

## IDENTITY THEFT

# Phishing scam victim? You may still win

Failing to get back his money, Mr Sivasubramanian appealed to the State Government's IT Secretary, Mr P.W.C. Davidar, also the Adjudicating Officer under the IT

Act. Meanwhile, this was what Mr Sivasubramanian discovered. His money had gone to one Uday Enterprises, a current account holder of the same bank in Mumbai. Uday Enterprises owed ICICI Bank Rs 35,000, which sum was duly adjusted by the bank as soon as the funds came in. Also, Uday Enterprises had withdrawn Rs 4.6 lakh by cheque over the counter. When ICICI Bank tried to contact the firm, it discovered that Uday Enterprises had moved on from the address provided two years earlier. Sivasubramanian's account in July 2008, 10 months after the discovery.

### PHISHING ATTACK

The petitioner is a victim of what is commonly called a 'phishing' attack. Wikipedia describes 'phishing' as a criminally fraudulent process of attempting to acquire sensitive information such as usernames, passwords and credit card details by masquerading as a trustworthy entity in an electronic communication. In this case, the bank in defence said that it could not be held responsible for e-mails outside its network, and that the victim had been lax in disclosing confidential information. It added its CCTV clippings, which could have

identified who had withdrawn the cash, were available for only one month from the time of recording. **KYC NORMS VIOLATED** Mr Davidar stated in the order that a formal list of instructions the bank had put up on its Web site and which it sends to customers were of a "routine nature" and did not help a customer distinguish between an e-mail from the bank and an e-mail sent by somebody suspect. He observed that the bank had taken shelter behind routine instructions on phishing and had avoided taking steps that would benefit the customer. Mr Davidar also observed that the bank's actions indicated it had "washed its hands off the customer." Adding that the bank's branch had been indifferent to the customer's plight, his ruling pointed out that the bank had violated the Know Your Customer norms in letter and spirit.

**E-MAIL LURE** Responding to an e-mail that seemed to be from the bank but actually wasn't, Mr Sivasubramanian divulged confidential information about his online bank account, including the password. And before he could say Jack Robinson, Rs 6.5 lakh lying in his account disappeared!

**K. Bharat Kumar**

*Chennai, April 13*

If you have ever had your identity

stolen via e-mail and you have lost

money, this story may warm the

cockles of your heart.

Mr Umashankar Sivasubramanian

is an NRI who lives in Abu Dhabi.

He had an account with ICICI Bank

in Tuticorin he operated online. He

would read periodic e-mails from

the bank and managed to transact

online. A happy, idyllic existence

online one would say, until one day

in September 2007...