

ORGANIZED CRIME AND EMERGING CHALLENGES IN INDIA

DISSERTATION

**A dissertation to be submitted in partial fulfilment of the
requirement for the award of Degree of Master of Laws**

In

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by

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Under The Guidance

of

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(Assistant Professor)



BBD UNIVERSITY

Session: 2020-21

ORGANIZED CRIME AND EMERGING CHALLENGES IN INDIA

CERTIFICATE

This is to certify that the dissertation titled , “a study on **organized crime and emerging challenges in India**” is the work done by **Ashok Chandra** under my guidance and supervision for the partial fulfillment of the requirement for the degree of **master of laws** in svhool of legal studies **Babu Banarasi Das University , Lucknow, U.P**

I Wish Him Success In Life

Date: 26/07/2021

Place: Lucknow

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Though there are a number of persons who have extended their kind help, but it is not possible to enumerate the name of all of them but at the same time it would be failure in my duty if I will not single the name of those persons. In the series of this I would like to extend my deep sense of gratitude and obligation for valuable guidance provided by my supervisor respected MS. **SARITA SINGH** (Assistant Professor) Department of Law, School of Legal Studies, BBD University, Lucknow, for her cognate attitude, skillful guidance and continued encouragement during the course of this study, despite her extremely busy schedule.

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CRIMINAL AND SECURITY LAW

LIST OF ABBREVIATIONS

Abbreviation	Full Form
AIR	All India Reporter
BCC	Bombay Criminal Cases
Bom. C.R.	Bombay Case Reporter
CBI	Central Bureau of Investigation
CIROC	Centre for Information and Research on Organized Crime
CJF	Criminal Justice Functionaries
Cr.L.J	Criminal Law Journal
Cr.PC	The Criminal Procedure Code, 1973
CST	Chhatrapati Shivaji Terminus (Railway Station in Mumbai)
DLT	Delhi Law Times
FEMA	Foreign Exchange Management Act, 1999
FIR	First Information Report
FSU	Former Soviet Union
IOs	Investigating Officers
IPC	The Indian Penal Code, 1860
JCC	Journal of Criminal Cases
LEAs	Law Enforcement Agencies
MCOCA	The Maharashtra Control of Organised Crime Act, 1999
NDPS	Narcotic Drugs and Psychotropic Substances Act, 1985
OCDETF	Organised Crime Drug Enforcement Task Force
PP	Public Prosecutors
SOCA	Serious Organised Crime Agency
UAPA	Unlawful Activities Prevention Act, 1967
UNODC	United Nations Office on Drugs and Crime
USA	United States of America
USSR	Union of Soviet Socialist Republics

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3. In Ashok Dyanchand B. Nayak & Others v/s. State of Maharashtra {(2004(1)Bom C.R (Crim)700)}
4. Bhurya Yakubbhan Pathan v/s. State of Maharashtra { 2005(1) Bom. C.R.(Cri) 942}
5. Charles Gurmukd Shobraj v/s Union of India {1986 (29) DLT 410}
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Chapter: 1

Introduction

The marvel of coordinated wrongdoing has consistently expected Upsetting extents everywhere. This Development patterns, globalization, urbanization and Industrialization has been helping coordinated wrongdoing Lawbreakers foster cross-line associations. Having a place with a nation have been included Wrongdoing in another country. Not simply Yet, with the appearance of new advancements, lawbreakers Have been utilizing present day contraptions to perpetrate wrongdoings More muddled and convoluted way Contrasted and customary lawbreakers..

Organized criminals need a lot of money to conduct business in different locations and purchase modern equipment. As a result, they participated in criminal activities such as trafficking in drugs and human beings, counterfeiting banknotes, fraud and other economic frauds in order to make money easily. Organized criminals gather murky money. They are also elaborate in relocating moneys through unlawful channels, tax elusion, price influence and poster. The two adverse effects of black money are very obvious. First, the emergence of a parallel economy, according to its own norms, trust, rules, culture run, and penetrate into life all areas of living. The other is the power of money that affects the people, corrupts politicians, draws in many authorities, and affects the smooth governance of any country. The use of money laundering technology to direct black money into legitimate businesses has given organized criminals a social status. Actual land deal, film production, and numerous additional kinds of corporate events are also helping organized criminals in the procedure of decriminalizing black money. (Sharma Purshottam, 2000). Altogether these kinds of corruptions have seemed, completely bullying the prevailing social order.

Planned unlawful criminals are ironic, refined and skilled. They have been obligating corruptions in a very prepared way. The Gang has always operated in an extremely private and planned way. Straight associates of a high- level group will not be recognized by low-level criminals. Organized criminal groups have been using ferocity or threats of ferocity, pressure or compulsion as a means of crime. The organized crime gang has been working below the shelter of lawful occupational,

using force, fraud, extortion, corruption, lure, etc. to complete their work (information provided by organized crime experts). The middle prepared crime interest is to offer illegal items and services to infinite citizen customers. It's also deeply involved in prison businesses and change unions. It makes use of unlawful methods along with monopoly, terrorism, extortion, and tax evasion to expel or manage criminal ownership and management, and squeeze illegal income from the general public. Organized crime additionally corrupts public officials to avoid government intervention and becomes more and more complex. In India, in addition to the traditional areas of activity, including extortion, seeking protection fees, contract killing, smuggling, gambling, prostitution and smuggling, there are now also increased illegal activities such as drug trafficking, illegal arms trading, money laundering, and transportation, mainly prepared to use brute force and violence.

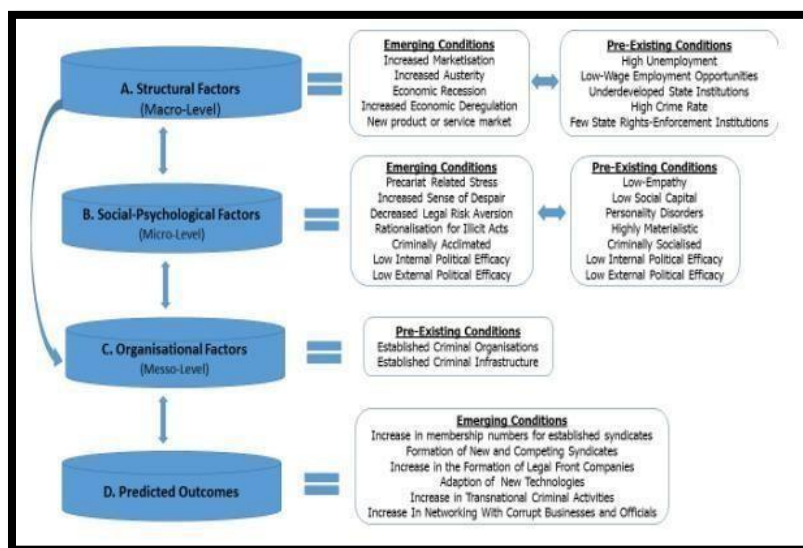


Figure 1 : Multidimensional model of organized crime

By corrupting public officials to monopolize or approach a monopoly, organized crime aims to gain power for themselves. Later, it generates money and power are legitimate business and other related activities for osmotic action.

The emerging phenomenon of organized crime in India

In India, crook gangs were operated given that historical times. Thug (thug is a Hindi phrase, a group of folks who rob and homicide travelers in india) used to travel in unarmed forests inside the form of pilgrims and ascetics. First, they advantage human being's trust via genius tricks and false excuses, and then use them to capture cash and different valuables and homicide them.

(sharma purshottam, 2000). Professional "thug" is used to continue to pass from one generation to another. The leaders of the long-established thug group were hereditary. It is difficult to obtain membership in the thuggee gang. Upcoming criminals used to work hard to recruit themselves as members of the "thug gang" (Dash Mike , 2005). Many "thugs " once worshipped the goddess Kali (one of the Hindi goddesses). Some "mob groups "claim that they are descended from Muslim tribes. However maximum of the thugs are followers of Hinduism and staunch admirers of the goddess kali. In instances of political turmoil, Rajput rulers from India modified to Mughal emperors and governors, commonly a group of thugs used to expose allegiance to 2 religions together with Hinduism and Muslims, but their ultimate loyalty is likely to be just To yourself (Slieman Ramaseana J , 239-400 , quoted by Dash Make , 2005).

Sometimes, the youngest sons of travellers were forgiven while killing travellers and trained them to become thugs. The presence of children in the performance of tasks helps to dispel suspicion. (Dashmike, 2005). Another way to become a mob is to train with a master (teacher). This is like a professional apprenticeship period, during which candidates used to be evaluated for reliability, courage, caution, and discipline (Sleeman Ramaseeana J , 239-400 , cited by Dash Make , 2005).

The mob was once in that group. They used to choose travelers away from home to buy more time until the alarm went off. Due to the long distance, people cannot reach the rescue. They used to strangle people after extorting money and valuables. "Rumaol" (yellow scarf) was once a tool for strangulation. After that, they used to bury the frame in a close-by area. From time to time thugs used to combine with vacationers and had been used to building a good understanding with them (thuggee , 2009). Consistent with the Guinness global facts, the thug cult induced approximately 2,000,000 deaths. Primarily based at the speculation that thug Best started to exist 150 years earlier than their eradication inside the 1830s. British historian Dr. Mike dash estimated that they killed 50,000 men and women in general (Dash Mike, 2005).

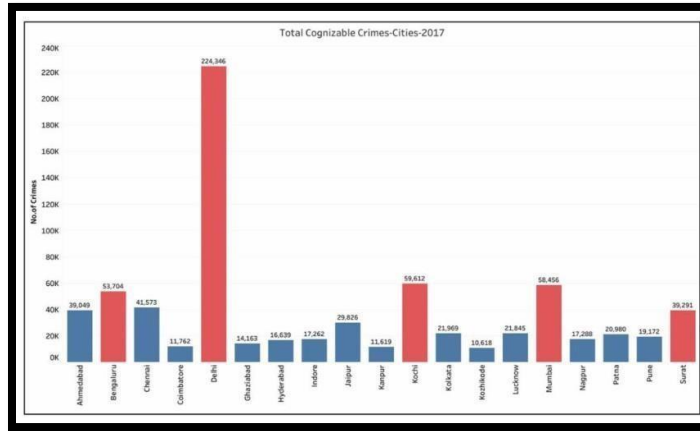


Figure 2: Total number of identifiable crime cities -2017

Prosecuting them is difficult because they used to operate in a highly confidential manner. The high level of teamwork and coordination between the two infiltration and the offensive at The instant made the mission of the criminal enforcement company difficult. They're savvy criminal elites who understand their enterprise properly and treat every motion like a navy project (sprint mike , 2005). The mob as a crook tribe seems to mirror many aspects Italian mafia. The codecs have one of a kind names and independent companies, but the style and approach are commonplace to them. In sicily, the layout was once recognized because the mafia, in cannabria right ndrangheta that is not in the naples area and it's miles in the camorra inside the united states xhosa - nostra (our issue: our enterprise).

