**TRENDS IN ORGANIZED CRIMES**

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**Abstract**

*There is wide support for the argument and assertion that organized crime has increased in the last decade. But the problem for any discussion on organized crime is establishing the extent to which it exists and the size of the threat to democracy and security that it could represent. The myth, mystery and secrecy that surrounds organized crime and the clandestine nature with which it operates makes it hard to quantify and reach sound conclusions on. One of the most important factors is the establishing of a proper and sound working definition of organized crime in order to move away from the mythical notions that pervade the popular conscious and perhaps many security and intelligence institutions within India. Organized crime, it would seem, is extremely complex involving many different groups and people who operate in a variety of different ways and styles. Some it is equally important to establish the differences as well as the common features of organized crime. It is not possible to respond effectively to organized crime until it is fully understood.*

*The goal of any organized criminal activity is to make huge profits that need to be laundered before the capital can be used to expand their illegal business empires. Rendering banking transparent at a business level would go some way to eradicating money laundering, ultimately impeding and inhibiting the expansion of organized crime, and arguably represents one of the key measures in its control.*

*This Article deals with what are Organized Crimes, its various forms, extent and influence and effect on World’s largest Democracy.*

**Introduction**

Organized crimes have been defined by **Lindesmith** as the “crime that involves cooperation of several persons or groups for its successful execution”[[2]](#footnote-3). According to **Thorston Sellin** organized crime is “an enterprise organized for the purpose of making economic gain through illegal activities.”

The crimes which are organized are real dangers to society. The criminals act in an organized manner and then try to gain economic and political advantage. The loss caused to the society by such organizations may be inestimable. From these crimes, the profit which is derived is huge as compared to the honest and hard work living. Organized crimes are of two types:-

* Predatory and service crimes or
* Racketeering

**Characteristics of Organized Crimes[[3]](#footnote-4)**

In organized crimes, there is a hierarchy of structure. There is a feudal system, where at the top are “Lords” who run the organizations and take important decisions. They maintain master – serf relations. The middle ring consists of **‘henchmen’** and **‘lieutenants’** who carry out the commands of the Lords and at the lowest rung of hierarchy are the **‘runners’** , the person marginally associated with the crime; example: prostitutes, carriers of narcotics and illegal goods , pick-pockets , suppliers of alcohol etc. These persons have direct public dealings.

Crimes are committed with a proper planning. There is a reserved fund to execute criminal enterprises successfully and to provide help to the persons brought to the book by taking the assistance of police, judiciary, executive and politicians. The technique of permanent protective measure is adopted. Some groups of the organization are specialized in one type of crime while others are specialized in multiple crimes. The violence is used for committing crimes to maintain internal discipline and to prevent external competition. The organized crimes in the beginning are limited to a particular area but later on the area expands and the organization develops monopoly in the field. The violence is used without hesitation to eliminate the competitors. There are conducts norms for the members who have to follow them and deviation from the norms brings penalty.

**Kinds of Organized Crimes[[4]](#footnote-5):** There are following kinds of organized crimes:

* Predatory Crimes
* Racketeering
* Syndicate Crimes

**Predatory Crimes[[5]](#footnote-6)**

Predatory Crimes are those crimes which are committed by two or more persons cooperatively for their own gain including the monetary one without any benefit to others. In it, there is no element of ***quid-pro-quo***. The robbery, theft, rape, burglary, counterfeiting of coins etc. are such offences. The people are victims of these offences; they do not want these crimes to be committed. Therefore the society as a general has no sympathy for the doers of these offences. The criminals may have their links with the police, professional lawyers, dishonest judicial members and politicians. The criminals not only harm the members of the society by their acts but they also attempt to corrupt the administrative and judicial system.

Predatory crimes are committed with the desire to gain money, power or heroism. The juveniles who commit the crimes are generally the doers of such crimes and they continue to be so in their adult life also. Many factors are responsible **example:** Property, non fulfillment of basic needs after hard work by parents. The glamour of richness, the modern luxurious things etc. make the children feel that they cannot get these things unless they act in an organized manner. They do not like to be disapproved for their acts by the society and social institutions. In their eyes, whether businessman, policemen, Magistrates, Judges and politicians etc. all act in an organized way for their benefits having their own rackets.

