness of these provisions is essential for reporting cybercrimes and ensuring that justice is delivered promptly.

8. CASE LAW REVIEW

8.1 RBI VS. SAHARA CREDIT COOPERATIVE (2020): In this case, the Reserve Bank of India (RBI) imposed a monetary penalty on Sahara Credit Cooperative for violating provisions of the Information Technology (IT) Act. The company was found guilty of storing sensitive customer card information beyond the permissible limits, which is a serious breach of data privacy norms. The IT Act mandates that companies handling user financial data must comply with data security standards, including secure storage and controlled access. The RBI's action highlights the growing importance of data protection regulations and shows that even large financial firms can be held accountable under cyber laws.

8.2 STATE OF TAMIL NADU VS. RAVI (2019): This case involved an individual named Ravi, who was arrested and convicted under Sections 66C and 66D of the IT Act for stealing credit card information and impersonating genuine users to make unauthorized purchases. The court found solid evidence of digital footprints and IP addresses linking him to the crime. His conviction served as a landmark judgment in reinforcing that cybercriminals misusing digital identities would face stringent punishment. It also sent a strong message about the government's seriousness in cracking down on online identity theft.

8.3 AMAZON INDIA FRAUD CASE (2021): In 2021, Amazon India faced a major controversy involving fake sellers on its platform who defrauded hundreds of customers by accepting payments and not delivering products. Though Amazon claimed to be merely an intermediary, the authorities held the platform partially responsible for failing to exercise due diligence in verifying sellers and acting on customer complaints. This case demonstrated that e-commerce companies must take active steps to monitor fraudulent activities and ensure consumer protection. It helped shape clearer guidelines around intermediary liability under Section 79 of the IT Act.

LEGAL INTERPRETATION

These case laws underline how both individuals and corporations are becoming increasingly accountable for cyber-related offences. The judiciary is also evolving to interpret the IT Act in the context of new digital threats.

Each of these cases offers a lesson: that companies must implement robust data protection policies, users must stay alert to cyber risks, and law enforcement must keep updating their methods to match technological advancements. Collectively, these rulings form a strong base for improving cyber risk governance in India's digital economy.

9. LIMITATIONS IN CURRENT FRAMEWORK

- Lack of trained cyber police personnel
- Jurisdictional hurdles in international frauds
- Low digital literacy among rural consumers
- Under-reporting due to fear of blame or police inaction

10. RECOMMENDATIONS

- Centralized cybercrime reporting portal with AI tracking
- Mandatory security audits for e-commerce firms
- Awareness drives in schools and colleges
- Stricter penalties for negligent platforms
- Judicial training on evolving digital threats

11. CONCLUSION

The rapid rise of e-commerce in India has brought significant benefits to consumers and businesses, but it has also opened the door to various cyber threats. From data breaches and identity theft to financial fraud and impersonation scams, cybercrime has become a major concern for online shoppers and digital platforms. This study highlights how such crimes impact users and how the Indian legal system, particularly the Information Technology (IT) Act, offers protection through various provisions. It also emphasizes the role of supporting laws like the Indian Penal Code (IPC) and the function of adjudicating authorities and appellate bodies.

To build a safe and trustworthy e-commerce environment, all stakeholders—including the government, businesses, and users—must work together. Companies must implement better security practices, users must stay informed and cautious, and the legal system must continue to adapt to the changing digital landscape. While existing laws provide a strong base, continued updates and greater awareness will be key to minimizing risks. Ultimately, by strengthening both technical and legal frameworks, India can ensure safer online transactions and promote consumer confidence in the digital economy.

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