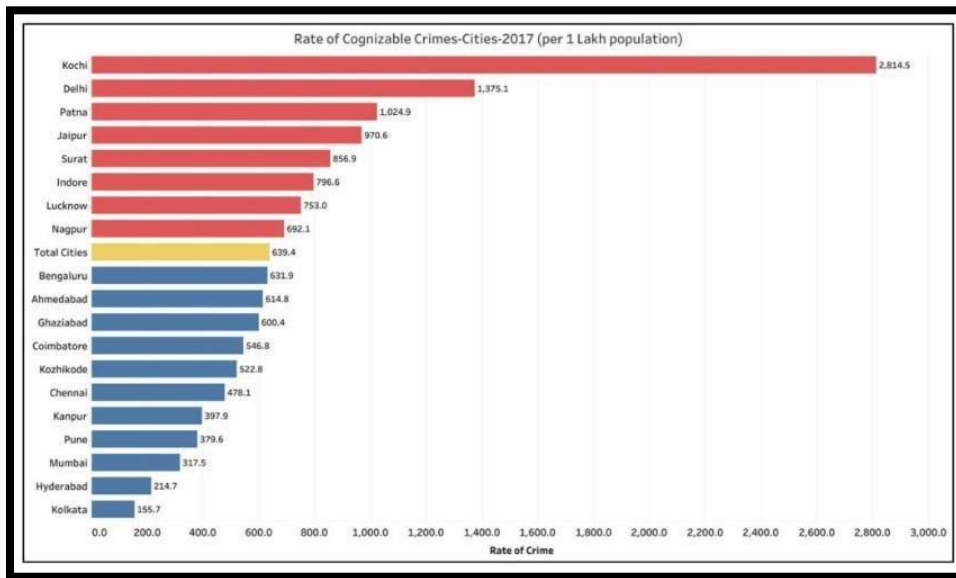


Figure 3: Market access rate in 2017

The firm to which the member belongs. Those families last longer than their careers individual member. Leaders in the past will change over time, although some real family several generations in every Crime family have prevailed". Omerta ' or silence ' code is the norm. All of that is defined such thug businesses are used to operate in numerous regions and throughout diverse religions. Organized crimes are typically multinational groups and often go beyond spiritual boundaries, while legal organizations cannot (Dash Mike , 2005).

In order to suppress the move thuggee was largely made by the efforts of the civil servants William Sleeman, who started a wide-ranging campaign against thuggee involving analysis and intelligence. The Indian government set up a program called within thuggee and dacoity police organization department, William · Sleeman (William Sleeman) in 1835 was appointed head of department of years. Thousands of people were imprisoned, executed or expelled from British India. The campaign is largely based on the informant ions received from the arrested mob, and if they tell everything they know, they will be protected.

By the 1870s , the *thuggee* cult had become extinct, but the concepts of criminal tribes and criminal castes were still in use in India. Department still exist until 1904, In India, Mumbai became the country's financial capital and became a playground for some organized criminal groups. After that, it became independent, due to prohibition. The private wine or illegal alcohol trade in Maharashtra, whose policy is determined by the state, has become a profitable business for criminal gangs. They began to make money by providing illegal alcohol to local residents in Mumbai (Sharma Purshottam , 2000).

Muda Cuellar (Varada Rajan Mudaliar) began his career at VT (Victoria Terminus), now known as Meng buy CST railway station, he was stealing in Mumbai dock, and 1960 graduate's after smuggling. He gained considerable wealth through this activity. In the mid - 80s, he became so influential that he used to hold awaiting (a Hindi term, which means holding a meeting

Under the first place of a person, where the head listens to people's issues and gives orders) influence in his field to settle disputes. He died 2 January in Chennai (Vardarajan Mudaliar; for example, 2014). Further, hazimastan and yusuf patel started out to dedicate 6 petty crimes

in Mumbai. Slowly, they regularly entered the unlawful commercial enterprise of gold and silver smuggling (through informed experts)..

Since then, the big mafia namely Daoud · Ibrahim (here in after referred to as Daoud), head of the Mumbai Crime Branch Constable's son, began as a small criminal and in 20 century, 70 years become an organized crime mafia. He wantonly smuggled gold and silver, began his brother mass crimes together. In the 1980s , Dawood became the most feared gangster in Mumbai. Later, due to fear of law enforcement agencies in India, he moved to Dubai (Bombay police expert's say, 2013 Nian 10 Yue 6 days). Dawood's gang has about 4,000 to 5,000 people (according to experts in Mumbai). From them, 50 % belonged to Mumbai and neighboring areas and 25 % came from UP . Even antibody Salim. The main activities in the institution are extortion, contract killing, film financing, drug trafficking, smuggling of computer accessories and unlawful fingers alternate and ammunition. He also invested a variety of cash in diverse felony organisations. Dawood 's annual turnover is approximately 2,000 cores in keeping with year. After a bomb exploded in Mumbai in 1993 , criminals belonging to Hindus have been separated from Daoud. Since then, Abu Saleem and Chota Shakeel have become partners of Dawood Gang (Sharma Purshottam , 2000).

Another group led by Mumbai Arun Gawli has about 200 -300 people. The gang has been involved in collecting protection fees and contract killings from wealthy businessmen. He was convicted of 31 murders Day 2012 Nian 8 months (a statement by an expert in Mumbai - 6 Yue 2013 .

Amar Naik is another gang member who originated in Mumbai in 1980 . The main activity is to collect from the gang Hawker, Hawker et *haftas* ' (*hafta* Hindi term meaning where money from Hawker weak) . There are about 200 of his gangs. Amalnek was killed and his brother is now looking for the post gang (notified by D. Shivandan , IPS retirement, former Commissioner Police Mumbai).

Chotarajjan and other organized crime criminals began his career with Daoud in Mumbai's gang. After 1993, Mumbai bombed Qiao Tarajan to leave Daoud's Gang and shaped his

personal gang in 1994-95. His gang includes 800 contributors, and drug trafficking and contract killings are the principle activities of the group (records provided via Shri TS Bhall, former IG (CID) Mumbai).

Crimes such as extortion, kidnapping, the power to vacate the unit, and businessmen in resolving disputes have become the foremost source of prepared crime, running gangs in Mumbai. In 1990, in Mumbai, no one ought to preserve a huge-scale wedding ceremony without paying protection charges to members of the Dawood gang. (Sharma, Purushottam, 2000). Organized crime scammers from Mumbai have spread their sports in Delhi.

Delhi, as the capital of India, has become the middle of their appeal. For organized criminals in Delhi, kidnapping for ransom is a lucrative business. Further, looting and homicide have turned out to be part of their criminal activities in Delhi. Ransom charges vary from Rs 1 crore to Rs 5 crore. Srivastava alias Babloo, a regulation graduate (now being held in India Barelly prison) is an lively institution has organized crime mafia through 50 individuals, lively in Delhi (Under World Don Babloo Srivastava, 2014 years).

The increasing activities of organized criminals in Mumbai have become a concern of the government of Maharashtra. Therefore, special legislation is required to pass the Maharashtra State Controlled Act entitled Organized Crime Law (MCOCA) in that year 1999 and it has been extended in New Delhi by G.SR 6 (E) dated 2 In January 2002, different forms of economic crime, committed in a well-organized way, have become troublemakers, because they are difficult to detect and control.

The meaning of organized crime

Defining organized crime is a daunting task. The definition on X p é RTS is hardly passed unanimously.

Crime is Synonym for professional crime. In many countries, due to social changes and immigration, a group of people try to gain power (expert opinion, acquired during the research period) and organized crime has occurred. However, in this part, various definitions of organized crime are analyzed, mainly from Both traditional and modern perspectives are analyzed.

Traditional definitions are divided into sociological and professional perspectives, and modern definitions are divided into three categories; defined thinkers

Definitions under international instruments and organizations

Define each country under the national legislation.

Traditional definition

Social and economic perspective

According to a block organized Crime is - both a social trumpet y stem and a trumpet social world. The system is composed of relations, combined with professional criminals, politicians, law enforcement, as well as various entrepreneurs | (Block, 1983 year seven).

Block definitions (Block, 1983) indicates that organized criminal groups between them form a social system. The system is a system in which criminals, their customers and politicians provide mutually beneficial services. Without the connivance of law enforcement agencies and corrupt politicians, no crime can be committed. This is not a complete definition. Politicians do not always give back to organized criminals. Sometimes organized criminal groups bribe politicians and take advantage of the system. But, always this is not possible. Block has been more organized crime. The syndicate, which has a social system composed of professional criminals, law enforcement agencies, and politicians, is in fact untrue.

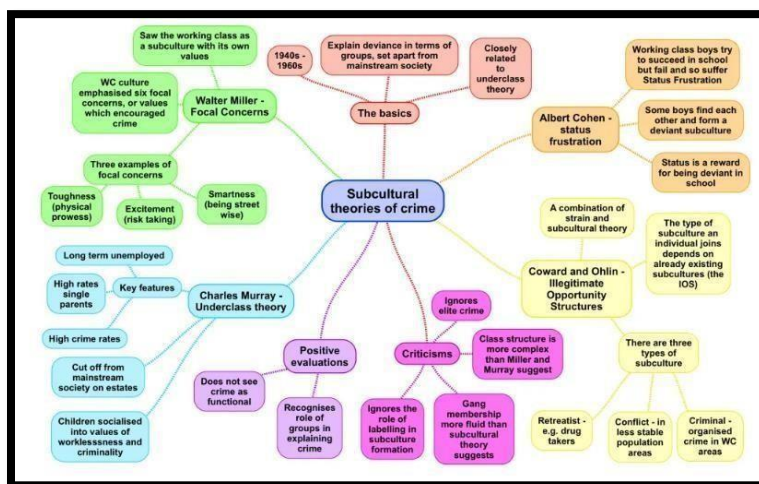


Figure 4: Subcultural theory of crime

Organized criminal groups have taken advantage of the loopholes by law enforcement agencies. However, law Enforcement agencies are not part of an organized criminal group. They may bribe

or influence law enforcement Agencies to learn the secret. The same applies to politicians. Politicians may give them protection. They can use them to deal with their opponents, but they cannot become part of an organized crime group. The definition does not include other elements of organized crime that continue to engage in illegal activities in order to obtain money or pecuniary benefits. The author did not mention the use of threats or violence to achieve currency or monetary gain. This is the main motivation of the triad organization.

Professional perspective

The term organized crime used by early sociologists to describe the professional crime groups to sociologist trumpet meters of the organized crime meters is usually a professional criminal, to a system-defined relationship to each other special obligations and privileges | (Encyclopedia of Crime and Justice, 1983 Nian).

According to the above definition, organized crime has the following components. The first element of the above definition is that organized crime is a general duty crime. This means that organized crime has become the profession of criminals involved. Whenever a person takes any activity as a profession, he will continue to engage in that profession for a period of time. This shows organized crime is an ongoing activity. When it is treated as a profession, it is obvious that more than one person will participate in the activity, because a single person cannot run a separate profession. The second component of the definition is that it involves a specialized system-defined relationship.

This shows that criminals usually operate on powerful networks, but the relationship between them is clear. Every criminal knows his / her role clearly. There is no doubt or confusion here. Thirdly, the author said that the right relationship has obtained the obligations and authority of both parties. This shows that the gangsters between them force each other to take advantage of gains or profits. No outside group or government machinery is involved. This definition includes organized crimes that include some characteristics to a certain extent, that is, the continued illegal activities where more than one person participates. However, it is not a complete definition, because the author himself does not know whether all organized crime

blackmailers accept it as a profession. Under normal circumstances, criminals operating at a higher level can accept it as a profession, while criminals working at the basic level may be professional criminals or may not be professional criminals. Sometimes, they also participate in crimes for some kind of monetary advantage or any other short-term advantage. Defined nor have the motivation or the target tissue criminals, because RK Merton (1938) noted that criminals attempt to achieve the goal by denying socially acceptable means. There are no instructions regarding the goals of their criminals to get involved in illegal occupations.

Another [R Donald R. G re- say stated is - an *organized crime* is occupied by one person, the division of labor is established to commit any crime, the position is designed to provide for crimes against commission is The labor of such a teacher includes In at least one location for a corrupted, one location for a *corrupted*, and one location for an implementer (Donald R. Gressey , 1969).