* **Racketeering[[6]](#footnote-7)**

**‘Racketeering’** is an organized activity to extort the money by the threat to use the force or to obtain the money by deceitful means. The racketeers realize the money from the persons doing such business like sale of adulterated commodities and drugs, liquor, trafficking, prostitution etc.

The landlords who want to get their houses vacated or the businessmen who want their rivals to be eliminated take their help. Some racketeers approach the shop – keepers and restaurant owners and hoteliers that they need the protection of racketeers and in turn collect handful amount. **Caldwell** has stated that racketeering consists of two groups, one **“brain”** which thinks, issues, orders, plans new business and protection and the other “muscles” which is the rough stuff engaged in destruction, plunder, beating and murder etc.[[7]](#footnote-8)

Even the “brains” group according to **Fitzgerald** may use the muscles to exert its superiority and leadership.[[8]](#footnote-9)

Gambling, illicit liquor in trade and prostitution are the three recognized crimes in this field despite the important other crimes like narcotic dealing, pornography, abortion for ulterior purposes and smuggling of goods etc.

* **Syndicate Crimes[[9]](#footnote-10)**

Syndicate crimes are the crimes of providing illegal goods or services by an organized criminal gang which are termed as **“mafia”.** The syndicate operates from their headquarters which has and under-boss. They periodically meet at fixed places to discuss their problems. After the boss and under – boss are the criminals who act as middlemen between the boss and lower persons engaged in activities and at the lowest are the ordinary criminals who report to middlemen. Many agents and employees work for the enterprise but they are not in the structure of the syndicate. They are engaged in the business like supplying of illegal drugs, liquor, call girls etc.

**Organized Crimes in India[[10]](#footnote-11)**

The Organized crimes in India are the following:

* Number betting
* Drug trafficking
* Estate Racketeering
* Automobile thefts
* Supply of illegal weapons

**Vohra Committee Report[[11]](#footnote-12)**

The Vohra Committee appointed by the Government of India submitted its report in 1993 which was tabled in Parliament on August 1, 1995 has established a clear nexus between the crime syndicates operating in the country and the police, bureaucracy and politicians. The committee consisted of Mr. N.N. Vohra, the then Home Secretary as its head with other members – Secretary (Revenue), Director of Intelligence Bureau, Director of Central Bureau of Investigation and Joint Secretary, Ministry of Home Affairs. It has recommended setting up on a nodal agency under Union Home Secretary to monitor these activities for taking stringent actions against the criminals and their patrons. The report says that the ‘Mafia elements’ with considerable political clout are dangers to the national security and they could also jeopardize seriously the smooth functioning of administration. The criminals are running parallel governments pushing the state apparatus into irrelevance. The Director of Intelligence Bureau and Central Bureau of Investigation reported to the committee regarding a rapid spread and growth of criminal gangs, armed senas, drug mafias, smuggling gangs, drug peddlers and economic lobbies which have developed an extreme network of contacts with the bureaucrats, government functionaries at the local levels, politicians, media persons, strategically located individuals in non – State sector. Some of them have links with foreign intelligence network. The gangs in Bihar, Haryana and Uttar Pradesh enjoy the patronage of local level politicians cutting across party lines and the protection of government functionaries.[[12]](#footnote-13) The government has set up the nodal agency charged with the specific task to break the nexus between the criminals and the politicians, bureaucrats and industrialists. This committee is headed by the Union Home Secretary and the other members.

Thus this committee has authoritatively exposed that the crimes are being committed in an organized manner and the criminals have their linkage with the government authorities , politicians and others besides their international network.

**Organized Crime and Terrorism[[13]](#footnote-14)**

The committee on Reforms of Criminal Justice System in its Report (2003) regarding the nexus between the organized crimes and terrorism observed:

“Organized crime and terrorism have been growing globally and India has not escaped their pernicious effect. The nexus between organized crime and terrorism has also been a cause of serious concern to the country. The Committee has given deep consideration to inter-twined and inter-dependent professional crimes in India as well as the International background. The task of dealing with the organized crime and the terrorism becomes more complicated as structured group in organized crime is enmeshed with its counterpart in terrorism. The former is actuated by financial/commercial propositions whereas the latter is prompted by a wide range of motives and depending on the point in time and the prevailing political ideology. The Committee has given deep consideration to the growth of organized crime, terrorism and their invisible correlationship with the avowed objective to destroy secular and democratic fabric of the country. The Committee feels that time has come to sink political differences for better governance of the country and address the task of dealing with these menaces. In the backdrop of the States reluctance to share political power through legislatures, for enactment of federal law to deal with certain crimes, the Committee has made recommendations to deal with:

* Organized Crimes
* Enactment of Central Law
* Terrorism

 **The Dawood Ibrahim Gang[[14]](#footnote-15)**

Dawood Ibrahim is the most powerful Mumbai Mafia ‘don’, with a countrywide network and extensive linkages abroad. He is one of the most powerful gangsters involved in transnational crimes, including narcotics smuggling, extortion and contract killing. He has lived in Dubai and is currently based in Pakistan. He had a phenomenal rise within a short time. The son of Ibrahim Kaskar, a former Criminal Investigation Department (CID) constable, 25 he started off as a petty criminal and had the sympathies of Bombay (now Mumbai) Police due to his father’s connections. He used to assist smugglers to recover money from those who did not keep up their ‘word’. In the nineteen seventies, other gangs had become relatively weak and he took advantage of the vacuum, taking up smuggling of gold and silver. He built up his criminal empire with the help of his brothers and close associates, and was responsible for the elimination of hundreds of criminals belonging to rival gangs. The liberal bail policy pronounced by the Supreme Court helped him consolidate his gang. In the nineteen eighties, he became the most feared gangster of Mumbai. However, fearing for his life at the hands of rival gangs, he fled to Dubai, though his criminal network remained virtually intact. He currently controls his gang’s operations with complete impunity, as there is no extradition treaty between India and Dubai or Pakistan, and authorities in these countries have refused to extradite him – and, indeed, deny his presence on their soil despite overwhelming evidence. He also attempted to win social respectability by playing host to many influential politicians and film stars in Dubai.

Dawood’s brother Anees Ibrahim looks after the smuggling, narcotics trafficking and contract killing operations. Another key associate, Noora, looks after film financing and extortion from film personalities. Iqbal, a low profile operative, looks after his ‘legitimate’ business activities, including trading in the share markets of Hong Kong and jewellery and gold businesses. His gang consists of about 4,000 to 5,000 men. Fifty per cent of the Dawood gang members hail from Mumbai and the neighbouring districts and 25 per cent, including Abu Salem, his close lieutenant, hail from the State of Uttar Pradesh. Due to changes in fiscal policies, the smuggling of gold and silver has become less lucrative. Currently, the primary activities of this gang are extortion, contract killing, film financing, drug trafficking, smuggling computer parts and illicit trade in arms and ammunition. The Dawood gang has been supplying arms both to criminals and terrorists.

Dawood Ibrahim has also invested heavily in ‘legitimate’ business ventures. His brother Anees owns a trading company in Dubai and Dawood has invested approximately Rs. 20 crores in the Diwan Shopping Centre in Mumbai and is also reported to have financial stakes in the Diamond Rock Hotel in Mumbai. Noora runs the Suhail Travel agency in Mumbai, which has since come under severe enforcement pressure. Dawood also reportedly has huge financial stakes in East West Airlines. His ‘legitimate’ business empire is estimated to have a turnover of approximately Rs.2, 000 crores a year.

Dawood’s gang was secular in character before the year 1993 and used to attract ‘volunteers’ from both the Hindu and Muslim communities. However, after his involvement in the serial blasts in 1993, most of the Hindu gangsters have parted company from him. Sunil Samant, a dreaded gangster who continued to be loyal to him, was killed in Dubai in year 1995 by the Chota Rajan gang. Apart from his brothers, who are his chief counsellors, he continued to run his empire through Abu Salem26 and Chota Shakeel.

The Chhota Shakeel gang initially used to be a wing of Dawood Ibrahim’s ‘D Company’. Currently operating as an independent gang, though not in dispute with the Dawood gang, it is active in the south, central and north-west areas of Mumbai.

 **The Way Forward[[15]](#footnote-16)**

If the need to deal with cases of organized crime differently and as a distinct category is accepted, an effective response would be to enact a separate Organized Crime Code rather than making patchwork amendments to the IPC. The existing laws of extradition have also been of little help. Certain fugitives like Anis Kaskar, Dawood Ibrahim, Tiger Memon, Chhota Rajan, etc, wanted for serious offences in India, have been living in various countries abroad and our law enforcers are totally helpless.