Gressey 's definition is a broad comparison to Alfred's definition. Although the explanation component Gressey definition, it can be summarized that ; Organized crime is any criminal act which can be committed in an organized way. This means that if any crime that may be considered organized crime is committed after proper planning, Crimes are committed by persons who hold positions in the established division of labor. Anyone who commits a crime holds a position in a group involved in illegal activities. This shows that organized crime extortion forms an organization and its members participate in criminal activities, and that it occupies a crime designed to be committed by a person.

This in itself shows that the Mafia has an appropriate division of labor and works like professionals. The responsibilities and responsibilities are predetermined. The Mafia should have three positions, one for corrupt officials, one for corrupt officials, and one for law enforcement. One of them should be able to spread corruption who can easily enter the bureaucracy and make them corrupt by bribery or other means to take advantage of the loopholes into the existing system. Another person should rot defeated people. This is a new viewpoint put forward by Gressey (1969) . He wanted to show that people who took bribes or otherwise corrupted are also members of organized criminal groups. Someone should be there to execute or commit the actual crime. This is not a very clear definition, because what the author is trying to emphasize is that organized criminal groups should have at least three positions. There may be more than three

positions. Corruption is not only a means of crime. The author also does not include threats or violence as one of the basic elements of organized crime. Organized criminal blackmailers are also involved in the crime to obtain some surveillance Or money gains. This is not yet a complete definition. The above definition includes a small group of criminals who organize crimes in a professional manner. (Reid, 2006).

Common elements in sociology and professional perspective

Both views on the concept of organized crime have some things in common. In both views, activities are conducted in an organized manner and go beyond the life of any particular member. Either the definition sees that a certain degree of protection is needed, which is caused by corrupting government officials or getting politicians who maintain their faith (Reid, 2006). These similarities can be seen in the following definitions.

According to Ianni and Reuss Ianni *organized crime as an integral* part of the American social system is the common public needs, certain goods and services are defined as illegal, an organization or individuals who manufacture these goals kimono services, as well as corruption of public officials who protects such individuals for their own profit | (Ianni and Royce Ianni , 1974 years).

The definition of Ianni has the following components; Organized crime is a continuous form of criminal activity, which means that organized crime is a continuous illegal activity. It may continue to provide services to its customers like a company or organization. The provision of illegal services by syndicate means that the purpose of the organization is to provide illegal services to obtain money or monetary benefits. As an instance, organized crime, extortion and participation in numerous types of crook sports are like drug terrorism, drug trafficking, and automobile theft. They take part in these sports to provide illegal services. Homicide is the great instance of illegal service. If it is committed for money, these organizations perform on a network foundation. A member of an prepared crime group may have a network in every other state or USA. Those sports aren't restricted to one location or region.It has established a network in the country, national and international levels network, organized crime groups have been corruption

of public servants in order to make profits and get protection.

This is a broad definition that includes many elements of organized crime. However, this is not a complete definition. There is no clear definition of whether organized crime is committed through a person alone or in a joint person or on behalf of the group. Extortion by organized crime is sometimes achieved by means of violence or threats.

They bribed public officials, not only to be protected, but also to seek intrusive system, using the system, loopholes were guilty of the crime. They also seek the protection of politicians.

Modern definition

The traditional definition of prepared crime modifications with changes within the social degree. New varieties of crook gangs seemed throughout prohibition (prohibition campaigns were mentioned on this chapter underneath the title of the phenomenon of prepared crime within the united states). Due to the fact criminals have won big profits to prohibit the increasing globalization, urbanization and industrialization have changed the gangs that dedicate crimes (the methods of human crime). The maximum risky crook gangs in modern day society are not restricted to best one sort of crime, but they had been an increasing number of engaged in different varieties of crime.

The key to the successful operation of gangs is to monopolize illegal enterprises or operate illegally and obtain huge profits from them. In big cities, criminal groups decide which thugs will take which racket. In the city, it is not well organized, and trying to take over the territory from another rogue through a gangster will inevitably breed trouble. In modern Tian ES rely on muscle criminal group “and murder to a far greater degree than any other person.

Modern criminal gangs and criminal gangs have copied some of the methods found in modern corporate organizations. They seek to expand their activities in many different areas and international levels.

Defined by social scientists / thinkers

In line with huber —organized crime constitutes any business enterprise, or group of persons,

engaged in persevering with illegal activities which has as its number one cause the generation of profits, regardless of country wide boundaries” (Huber, 2001, p. 216)

The definition of Huber has the following elements; an organized criminal group is a group of people. The author gave it the name of an enterprise to indicate that the gang has acquired a function of an enterprise. Each member defines the role he must perform, Continued illegal activities are another characteristic of organized crime, which is recognized as a global feature of organized crime mafia, and profit generation is one of the main motives of criminals. The profit motive has been considered important by the report of the Working Group of the United States, the target of organized crime offenders in the year 1967 year is not on the borders, and organized crime has been running at a strong network. They have close ties with criminals operating in another country. The mafia from one country tried to transfer to another country. For example; the Italian Mafia has been active in the United States. Daoud · Ibrahim, organized crime has started his carrier in Mumbai, but later due to fear of police, he moved to Dubai (notification by the police commissioner of Mumbai before the 2013 Nian 10 Yue 6 days).

This is a broad definition that covers all aspects of organized crime. However, the author did not mention the minimum number of people required to form a business. Whether it is, a person can commit a crime or a crime should be committed by not a person. Only profit is no motive. Sometimes, criminals also participate in illegal activities for financial gain. How long a criminal enterprise should exist in an enterprise declared as an organized crime is not clear in this definition?

According to **Albini** -*Organized crime as any criminal activity involving two or more individuals, specialized or, non-specialized specifically, contain some form of social structures, some form of leadership, the use of certain modes of operation, to find a specific group in the ultimate goal of the organization in the enterprise* | (Albini 1971 Nian, p.37-38)

Albini believes that two or more people can form a gang. The criminal may be a specialized criminal or an unskilled person. This shows that organized criminal groups have also gained specialization in committing certain types of crimes. He also believes that the gang has formed

a social structure in which these criminals work together. Leadership quality is the first time Albin has brought it. But he did not talk about profit motives.

This definition allows us to view a huge continuum of organized crime, allowing free analysis and definition of a specific criminal group as an entity that has a different characteristic in itself, if not based on a rigid classification based on certain specific Attributes. The process of observing from the wide and three-dimensional organized crime taking, and variants, many forms should be found in each table.

The description of the criminal group is based on a specific nature of criminal behavior, and it has also promised that at any given time, the company is not on the basis of possessing certain characteristics. Criminal groups are dynamic entities, not static entities. Therefore, they will vary with the nature of their criminal behavior. In order to obtain a broader perspective, we can consider Howard · the definition of Abba Ding Siji. Abadinsky definition seems to be broad package which includes important features of organized crime.

According to Abadinsky, "Organized crime is a non-ideological enterprise involving multiple organizations in close social interaction, on the basis of the organization of personnel through at least three levels / ranks, in order to ensure the purpose of profit and power, engaged in illegal and legitimate activities. Positions in the hierarchy and positions involving functional specialization can be allocated on the basis of family affection or friendship, or reasonably allocated according to technical personnel. These positions do not depend on the individual occupying them or any specific time. Permanent members are made by hard work to keep the business legitimate and active pursuit of members of the Order of the goal of the bear. It avoids competition and fight monopoly in the industry or geographical basis. Willing to use violence and / or bribery to achieve or maintain discipline. Membership is limited, but non-members may will participate in occasional circumstances. There are clear verbal or written rules, which are enforced through sanctions including murder "(Abadinsky , 1990 , p. 6).

The main contents of Abadinsky's definition are as follows:

Non-ideological companies point to social theories, political beliefs, or ideological concerns that organized criminals have no motives. Its goals are money and power. They try to participate in political power to obtain protection or immunity from illegal activities, the involvement of a

person in close social interaction indicates that the offender is involved in interacting closely with each other.

Differences Association, they learn criminal activities among close friends. These groups are closely linked to each other. Organized criminal groups have a vertical power structure with at least three fixed levels — not just leaders and followers each of whom has the next level of power, and positions are based on blood relationship Assigned, or, based on friendship or skills. There are two ways to assign the position of the point ; based on friendship first or parent metal, followed by the art based on, persistence is assumed by the members. This provides an important basis for attracting people to join the group. Gressey (1969) noted that the order for an organized crime group to service has an institutionalized process for including new members and inculcating them with the values and ways of behaving in the social system, Completion and monopoly is one of the essential element of organized crime syndicates. CES trumpet including new members and to instill in them the values and behaviors of the social system ", complete and monopoly is one of the basic elements of an organized criminal group, which tries to monopolize certain types of crime (such as gambling).

It may have a monopoly on a specific territory and a specific type of crime, where the member's organized criminal group uses violence as a means to achieve illegal purposes. They also protect their operations or members through bribery. The use of violence or bribery is not restricted by ethical considerations, but is only controlled by specific restrictions. The membership of organized criminal groups is usually based on criminal records, kinship or friendship. Those who wish to become members of organized criminal groups must prove their actions through their actions, as for example, are willing to commit crimes, obey the rules, follow up orders and keep secrets. There was a period of apprenticeship, which ranged from several months to several years, in an organized crime syndicate, the members who violated the rules were not dismissed, but more likely, at the time of launch.

This is a very good definition, with the greatest characteristics of any organized criminal group. However, the author said from the beginning that organized criminal groups are trying to obtain profit or power through illegal and legal activities. Organized criminal groups participate in illegal activities. They are not gaining profit or power through legal activities. If they use legitimate

goals to achieve power and are recognized by the law, then they cannot be regarded as crimes.

He did not pay attention to the minimum number of people required to form a syndicate. A three-level hierarchy is not always common in every group. It may involve more than three layers. The continuous or repetitive approach is again not very clear how many times a person should commit a crime in order to be responsible for organized crime.

Characteristics of criminal groups

Continuity: The operation of a criminal group goes beyond the life cycle of individual members, and its structure is designed to survive changes in leadership.

Structure: Arrange interdependent offices dedicated to a specific function of the achievement for the structure of a hierarchical collection of criminal groups. It may be highly structured, or it may be quite fluid. It, however, distinguishes the ranks of actions based on power and authority.

Membership: The membership of core criminal groups is restricted and based on common characteristics such as race, criminal background, or common interests. The potential members have undergone a great scrutiny and proved the criminal group's needs with their own value and loyalty. The members of the rules include confidentiality, the willingness and intention of the group to commit any act to protect the group. Upon returning to the loyalty, members of a criminal group receive economic benefits, a certain prestige, and protection from law enforcement.

Crime: Criminal groups rely on income generated by continuous criminal activities. Therefore, continuing criminal conspiracy is inherently organized crime. Some activities, such as providing illegal products and services.

Violence: Violence and violence against threats are an integral part of a criminal group. Its violence or threats are used to deal with group members and make them consistent with the outside world to protect the economic interests of the group. Members should commit, condone or authorize acts of violence.

Power / Profit Goal: The members of the criminal group aim to maximize the group's profits. Political power is obtained through the corruption of public officials, including legislators and political administrators. The criminal group maintains the power of the association and "protects" the group who defends and its profits.

These organizations exist mainly to profit from the open provision of illegal goods and services. However, they may also infiltrate the legal economy or, in the case of the mafia, play a quasi-government role. However, they choose to do so, no matter what they choose to do, their goal is the same - as much as possible to make money. Sometimes this may mean seeking political power to promote their greed, but the bottom line is the same.

Protection: There are laws for corrupt government officials, politicians, lawyers and businessmen who individually or collectively pass the status and abuse or protect the privileges and violations of criminal groups. Corruption is criminal protection in the central tool. A criminal group relies on a network of corrupt officials to protect the group from the criminal justice system.

Conspiracy: Organized crime is essentially conspiracy. Syndicate members became obsessed with criminal activities after their members reached a consensus. It is through a personal effort committed to planning and coordinating with the mind of the previous meeting. Conspiracy was hatched in all criminal activities.

In principle, when planning in advance, all members should participate in collusion. However, in fact, only people in high positions know what crimes to commit, and sometimes even grassroots criminals do not know who the boss is. The leader of the organization gives orders to this person, and the second-in-command may instigate others to commit crimes.

Expert support: Organized criminal groups and their protectors rely on skilled individuals or expert support to help achieve group goals. The expert assists the criminal group temporarily rather than permanently. They are all non-organized crimes with little consideration. The experts include pilots, chemists, arson, hijacking, shooting, etc.

Company structure: Organized crime functions like a company. They appoint a leader who is assisted by other members in the hierarchy. Members are appointed based

on skills, relationship with existing members, etc. The group continued to engage in criminal activities.

Social support: Organized crime members are seeking social support. Social support includes government officials who solicit support from organized crime criminals, business leaders who do business with organized crime gangs ; social and community leaders who invite organized crime criminals to social gatherings, and thus portray the criminal group's Favorable or coquettish way.

Finally, it can be said that not all of the above characteristics apply to all criminal groups in India. In addition, the degree of these characteristics may vary from group to group. The essence of organized crime is to continue to engage in illegal activities in order to obtain illegal profits. Conceptually, as long as this condition is met, a group can be called an organized criminal group.

Legal status of organized crime in India

Organized crime has always existed in India in some form. It, however, assumes that its highly toxic form in modern times was due to some socio - economic and political factors and advances in science and technology. Even though rural India is not immune, it is basically an urban phenomenon.

Criminal Conspiracy Sec. 120-A of the Indian Penal Code defines criminal conspiracy as:

“When 2 meters or more people agree to do, or result in privately made —

1. **An illegal act, or**

2. **A law is this illegal means? Such an agreement is designated as a criminal conspiracy:**

Provided that no agreement, in addition to an agreement to commit a crime should be up to a criminal conspiracy, unless protocols other than some of the acts is done from one or more parties to such an agreement exists only in the pursuit of the object to occasional " .

The Indian Penal Code of 120-B stipulates penalties for criminal conspiracy.

Types of Organized Crime

1) **Drug abuse and drug delivery**

This may be the most serious organized crime affecting the country, and it is truly transnational in nature. India is geographically located between the Golden Triangle and the Golden Crescent between countries and the crossing points for drugs originated in these areas to the West. India also produces a considerable amount of legal opium, some of which are also found to occur in the illegal market in different forms. The illegal drug trade in India mainly revolves around five main substances, namely heroin, marijuana, opium, marijuana and methaqualone. Cocaine, amphetamine, and LSD for seizures are not unknown, but they are trivial and rare.

a) Smuggling

Smuggling includes secret activities that lead to unrecorded trade and is another major economic crime. The smuggling of the volume depends on the nature of the fiscal policy implemented by the government. The nature of smuggled goods, and the quantum of it is also determined by the current fiscal policy.

India has a vast coastline of approximately 7,500 kilometers and an open border with Nepal and Bhutan, prone to large-scale smuggling of contraband and other consumables. Although it is not possible to smuggle contraband into this country with a quantified value, it is possible to have some ideas about the degree of smuggling from the value of the seized contraband, even though they may constitute a very small proportion of the actual smuggling.

b) Currency Laundering and Hawala

Money laundering means converting illegal and ill-gotten money into seemingly legal money, so it can be integrated into the legal economy. The proceeds of drug-related crime are an important source of money laundering all over the world. In addition, tax evasion and violation of foreign exchange regulations play an important role in combining these ill-gotten gains with tax evasion income to cover up their sources. This purpose is usually achieved through the complex steps of the layout, layering and integration so that the money considered so integrated in the legitimate economy can be freely used by the criminal without any fear of detection. Money laundering poses a serious threat to the world, not only to countries in the criminal justice system, but also to their own sovereignty

c) Terrorism and drug terrorism

Terrorism is a serious problem facing India. Conceptually, terrorism does not fall into this

category of organized crime. The main motivation behind terrorism is politics and / or ideology, not the financial motivation for acquisition. However, India's experience shows that criminals are committing various crimes under the protection of terrorist organizations, such as murder, rape, kidnapping, gun smuggling and drug trafficking.

d) Contract killing

According to Article 302 of the IPC , murder is punishable by life imprisonment or death penalty. The conviction rate in homicide cases is about 38 %. The chance of detection in contract killings is quite low. The method adopted in the contract slaughter is considered by professional gangs as a currency.

f) Kidnapping for Ransom

Kidnapping for ransom is a highly organized crime in city groups. There are several local and interstate gangs involved because the economic rewards are huge compared to the labor and risks involved.

g) Illegal immigrants a large number of Indians are working

Abroad, especially in the Gulf region. Young people want to move abroad to engage in profitable work. The country's high unemployment rate and higher wages abroad have encouraged mass immigration. It is not easy for aspirants to obtain valid travel documents and work abroad, and therefore fall into the trap of illegal travel agencies and employment agencies.

h) Prostitution

Sex trading and girl business is a very profitable business, and the underworld plays an important role in it. The meat trade has flourished in various forms throughout India. The underworld has close ties with brothels and call girls, and has made a lot of money through this activity. They provide young girls to brothels across the country and take them to and from the city to minimize the risk of them being rescued. According to a study conducted in India WHO study, Mumbai has more than 1,000,000 prostitutes, Calcutta has the same number of prostitutes. Delhi and Pune each have an estimated 40,000 people.

Problem statement

The increasing complexity of organized crime makes the work of criminal justice staff difficult. They cannot face the challenges posed by organized criminals. Criminal justice staff must operate under the rule of law. They work under the restrictions of rules and regulations. Their manpower is limited. Some of them did not get enough training. Organized criminals can violate rules, regulations, and social norms. The mafia has a lot of money and power. They are able to deploy a sufficient number of manpower to commit crimes and provide them with the right infrastructure, the latest gadgets, weapons and ammunition.

The offender was not extradited due to the lengthy and time-consuming process, in addition to satisfying the legal requirements of the foreign courts in the requesting country, the judicial requirements were also met. According to Article 35 of the Extradition Act, in 1962, every Indian notice was made in order to be made or issued under the notice as soon as the various provinces were dismissed before the assembly. This procedure can take a lot of time and can hinder the extradition of criminals.

Objective

Keeping in view of the research questions as mentioned above, the objectives of this study are as follows-

- 1. To study recent trend of organized crime and its ramifications in India.**
- 2. To analyze diverse forces operative in the process of the perpetration of organized crime in India.**
- 3. To identify the problems and constraints faced by Criminal Justice Functionaries while investigating, prosecuting and sentencing organized crime offenders in India.**
- 4. To analyze the effectivity and implementation of the existing laws in India enacted for the prevention and control of organized crime and to study different United Nations instruments relating to organized crime in terms of their relevance to international and regional co-operation, mutual assistance, extradition of offenders, investigation, sharing of database and other related matters for prevention and control of organized crime in India.**

5. **To suggest modalities for scientific investigation, effective prosecution and sentencing of organized crime cases and required amendment in the existing legislation for prevention and control of organized crime in India.**

Research questions

In this context, this study aims to find answers to the following research questions –

- 1) **What is the recent trend of various forms of organized crime in India?**
- 2) **What is organized crime against consequences?**
- 3) **What are the organized crimes committed during the operation of various forces?**
- 4) **What are the problems and constraints faced by the criminal justice system in investigating, prosecuting and adjudicating organized crime cases in India?**
- 5) **Whether the existing laws in India are effective in preventing and controlling organized crime?**

Research methods

The research report is divided into seven chapters. In the introduction, the first chapter covers the problems of organized crime, the new phenomenon of the definition of sentences, the research methods adopted in the research, the research of the problem, the research of the goal, the clarification of the concept, etc. The two chapters cover the literary and theoretical framework of the review. Chapter 3 introduces the form, scale, trends, etiology and consequences of organized crime, and the fourth chapter introduces the challenges faced by investigators to identify chapters, specifically for criminal offenders with organized prosecution and sentencing problems

. Chapter 6 is devoted to the analysis and related Indian legislation and United Nations instruments for the prevention and control of organized crime. The last chapter of the 7th and 7th describes the summary, conclusions and recommendations.

Scope of research

This study is limited to the "1999 Nian Maharashtra Organized Crime Control Act" in Mumbai (1999) and Delhi (2002 years) real crimes covered by Shi date. Existing problems and investigations, restraints of prosecutions, and sentencing of organized crime cases are registered under the MCOCA only for identification, analysis and research in discussions. The analysis of India's existing legal instruments is limited to MCOCA and India's

The Extradition Act. In other relevant provisions, the mutual criminal affairs assistant in the United Nations Convention on the Extradition Treaty against Transnational Organized Crime and the treaty to study their assistance in mutual effectiveness, extradition of criminals, international and regional cooperation and sharing of data only with Organized crime is related. The study was limited by law to decide cases MCOCA during only 1999 Year to Year 2 Yue 2014.

Chapter- 2

Review of Literature

A comprehensive review of the literature is an integral part of any scientific research. This chapter includes conceptual framework, history, organized crime gangs overview conditions, factors, strategies to deal with the situation, the contents of these documents from the literature on similar or closely related issues can be seen clearly. The materials cited in this chapter are identified and copied from literature sources, including academic journals, government reports, books, and PhDs. paper.

Organized crime is closely related to white-collar crime and corporate crime. The offender has always operated in a professional manner with a corporate structure. Gilbert Geis and Ezra Stotland described various theories of white-collar crime in their book titled " White-collar Crime Theory and Research ". The book clearly describes people's views on organized crime and other crimes. The criminalization of corporate actions, corporate crimes, computer-related crimes, white-collar crimes, and management fraud are also described in detail in each chapter of this book (Gilbert Geis and Ezra Stotland , 1980).

Similarly, Vincenzo Ruggiero Aldershot et al. In their book entitled "Organized and Corporate Crime in Europe: Preferential Is Not Rejected " revealed a study of the relationship between organized crime and unit crime under various circumstances.

The author also laid down a comprehensive conceptual framework. In order to analyze all types of economic crimes, they are committed to better adapt to the stereotype of criminals through seemingly legitimate operators or criminals. Finally, for the prevention and control measures organizational forms of white-collar crime has been suggested in the book (Vincenzo · Ruggiero Aldershot.1996).

Although focusing on the characteristic organized crime mafia, Frederick J. DeRoche in his book " The Crime of Payment: Drug Trafficking and Organized Crime Canada brings a

variety of problems, including social and Criminals with personal characteristics ; their criminal and employment history; the size and composition of drug cartels; the importance of potential social relationships to the development of criminal networks; actions and environmental factors. In addition, the book also discusses the legal framework and police strategies (Frederick J . Desroches , 2005). Francis , Ianni, and Blakey pointed out in their book on " Organized Crime Overview " that although there are differences between the various views, the activities of organized crime can be defined regardless of its origin or structure. Disclosing that organized crime has certain basic characteristics from different perspectives, the author describes how organized crime perpetrators operate in a well-organized manner. Organized criminal groups have highly hierarchical, well-designed or informal criminal activity networks. These groups exist forever and go beyond the personal membership of organized criminals. It is different from street crime which is more transient and does not involve the degree of planning or inter-related legal and illegal activities. Organized crime includes a wide range of illegal and illegal activities, and its main purpose is to provide people with goods and services on demand. All these points have been extensively described in the book (Francis, Ianni and Blackie, 1995).