Merely enacting special laws is, however, not adequate. Police and other investigating agencies should not be lulled into inaction till a special law is enacted, or after such a law is in place, but should vigorously pursue investigation. We need to develop specialized infrastructure for investigation and prosecution of such crimes. Stricter control on possession of illegal firearms and explosives, and also provisions for enhanced punishment for those found in possession of ordnance type of bombs/hand grenades, explosives like RDX, etc, are needed. The criminal-intelligence system also needs to be immensely strengthened.

As one of the essential features of organized crime is its determined effort at subverting the police, administrative, political and judicial systems, those who collaborate with organized crime need to be severely dealt with under law. Such compromised elements need to be taken out of the system.

**Role of Media and Community Awareness[[16]](#footnote-17)**

Mass Media, both print and electronic, can play a significant role in leading an awareness programme against organized crime. As has been the trend in the present era, commercialization has engulfed all spheres of life including the media. The glorification of crime through the media is the dominant trend, and this creates an illusion of a certain glamorous life style that does not exist in reality. The media can play an important role in portraying a real picture of the phenomenon and also attempt to build trust between the police and citizenry. Indeed, the media could play an effective role in creating awareness about the severity of organized criminal activity. A large number of people living in different areas of Mumbai city, such as Nagpada, Agripada, Kurla, Chembur, Bhendi Bazar, etc., have expressed their dissatisfaction with the present situation, stating that liaison between the police and public is a myth. Specifically, in the slum areas, people directly blame the police for indulging in extortion, reportedly not even spare petty shopkeepers. At the other end, a large number of lower-rank police personnel state that people living in such areas support and encourage criminality and even provide shelter to many gangsters, creating a mystique around them as ‘bhai’, and harboring hopes that they would themselves be leaders of the locality in future. If organized crime is to be curbed in the city, it is imperative that the citizenry be involved in its prevention, and that public opinion is built up against such crimes. In this complex process, the media can act as a catalyst, because it has the strength and influence to reach out to people and to create mass awareness.

 **CONCLUSION**

There has to be some method that can be employed to gauge the extent of organized crime that does not amount to mere 'estimates' only, founded on figures from drugs seizures, for instance. The allusiveness and mystery that surrounds organized crime makes compiling sound statistical information extremely difficult. This factor can lead to claims of exaggeration that can be, arguably, used to prop up the various agendas that may exist.

1. B.A.LL.B (H) Fifth Year, Amity Law School, Noida, Amity University, U.P [↑](#footnote-ref-2)
2. “Organized Crime”, the Annals of the American Academy of Political and Social Science – Sept.1941. p.19. [↑](#footnote-ref-3)
3. http://law.jrank.org/pages/11942/Organized-Crime-Characteristics-organized-crime.html [↑](#footnote-ref-4)
4. http://www.preservearticles.com/2012050131583/what-are-the-three-types-of-organised-crime.html [↑](#footnote-ref-5)
5. https://www.cliffsnotes.com/study-guides/criminal-justice/crime/types-of-crime [↑](#footnote-ref-6)
6. http://www.investopedia.com/terms/r/racketeering.asp [↑](#footnote-ref-7)
7. R.G. Caldwell. [↑](#footnote-ref-8)
8. M.G. Fitzgerald [↑](#footnote-ref-9)
9. http://www.legalservicesindia.com/article/article/organized-crime-in-india-1290-1.html [↑](#footnote-ref-10)
10. https://en.wikipedia.org/wiki/Organised\_crime\_in\_India [↑](#footnote-ref-11)
11. http://milapchoraria.tripod.com/rajyasabha/id13.html [↑](#footnote-ref-12)
12. The Times of India (Lucknow Ed.), August 2, 1995, p.1. [↑](#footnote-ref-13)
13. http://www.ipcs.org/article/india/terrorism-and-organized-crime-in-india-973.html [↑](#footnote-ref-14)
14. https://en.wikipedia.org/wiki/Dawood\_Ibrahim [↑](#footnote-ref-15)
15. http://www.satp.org/satporgtp/publication/faultlines/volume12/Article5.htm [↑](#footnote-ref-16)
16. https://aifs.gov.au/cfca/publications/role-mass-media-facilitating-community-education [↑](#footnote-ref-17)