Bruce in his book - *Introduction to monitoring network* the *organized crime* double trumpet used Organized Crime defined crime, organized crime and revealed the criminals on society Under the rebellion and the law, society is operating. He also gave examples of criminal occupations that are misleading. The author analyzes in the book that as long as crime is organized and efficient, and justice is unorganized and inefficient, crime will become a social problem (Bruce , 1968).

Social conflict is one of the important reasons for the increasing rate of organization in the world. Sometimes there will be conflicts between two groups because one group wants to be above the other. The efforts of organized crime criminals have achieved the supremacy of other organized crimes using illegal gangs. In the *STU d Y ç Ø ñ ç luded b Y W-- IL -liter IAM Kuala Lumpur* *inkne Ç HT on - ñ E W-- nation in the number OBS* : He regressed *CH a nging hair ç é* organized crime in the United States " On the racial origin of the writer discussed with criminals, and highlight the struggle for hegemony among isolated ethnic groups (Kleinknecht 1996).

Similarly, Fiorentini & Pezman in their edited book " The Economics of Organized Crime " focuses on various theories of the country, origin of criminal organizations and their operating methods (human methods of crime). The various chapters of the compilation of this book. In each chapter of this book, is not the same authors have traced the origins of Italy, the United States, Russia, Europe, Japan and other organized crime (Fiorentini & Peltzman , 1996).

Organized crime has been severely affected all over the world. Adam · Edwards and Peter · Gill has edited a book entitled " Transnational Organized *Crime-* perspective on global security " . The origin of transnational organized crime as a concept is explained in this book. Since then, organized high-level politics has influenced the United Nations Headquarters, the Security Council of Europe, the European Union Organization for economic cooperation and development, organized in the American countries, seven (Canada, France, Germany, Italy, Japan, the United Kingdom and the United Kingdom) The United States of America) and major industrialized countries (G7 plus Russia) were analyzed. The impact of organized crime on these organizations has been discussed in different chapters of this book (Adam Edwards and Peter Gill , 2006).

Woodiwiss Michael in his book on *-Organized Crime and American Power: A History*" analyzed relation between organized crime and politics analyzes the US organized crime and political relations between his government and the novel also depicts involved. Non- fiction criminal literature on systematic criminal activities. The Kiefer Hearing and TV roles, the Citizen Crime Committee, the Federal Bureau of Narcotics Against the Anti-Mafia Movement, and the Congress Investigation of Labor Fraud are also in the book. He also Pointed out the inconsistencies and contradictions in the traditional view of organized crime in the United States. The author looked at the subject from various angles: the political economy of organized crime as an element, and the text of organized crime in the illegal market as a product of a specific politics. In the long-term " organized crime " as a political and ideologically motivated structure, " organized crime " as a tool to further the economic and political interests of the American power elite . He also adopted organized criminal activities, And in the concept of " organized crime " as a true instrument of American foreign policy (

Woodwiss , Michael , 2001).

Woodvis further described the establishment and expansion of the United States in the period before the end of the Civil War. So the author focused on organized crime as a civil war after the southern United States against African Americans. He also studied how "organized crime" became synonymous with local political corruption from the 1890s to the 1920s . Finally, the author focuses on the emergence of a new understanding of organized crime after the prohibition era and the investigation of organized crime activities in the labor and corporate United States department (Woodwiss Michael, 2001).

Donald R. Liddick Jr outlined transnational crime and its impact on the United States of America in his book entitled "Global Underworld Transnational Crime and the United States" . This book provides a concise and modern description of transnational criminals and their activities directly related to the United States. The law enforcement and government response to this issue at the domestic and international levels in the United States has been explained. The author also provides the structure and activities of two types of organized criminal groups:

- 1) Foreign organized criminal groups or organized criminal groups located in foreign countries but maintaining an important position in the United States,
- 2) Local organized criminal groups, the scope of which is Activities beyond the borders of the United States (Donald R. Liddick Jr. , 2004).

According to Liddick, the major transnational criminal groups affecting the United States and Canada are in the United States, Nostra, Outlaw motorcycle gangs, Russian mafia,,Japanese gangs, Chinese triads, South American drug cartels, and mainly Italy. The criminal groups like the Sicilian mafia, and the Nigerian criminal group. He also informed that transnational criminal groups seem to be building networks and coordinating their businesses by sharing information, resources and market access more than in the past. This collaboration allows the group to integrate expertise, reduce risk, and expand its

Scope of activity. The major international criminal groups are highly diversified, expanding into a wide range of illegal and legitimate businesses. Illegal activities include drug smuggling, cargo theft, car theft, piracy, art and antique theft, product piracy, immigration

smuggling, human trafficking, pornography, human organ trafficking, toxic waste smuggling, wildlife and endangered species trafficking, money laundering, Violation of intellectual property rights, counterfeit currency notes, economic espionage, fraud, computer crime, terrorism, traffic in nuclear materials, cyber terrorism, kidnapping, etc. (Donald R. Liddick Jr., 2004).

According to Liddick, the principal transnational criminal groups affecting the impact of social organized crime in the EU " provides the economy, an estimated organized Financial and social costs are in and against EU crime. The study also reveals an evidence-based understanding of related issues. The study emphasizes that the measurement of the cost of organized crime is still in the early stages of development. Obviously more cross-border data is needed. Match and surveys to improve the quality of the evidence, the European law enforcement agencies to effectively combat organized crime Mafia (Michael · Dr. Levy, Martin · Dr Innes, Peter PhD) Reuters, Rajeev V. Gundur , 2013 years) .

Ernest · Workman in his book entitled " gangbusters: the destruction of the United States in the last great Mafia dynasty ' rise and fall of the discussion in an organized criminal group, namely Lu Qiese family. The author then describes how the Lucchese family " stayed in chaos during internal c o n f l i c t s a n d a s s a u l t s Then the author described how *Lucchese Family*" was left in shambles in the course of internal conflict and assault by Law-Enforcement in USA Walkman focused on one family of organized crime Mafia throughout the book (Ernest Volkman, 1999).

Lee Bernstein in his book *-The Greatest Menace: Organized Crime in Cold War America*" depicted the portrayal of crime in the 1950's and paid special attention to Italian and other "white ethnic" groups.. the author explains how ethnic organized crime groups trying to oppose government regulations and the mainstream was admitted to the United States. Bernstein said the depiction of Italians and offenders It is a way for non-racial white people to define

Americans. Then the author describes the operation of the American underworld in each chapter of this book. He also discloses how television, radio, books, and magazines ignore the actual social causes of crime and regard racial differences as the main reason for crime. At the end of the book, the author connects many depictions of minorities with the depictions of crime in today's society (Lee Bernstein , 2002).

Claire Sterling in his book " The World of Thieves: Organized Crime Threatening a New Global Network " shows how to install one in Sicily and the American mafia, Colombian drug cartel, Chinese Triads , Japanese gangsters have joined organized criminals with Russia. The complete large-scale offensive is in Europe and Russia. How the gang successfully launched the attack is also beautifully portrayed in the book. The author also criticized the concerns of Western European countries for personal freedom.

There are many debates about the law concerning personal freedom in order to fight for syndicates with organized crime to be the right thing (Pound Claire, 1994) . Similarly, James

. B Jacobs, Colleen Fried, Robert Radick in their book " Gotham Unbound: How New Zealand About the city's freedom from organized crime " to explore the grip of organized criminal gangs on the Fulton Fish Market, the airport, the Javits Convention Center, the garbage hauling industry, and the construction industry in New York. The author also analyzed how to make use of it. measures affecting cities from organized crime gangs taken. Claire and James made two of the past history of a detailed account, in order to combat organized crime, and in the most recent calendar to determine the time law enforcement in the event's history. The order list follows the chapters (James Bay Jacob, Colleen Freer, Robert Radick , 1999) .

Similarly, Jeffrey · Scott McIlwain in his book " Organized crime in Chinatown: Ethnic and fraud in New York City " between violent conflict examined two Chinese organized crime groups namely ; 1904 Nian Zhi 1906 Nian Hip Sing Tong and On Leong Tong in New York City in the context of Chinese immigration and crime in the United States . On one aspect, in the author's hypothesis, organized crime in the United States is the scope of Italian and Jewish criminals ; organized crime is modernized with Prohibition; and other ethnic groups have failed to encourage any real physical force or 20 century 80 previous years when mature " emerging " or " non-traditional " concept of organized crime to accept. On the other hand, it aims to prove the value

of using historical methods in the study of organized crime, and to show that organized crime, especially organized crime by Chinese Americans, is a long historical process. The authors also lit up on shaky grounds, the traditional understanding that organized crime in the United States is based on (Geoffrey · Scott McIllwain , 2004).

Gene Mustin and Jerry Capeci them on " Murder Machine: murder, madness and the true story of the Mafia ," a book depicts one of organized criminal gangs, Gambino crime gangs Roy DeMeo 's family story of the rise and fall (Jean - Mu Stan and Jerry · Capek, 2000 years). Letizia Pauli discusses the structure and culture of the Sicilian Mafia in the book " Mafia Brothers: Organized Crime, Italian Style " , based on interviews with experts. She emphasized the cultural aspects of the Mafia members and believed that the Mafia Association was a " multifunctional entity " . The authors also studied the Cosa Nostra and " the Ndrangheta from various angles, highlighting the similarities and differences (Letizia Pauly, 2003 years).

James O. Finckenauer and Yuri · A. Voronin has written a short paper entitled " The threat of Russian organized crime. In this paper, they pointed out about Yekaterinen- Berg general and organized crime in Russia This is especially true in the field of organized crime. The authors accepted the challenge and carefully studied a specific area of the Russian Federation to explore the true face of organized crime. The most amazing discovery they made was that organized criminal extortionists are in the overall The situation is quite marginal. White-collar criminals, using their superior financial power, have apparently managed to establish a violent potential independent of the government and traditional criminals (James O. Finckenauer and Yuri A. Voronin 2001).

Mahan, Sue with Katherine O'Neil edited a book entitled *-Beyond the Mafia: Organized Crime in the Americas*". Book Contains chapters written by different authors; Marshall B. Clinard , Wilbur R. Miller , Ko-lin Chin , David Kaplan , Alec Dubro , Maria Jimena Duzan , Alex Kotlowitz , Daniel R. Wolf , William Kleinknecht , Frank Browning, and John Gerassi Take the case of the Union Carbide Factory in Bhopal, India, to analyze corporate corruption. The life of the Appalachian bootlegger in the late 19th century, the members and structure of the Chinese youth gangs in New York and the gang, Japanese criminals Activities in the United States and so

on have detailed narratives. The professional killer in the slums of Medellin, Colombia has been portrayed in a chapter in the book. The gang members are recruited in a housing project in Chicago, and the role of women in the outlaw- drag racing family, criminal networks of Russian immigrants in the Soviet Union, and the history of Chicago gangster prison formerly known as " baby Mafia " structure, history of pirates in the colonial period have been described in books by various writers. in the final words The final book in the editor given by the following formula (Ma Hansu , 1998).

Organized criminal blackmailers are involved in various types of crime. Dina Siegel , Henk van de Bunt , and Damian Zaitch highlighted this in the book (edited) " Global Organized Crime: Trends and Development " . This book contains 16 papers originally prepared for seminars, information in the center, and research on organized crime (CIROC) in 2002 and 2003. The author has solved all aspects of international organized crime, including drug trafficking, Books about human trafficking and terrorism. This book comprehensively analyzes various forms of organized crime. Most organized criminals are involved in drug trafficking and human trafficking because it generates very considerable profits. Modus operandi (Method of Crime) A book where human traffickers have been analyzed. This book is very useful for criminal justice staff (Dina Siegel , Henk van de Bunt , Damian Zaitch 2003).

The editor-in-chief of Monica Massari's book "Synthetic Drug Trafficking in Three European Cities: Main Trends and the Participation of Organized Crime" in the three major European cities: Main Trends and Organized Crime Participation" presented the results of a coordinated research project on the market for synthetic drugs, especially ecstasy, located in Amsterdam (Netherlands), Barcelona (Spain) and Turin (Italy).found that the distribution and use of ecstasy is closely linked to dance and TECHNO music culture. consumers And retail dealers are part of the dance scene, and tend to be a society of mainstream members of " young, employed and eager to learn " , somewhat than fitting to relegated and publicly deprived social and ethnic groups. Synthetic drugs are mainly among relatives, friends and acquaintances. It is sold in private places between private places, and even in semi-open places in or near clubs, discos, and rave parties. Trust and understanding of various informal " codes " and interactions are characteristic of the drug trade. No criminal group can monopolize Market. The independent

report written by the research group in each of the 3 cities provides a good overview of the synthetic drug market in various historical perspectives, including consumption and distribution patterns, market and group structure, law enforcement and policy responses, and media coverage of the book (Monica - Massari, 2003 years).

Similarly, James · Richards entitled the book " transnational organized crime, cybercrime and money laundering: a handbook for law enforcement officers " , criminals organized crime explored mode operation at national and international level, they The modus operandi of the crime (legal crime) , the international slot money and the enforcement of the law, in order to respond to such a plan. This also explains the basic survey technique. However, this study did not analyze existing legal instruments to combat organized crime (James - Richards, 1998).

Regarding investigative techniques, a book written by Joe Griffin and Donald Mole Amherst, entitled " Mob Busters:How the FBI crippled organized crime " shows research strategies that seem to be different from conventional wisdom. The author emphasized that the electronic surveillance of the important informant Dobby and the battle between internal and federal agencies revealed a great deal. The author also laid down a comprehensive conceptual framework for analyzing various types of economic crimes. They are committed to better adapting to criminal stereotypes through seemingly legitimate business people or criminals (Joe Griffin and Tang De Mole Amherst, 2002).

Strategies to cope up with organized crime mentioned by Don after a long LD - [R · G [R È trumpet trumpet ê ÿ in hbooks È ntitl È d - Ç rim I NAL Organizat IO ñ - and its E Lemi È ntary form " . he outlined the response to crime and criminals, especially the development of new arrangements of organized criminals. the author also points out the fact that Britain does have a problem of organized crime, and through Lu, the problem of organized crime in the UK is different from the problem of organized crime in the United States (Donald R. Gressey , 1972).

Sabrina Adamoli , Andrea Di Nicola and others also realized the threat of organized crime in their book "Organized Crime Worldwide". They did an investigation into organized crime

and national and international responses, based on official and media reports, and provided a broad mainstream overview of organized crime and a very simple language policy to combat organized crime (Sabrina Adamoli , Andre Di Nicola et al . al. 1998).

Similarly, Stephen L. Mallory talked about the concept of organized crime in his book entitled "*Understanding Organized Crime*". In addition, the concepts discussed above, the different types of knowledge that the author focuses on, require students who wish to become criminal investigators to make it possible for them to effectively cope with the criminal world dominated by various organizations. The author also studied the dynamic nature of transnational organized crime and revealed the escalation of violence in organized criminal groups in very simple terms (Stephen L. Mallory , 1998).

Christopher Black and Tom van Beken on a book " report on organized crime: from the description of a *Shift* key explanation | overview of the analysis of the annual report of Justice Organized Crime comprehensive strategy Belgian Ministry of Foreign Affairs of the discussion. It is based on Canada, Australia's review and the Dutch organized crime report, as well as in the relevant sociological literature as well as interviews for research on organized crime. The author has conceptualized organized crime as the " function of the market for illegal goods and services " ". Then, he was about how Discussion of illegal activities in a broader social context, has been the impact on society, and the impact of how organized crime through supervision (Christopher Black and Tom van Beken, 2000). By a Michael Levi , Martin Innes Dr, Peter Reuter Dr., R & It A jiv V A study conducted. Gündel [Résumé] - regressed he Çonom I Ç Finan Ç my people, and therefore Ç IAL I m PA Ç regressed organized crime EU " economic, financial and social cost of providing the It is estimated that organized crime is neutralized and targeted at European federations. The study also reveals an evidence-based understanding of related issues. It emphasizes that measuring the cost of organized crime is still in its early stages of development, and there is clearly a need for more cross-border data Matching and investigation to improve the quality of evidence of EU law enforcement agencies and their law enforcement agencies. Effectiveness of combating organized crime (Michael Levi , 2013).

To realize that citizens play an important role in fighting organized crime, Danny F. Pace and

Jimmy C. Style in their book " Organized Crime Concept and Control " in detail and effectively control the role of organized citizens to express crime, The interrelationship of organized crime in the social structure, organized symptoms of criminal activity and the role of legal systems and administrative structures and procedures in the control of organized crime(Danny F. Pace and Jimmy C. Style, 1975).

Comprehensive book on organized crime, by Howard Abadinsky written " Organization of Organized Crime " . In author's terms to a point, one liter of the juniper berries wine, HISTORICAL, theoretical explanation, and organized crime junction structure, including drug trafficking, gambling, usury and loan. he also explained the method adopted by the law enforcement agencies to combat organized crime, as well as policy decisions reached by investigation Committee and various committees, including the President's Commission on organized crime. in addition to providing traditional information in the United States, in particular organized crime groups in New York and Chicago, Abadinsky cover international organized criminal groups in the water level, including China, Colombia, Italy, Jamaica, Japan, Mexico, Nigeria, Russia, as well as illegal motorcycle clubs (Howard Abadinsky , 2003).

National literature

In India, a very small number of books are written about organized crime. C.K. Ghosh in his book - Organized Crime in India - A Study of its Characteristics and Different Forms of it. It also took a bird's eye view of organized crime groups in the United States, Colombia, China, and Hong Kong. The main target of his research was in the city of Chennai (Gandhirajan 's Organized Crime CK , 2004).

Girish Mishra and Braj Kumar Pandey in their writings " white collar crime " in discussing a large area shrouded in rich and influential criminal darkness. The phenomenon of organized crime in a broad historical perspective and all interconnections are also discussed in a detailed book (Mishra Girish, 1998).

Christopher Black and Tom Vander Beken in a book on *“Reporting on Organized Crime: A Shift from Description to Explanation”* outlined holistic strategic analysis of the Annual Report of Belgian Ministry of Justice on organized crime. Organized gangs of criminals were imposed just after their criminal activities were banned. Immediately after the prohibition, it entered into a great effect, and its rise was discussed in the book on illegal liquors that began to produce and sell high-profit business illegal liquors that were pirated across the country and several illegal liquor distilleries began to produce and sell. The author also pays attention to how high profits lead organized criminals to accumulate wealth. Deuskar then described how organized criminals began to expand their fields of activity, which led them to invade the fields of other smugglers.

Research Form

It is clear that organized crime in India will only exist when it is prohibited by local laws. This imposed immediately after doing illegal distilled spirits, and the seller a good profit on the existing demand of liquor. They are well organized and strive for perfection to maintain the countermeasures taken by law enforcement agencies (Deuskar , 1999).

Purushottam Sharma entitled " book of transnational organized crime," discusses the illegal smuggling of firearms, trafficking drugs from a global perspective of organized transnational crime products, different types of trafficking in women and children and human organs and the like. He exposed the cross-border crimes committed by different groups in the subcontinent, which are controlled by leaders sitting abroad. The author also specifically referred to the current legislation and talked about the latest trends in crimes such as cyber crimes and economic crimes. These trends have made the police and society feel bluffing, as well as the serious aspects of transnational crime. The role of INTERPOL and the participation and combating of organized collective efforts in each country' s transnational crimes have also been analyzed in the book (Sharma Purushottam , 2000).

P.M. Nair in his book on *-Combating organized crime* discussed scope and manifestations of organized crime and also focused on origin of organized crime in India and its impact on National Security (Nair P.M., 2002).

Prafullah Padhy 's book titled " Organized Crime " provides a comprehensive introduction to organized crime and analyzes different types of organized crime and their adverse effects on society. The book also discusses various legislation and law enforcement efforts to control organized crime (Padhy Prafullah , 2006).

Nitin Yeshwant Rao in his article *-less jobs, more crime*, opined that unemployment may swell ranks of criminals due to non-availability of jobs resulting into more crime. The unemployment rate and the general economic slowdown are generating concerns about rising crime rates. Unemployment, increasing debt, and poverty have plunged many people into depression and led them to a world of crime. This is a cyclical process in which the rise in crime is directly proportional to the rise in poverty and unemployment. The industrial shutdown in the early 1980s resulted in a large number of unemployed young people who strengthened the criminal gangs in Mumbai (Rao Nitin Yeshwant , 2009).

PM Nair 's efforts to deal with and innovate under his original title " Human and Trafficking Dimensions, Challenges and Countermeasures " have brought different stakeholders to the role. He also brought up different identification parameters of questions, issues, challenges and appropriate responses when dealing with human trafficking cases. The author also tried to bring out the clinical guidelines of _human rights doctors who tried to not only _heal harm, "traffickers also bear _prevention of the disease " human trafficking itself (Nair PM , 2010).

SK Bhagat in his book entitled " Human Trafficking greatest social crime " to discuss the United Nations crime prevention and personal safety, do the best view of the law, to the anti-human trafficking, and to combat smuggling. He once also discussed the Unethical Traffic Prevention Act 1956 (India) (Baght S K , 2009).

Surya · Narain · Yadav in the book " with the challenge of terrorism drug trafficking and organized crime to international peace and security " , mainly related to terrorism in relation evil, drug trafficking and organized crime And its far- reaching impact on global security and economy. He also examined the actual and potential impact of drug abuse prevalence in different regions of the world. In order to highlight the complex issues of terrorism, drug smuggling and organized crime, empirical research has been made on the situation in Russia and South Africa.

Finally, the book analyzes the role of the United Nations in combating terrorism, drug trafficking and organized crime (Yadav Surya Narain , 2009).

T.S Bhal in the Ph.D thesis entitled *-Organized Crime and its Impact on regressed national security | information analysis organized crime offenders and personality traits of an organized crime group Metro city four operations include Mumbai, Kolkata , Delhi and Chennai*. He has also analyzed the reasons for joining criminals, the method of payment and the selection of members, and the gang of organized crime gangs.

Since then, the author has focused on the influence of organized crime on the national security and attitudes of neighboring countries to India, from which Indian organized criminal groups have received support and patronage. The study also analyzed the role and contribution of Interpol in preventing organized crime.

A review of the relevant literature shows that no exact research has been conducted on this topic. In fact, no random research on this topic has been found in India. Therefore, this study is expected to fill the gaps in the existing literature.

Theoretical framework

Functional methods and organized crime

Crime is a social phenomenon. The criminal act is closely linked with society. The explanation of organized crime may be related to various theories related to criminal behavior. In the year 1938 in R. K. Merton, a criminologist considered to put pressure on the structure of social change. Some changes are helpful to society; some are not. For him, Stella, the tension, conflict, or the difference between the part of the social and cultural structure| (such as Assunta Waters - Reid, 2006 Nian Reference). The social structure refers to the recognized social means and the cultural structure of the recognized social goals to achieve these means. For the existing social system, this kind of pressure or tension may be dysfunctional.

Stress or tension can exert pressure for change in society. Some people can not withstand the pressure, they may take non-compliant behavior to achieve the goal standard, rather than

submissive behavior. When focusing on goals and actually excluding norms, and when everyone in any existing social structure cannot obtain socially approved means, many people may use socially unacceptable means. When a large number of people use anti-social means to achieve their goals, irregularities or anomie will occur (RK Merton , 1938) . K. Merton (1938) identified five modes, namely; Shun from innovation, ritual, and retreat treason. The first model, conformity, refers to the acceptance of social goals and the recognized means of achieving them. In the second, innovation refers to the way of accepting the goal but rejecting it. Formalism means the goal of rejection but the means of acceptance. Retreatism includes the rejection of means and goals. Rebellion means rejecting the means and goals of today's society. People try to establish a new social order by means of rebellion.

In today's society, the middle class wants to succeed, but the upper class have the means to succeed. As a result, the middle class strives to succeed by adopting unacceptable social measures.

Organized crime is a social structure through which the normal response to pressure exerted on certain people is passed. Organized crime criminals emphasize the achievement of monetary or monetary goals. Success and the target substance in terms of money, emphasizing property clues to the dominant concern and hand technological and social segments, designed to produce the desired effect. As a result, institutional control becomes less effective. In this case, criminals can easily get rich through innovation (Merton , 1938). Something to get pressure becomes so strong that it eliminates é FF EC omitted SOCI one liter ç on trumpet TR integer OV ê [R m é a nanosecond. - Ĥ ħ È È ND forced tons ifie trumpet - tons ħ E- me a Ñ trumpet ' do Ç tring to become guide - the purpose of the action. Organized criminal blackmailers follow this doctrine and justify the means to achieve it rather than socially recognized norms. Innovation is the use of sophisticated, well-planned, skilled, organized crime (Howard - Abba Ding Siji, 1994 years), because they make a profit means unacceptable rationalization.

Merton's method of explaining the causes of organized crime criminals largely explains the basic principles of organized crime. However, sometimes offenders commit crimes due to the influence of peer groups, situational factors and many other reasons. However, Merton's views have been

influenced by Steven F. Messner and Richard Rosenfeld carried forward.

Institutional anomie and profit-driven crime

Steven F. Messner and Richard Rosenfeld (2001) based on their system anomie methods to analyze profit-motivated crimes. Their view is that in some societies, the desire to succeed economically has become so strong that other social institutions lose their ability to control behavior. In today's society, social institutions have promoted the economic success of goals, but they cannot provide another definition of success. Messner and Rosenfeld further pointed out that the type of institutional advantage is related to the type of crime. Led by the United States and other economic institutions of society will be more related to economic interests and the success of crime (Steven F . Messner and Richard Rosenfeld , 2001 years). Therefore, a large number of organized crime extortion has been booming in the United States.

Steven explained organized crime methods are acceptable in today's society circumstances, but when other social institutions out of control, because the crime is by not always true economic advantage occurs. You can also learn about organized crime in accordance with the rules of criminologist Edwin H. Southerland.

The theory of differential associations and organized crime

Not everyone wants to achieve their goals in unacceptable ways. According to Edwin H. Sutherland (1973), criminal behavior is learned . The main part of learning takes place in intimate groups of individuals. What is learning depends on the correlation of intensity, frequency, and duration. The actors in the association of criminals learned the technique of crime and re-drive, attitude and rationalization add up to the favorable prerequisites to criminal behavior. The balance between non-criminal behavior and criminal behavior tends to the latter.

Organized criminal blackmailers learn criminal behavior in close interaction with other criminals. The crimes they committed and the one to help one another. They become intimate in their group and learn criminal skills. According to Sutherland , those who engage in criminal behavior do so because they are in contact with such behavior and are isolated from anti-criminal behavior (Ried , 2006). They formed their own culture, and this culture prevailed in their own group.

Some people arising from different associations did not organize their behaviors in accordance with the existing social norms, but organized their behaviors according to the criminal group or the norms of the criminal group with which they interacted closely. This occurs in a group of people whose social control becomes weak due to social chaos. In some areas, because of the strong tradition of organized crime, young people are more likely to be exposed to criminal behavior. In these areas, people show that the norms of crime are often well integrated into society, and these areas are breeding grounds for organized crime (Kobrin, 1966).

Illegal Subculture Theory and Organized Crime

Subcultures are patterns of values, norms, and behaviors that have become traditions in certain groups. These groups can be occupational and ethnic groups, by this behavior characteristic values opposing major peripheral scrap culture (Wolf & Ferracuti 1967 years on 113 pages). In the same way, organized criminals form a group and develop a subculture, in which the mafia leader is the leader of the group.

Cloward & Ohlin's differential opportunity theory contains three types of subcultures; crime (referring to activities dedicated to the pursuit of utilitarian crime, one adopts the beginning to approximate organized crime (as quoted by Howard Abadinsky : 2003 : 39), conflict (refers to gang activity, caused by the force of violence and sabotage in order to act out as a way of obtaining status) and Retreatist (those in the state of anomie leads to denial of economic activity in patients with the goal of facilitating more likely to get a success). crime Subcultures mainly exist in lower-class communities, where successful criminals are available in greater numbers and are willing to assist young people in committing crimes (Reid, 2006). Basically, people who try to use violence as The status of a group conflict gained by the prevailing way of subcultures. The weak social control and the failure of the population and routines and criminal gangs in the area. Instability has caused chaos in this area, and young people lack an organized way to resolve it. their problems and become guilty of the crime of molecules frustration (Reid, 2006 years) compared with adult offenders, more young people are using these differentiated mode of contact. in a similar manner, organized criminals have been Use violence, intimidation, and threats to obtain money or monetary gains. All people who are deprived of the recognized social means to achieve their goals will not become criminals.

Social Control Theory and Organized Crime

According to social control theorists, when the connection between the individual and society is weak or broken, criminals will take action " (Hirschi , 1969). The strength of this combination is determined by internal and external constraints. Internal constraints come from the superego (Hirschi , 1969). Freud, 1933), it provides a sense of guilt. According to Freud, conscience is a control mechanism that can develop relationships and influence with parents. People who have experienced healthy parental relationships in childhood, they The superego is strong and can prevent them from committing anti-social behaviors. People who do not encounter healthy parental relationships in childhood, they are not bound by the pro-social inherent, they take anti-social behaviors to commit crimes (as quoted By Reid, 2003).

External constraints include social opposition combined with public shame / social exclusion and fear of punishment. In a group of people where there is a moral advantage to organized crime, social exclusion is invalid. Only punishment of threats can provide deterrence (H o w a r d Abadinsky , 2003).

The strength of the official deterrence of the law is measured in two dimensions: risk and reward. The risk involves the ability of the criminal justice system to detect, apprehend, and convict criminals, within a specified time. Criminals begin to feel that the amount of risk is lower in comparison to what they get through the way of committing the crime. In calculating risks and rewards, they found that the penalty for risk is smaller in comparison to the gain achieved from indulging in organized crime.

Therefore, it can be concluded, different ways to interpret organized crime due to economic dominance, organized criminal gangs between the development of subcultures, and criminal behaviors learned in close social groups, etc., these are related to the interpretation of organized crime in today's society. Different methods may be relevant with different groups and different social settings.

Chapter- 3

Overview of Organized Crime in India

"We must start a bold new plan so that the benefits of our scientific and industrial progress can be used for the improvement and growth of underdeveloped areas." This is a statement issued by US President Harry Truman in his inaugural speech in 1949, said Speech for the fourth point. His words inspired the concept that the "developed" West must use its "advanced " knowledge to help cultivate the skills and techniques of "others" . Development strategy is generally considered to be a universal tool that plays a similar role everywhere. These strategies are being ignored, "developing" where unique cultural, political and other factors factors. Therefore, when development projects are implemented in the field, the results differ greatly from expectations, which tends to exacerbate current problems. To study this further, I studied one such "contextual" factor: organized crime in India, especially Mumbai. I am particularly concerned about such a transnational organized crime group D-Company.

In this article, I will demonstrate that the unique factors of a place play a vital role in determining the outcome of a development strategy and must therefore be considered. Before delving into how to apply it to my case study, I outlined the literature on organized crime, and I chose to include this topic in my thesis. I have deeply researched the reasons behind the formation of organized criminal groups, their participation in activities and how these activities affect the development of local, national and international scales. When investigating the origin and survival of organized crime, I emphasized the impact of globalization and neoliberal policies, and believed that these processes helped organized crime groups. When I introduce development ... the "right " way? A case study of organized criminal groups in India: How they are used as "situation" factors to influence local-scale development Akhila J. Kovvuri after World War II, the flow of development aid and efforts increased from developed to developing countries. However, these events are seen as worldwide apparatuses that can be "made" in the first world and applied elsewhere. In this article, I believe that due to the "situation "of a particular place , this generalized development

Efforts do more harm than good: social, economic, cultural, and political factors in the place cause development intervention to work in a certain way. Not expected different, even contradictory. To illustrate this phenomenon, I examined a specific activity of organized criminal groups in India - begging for mafia - this activity is due to macroeconomic policies such as neoliberalism and the minimization of the role of the state, as well as India's unique poverty, corruption and Existing problems such as crime have existed for a long time. Social and cultural environment. Akhila J. Kovvuri is a second-year student in economics and geography at Dartmouth College. Akhila from Hyderabad, India, are interested in further study of urban slums in India, especially globalization and cultural development of urban poverty and the shadow ring. This paper was originally written for the course " Geopolitics and Third World Development " by Professor Patricia Lopez . 8 The impact of organized crime on different scales and different factors, such as economic growth, international relations, corruption, trafficking, financial crime, security, and human rights. For the purpose of this article, I emphasize the level of local impact of organized crime. |

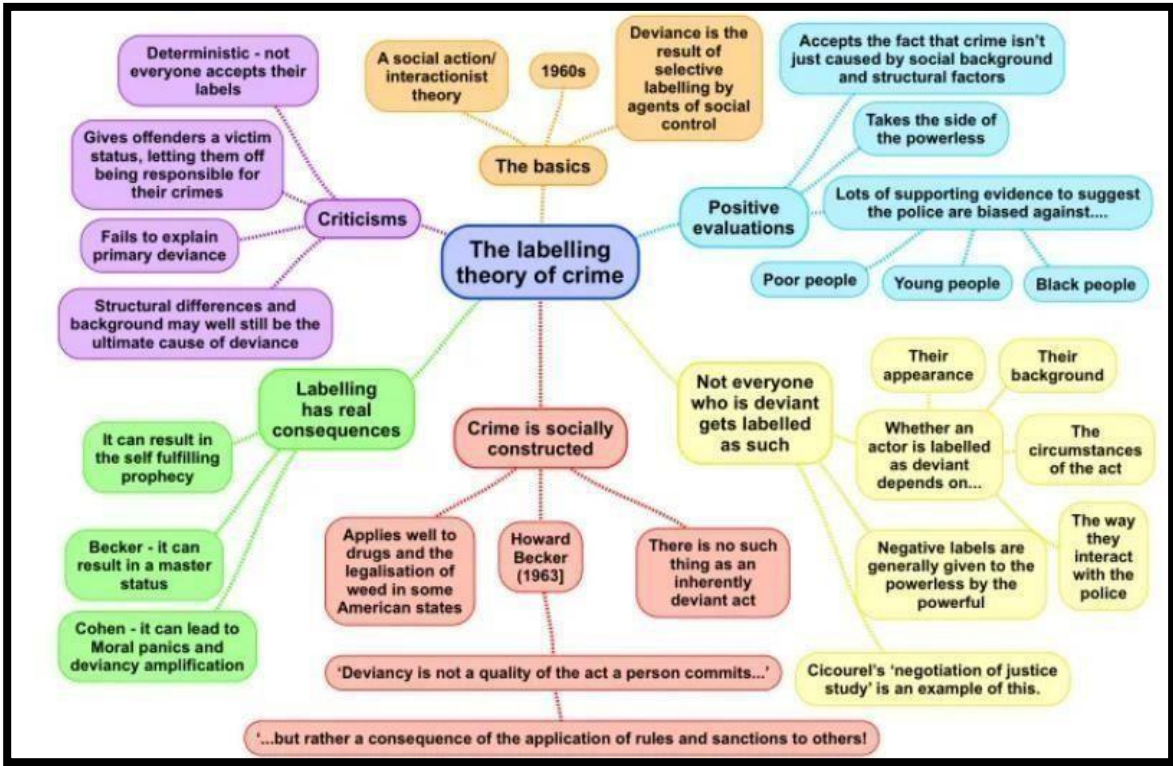


Figure 5: Crime labeling theory

I think there are many works that study the impact of organized crime in the Americas, but there

is a lack of focus and research on Asia. I think that if we want to conceptualize and implement development policies for specific locations, such research is very much needed. To this end, I used limited academic literature as well as newspaper articles, documentaries, commercial films, and other visual media to narrow the focus to organized crime in India. At the local level, these mafia in India (including D companies) have a huge impact on the local population, especially the poor and slum dwellers, and they often play the role of the country. 2 For the case study, I elaborated on one of D-Company 's criminal activities - begging the mafia - and how the weakening of the role of the state has exacerbated this problem. Many criminal activities, such as corruption and terrorism, often transcend scale and affect the local level in the form of unequal development, community tensions, and loss of lives and livelihoods. I think that as India has a complex and intricate environments (including religious, species name, socio-economic conditions, gender dynamics and politics), in which the nature of many activities and their impact is unique to India.

Brief background of global organized crime

As mentioned earlier, the four-point speech and subsequent related ideologies have been taken seriously; however, they have also been criticized by many people who advocate more tailored, place-specific development methods. The solution to development obstacles, whether it is the Washington consensus or multiple military interventions, usually summarizes the problem and represents the development ideal of neoliberalism. Such solutions tend to ignore social factors, so that the situation on the ground becomes worse. The flow and network in our world have become so interconnected that all the spaces seem to come together to form a place square.

However, in most cases, development strategies are not universally applicable policies that can span scales and function anywhere in a similar way; they must respect the “ situation ” -keeping in mind the unique socio-economic, cultural and Political Factors.

One of the " contextual " factors that I focus on in this article is organized crime. The study of gangs and organized crime involves a wide range of disciplines and uses various methods, such as investigative journalism, economics and statistics, sociology, security, ethnographic research, compilation of existing literature, gang leaders and members Autobiography, government

research .

There is no fixed definition of " organized crime " ; Woodiwiss describes it as " systematic illegal activity for power or profit. " 9 This is a crime aimed at accumulating wealth through mediation and violence. 10 such criminal activity by institutions and organizations having a grade, specialization and division of labor Akhila J. Kovvuri 9 implementation of 11 although not always carried out by organized criminal gangs or the mafia, but in recent years, has become after the former 's Synonymous. 12 The targets of some gangs revolve around violent criminal activities. These activities usually have no definition of gang in 13 , but generally speaking, gangs are groups that engage in illegal activities under a certain degree of organization. 14 Recently, attention has been paid to criminal activity, territorialism, clearer leadership and organizational structures.

Initially, it was thought that the formation of gangs was due to urban socio-economic reasons, such as poverty and lack of other employment. 16 Many theories have emerged, other factors will join gangs blamed reasons, such as lack of family ties and unstable childhood, peer pressure and willing to create the identity of the looking, social system and the lack of other opportunities. The notion that gang members are limited to poor and unemployed minorities and that gang locations are limited to large cities contradicts the growing number of ethnic minority gangs from higher socioeconomic classes.

As gangs adapt to the ever-changing legal, social, and economic environment to survive, the types of activities that gangs participate in are constantly changing. Organized criminal groups initially focused on financial crime, but are now expanding to human trafficking, terrorism and even legal businesses. Organized criminal groups exist not only for economic reasons, but also religious, social and political reasons.

A series of works illustrate how globalization and neoliberal policies have exacerbated the problem of organized crime. Globalization is a process that encourages cross-regional social, economic, and political interaction, relationships, and exchanges. In this process, power levels are formed and inequalities grow. Neoliberalism is an ideology that promotes free global markets,

trade, and minimizes the role of the state in controlling or protecting the economy. Due to the neoliberal and globalized world, many criminal activities, such as money laundering, corruption, child labor, human trafficking, tax evasion, and terrorism, are becoming more and more transnational. Some authors even believe that organized crime and its activities are still flourishing, because the global market, neoliberalism, the capitalist ideals of cost-cutting and efficient production depend on these very criminal activities. 24 Globalization and neoliberal policies have weakened the Third World's ability to control their markets and economies, and reduced their sovereignty. This has led to the emergence and strengthening of the global underground economy, the expansion of illegal markets, and the convenience of tax evasion. Neoliberal ideals have reduced social spending by governments in developing countries and increased attention to privatization and land "development" (slum land reclamation), thereby creating a greater gap between the poor and the country and increasing gangs Impact.

In addition to the variety of definitions of gangs and organized crime, the impact of these organized crime activities is multifaceted, and in the square, the spread of crime in the national and international levels and development 10 . At the local level, in many parts of the Americas and India, organized criminal gangs are powerful non-State actors, through the organization, coordination and stability of the territory they occupy, and act as intermediaries to assume the role of the State to influence hair development. Development project. Due to the local influence that gang members have, they are often invited to join political organizations and parties and maintain close connections with bureaucracy and elected candidates, thus enjoying safety from legal actions to curb their criminal activities.

Organized criminal groups influence development at the national level by intervening and influencing the work of the government and private enterprises. One way they do this is through money laundering, which refers to the transfer of funds (usually through illegal activities) outside of the economy and the national banking system to evade taxes and hide sources of income. This will lead to reduced investment, inequality and immigration, thereby harming the country's economy. Globalization and global financial organizations have contributed to money laundering, which has led to an increase in shell companies and black market transactions. Illegal activities that derive these revenues include drug, weapons, and human trafficking, and money laundering

is used to further fund such crimes and even terrorism.

What I have to understand is that organized crime cannot run the most advanced grind to fight the police. Unfortunately, for most police officers today, police work is just another job. Only a very small number of people have the ability, commitment and willingness to take risks and fight crime. Fortunately, every state has its own talented police. Every state must convene such police and establish an organized crime department, at least at the state level (if not at the district level). These can be part of an existing crime department, or they can be established as new independent units. The officers and soldiers equipped with these forces need special training, the latest equipment and other resources to make them effective combat equipment. They can also receive special allowances and other rewards, including adequate insurance.

However, these state units cannot operate independently. There must be a central node organization to coordinate their efforts and act as the interface between them. The agency's job is to collect information from all state units, analyze it, and then pass it on for operational purposes. A wide-area network on organized crime and criminals should be established to connect central node agencies and state units. This can be part of the police's ongoing computerization plan to cut costs and avoid unnecessary duplication.

Regrettably, experience has shown that since the police and public security are the main body of the country, national-level politics continue to restrict local police. It is not uncommon for state police chiefs to approach central agencies to take over cases involving local judicial assistance or relatives of members of Congress or ministers. It is sad to see the helplessness of senior police officers.

In a recent case, a policeman was murdered and the culprit was identified. The state government hopes that the case will be taken over by the CBI . The local police did not conduct follow-up investigations, let alone arrest anyone, even if the killer is known. This inaction is only because it involves a famous local politician. This is great for the friendship of the police and the rule of law! I want to emphasize is that in some cases, state-level organized crime unit (if it is part of the state police) may not prove to be effective. In this case, it may be necessary to set up a mature organized crime department in a central agency like CBI , with branches in each state, to handle

cases that cannot be investigated by state units due to unforeseen reasons.

The experience of Miyazaki shows that organized criminal groups use the highest technological facilities in communication equipment, computers, transportation, weapons, and so on. Not only should law enforcement agencies match them, but it's best to advance a few steps. Even in our country, the police have achieved great success in combating organized crime in recent years due to their expertise in technical surveillance such as telephone wiretapping and telephone analysis. But Yes, this needs to be further upgraded in a systematic way. It's time for the law to allow them to use bugs and eavesdropping devices to bring the mafia into the books.

This made me realize the need to formulate effective laws to combat organized crime. There is no doubt that the current law is not sufficient to deal with such a serious situation that did not exist at the time of writing the Indian Criminal Code. Over the past few years, organized crime control laws have been introduced. At the same time, in the state of Maharashtra introduced a new bill against organized crime has done very well. This is indeed a revolutionary step.

This behavior is not only included in the TADA (P) for all positive features of the bill, since scrapped, but go ahead a few steps suddenly, making the admissibility of evidence gathered through technical supervision, we have a wealth of representatives of organized criminals punished Wait. Importantly, this is the first time that organized crime has been defined in Indian legislation. However, our country still urgently needs a central bill to set the pace for national- level efforts to combat organized crime. The central bill should also introduce bolder measures, such as a witness protection plan.

Assuming that the new Central Act will provide for special courts that are dedicated to hearing cases under the new Act, as is done in Maharashtra, it should also be possible to have a criminal group composed of competent prosecutors as each Part of the state's organized crime department . They don't have to be regular government prosecutors, but they can be selected from the bar after careful screening for this purpose. A team of such prosecutors can be established in each state. Even the presiding judge of a special court needs to be specially selected. They must have talents, integrity, and most importantly, have courage, because it is not uncommon for judges to

languish due to fear of the underworld. A particularly important case involving the Mafia has been crawling at the speed of a snail, even though it is being tried in a special court because the judge is extremely afraid of the defendant facing trial. He also asked the prosecutor to transfer him away!

If the public's awareness of organized crime is not raised, no law enforcement efforts will succeed. However, this must be done cleverly, using the media to create public opinion against organized crime, especially their growing influence in electoral politics. In this regard, some recent initiatives taken by the court and the election commission are commendable. Our party must find common ground and avoid association with criminals.

Persons with criminal backgrounds should be rejected votes in the election. Politicians who are found to have ties to the community and criminals should be expelled from the political party. This can only happen if intellectuals and the media have established a strong public opinion. With the spread of awareness, organized criminals will be marginalized from the political arena, and it is hoped that more people will come forward to assist law enforcement. It is indeed a difficult task, but we have no choice.

Some of the most wanted and active Mafia leaders continue their activities abroad without punishment- Dawood Ibrahim, Tiger Memon, Mohd. Dossa, Iqbal Mirchi, Abu Salem, Chota Shakeel, Chota Rajan, etc. Many people are in Dubai or Karachi. Chota Rajan lives on a yacht off the coast of Malaysia. They all have a network of ground operators in India, and they use the most advanced equipment to keep in touch with them. Although we have made many breakthroughs in capturing the infantry, it has little effect on Downs.

Kidnapping, extortion, supari and political killings continue. The most worrying thing is the continued contact between these gang leaders and enemy intelligence agencies and their role in anti-India activities. We need continuous and active diplomatic efforts to bring them to India for trial, but so far we have not seriously tried this approach. Those who hide in the enemy's territory should be treated as enemies, and a laissez-faire approach should be adopted against them.

About to return to the Vienna International Center, it is gratifying to note that under the auspices of the United Nations, law enforcement officials, legal experts, Interpol, NGOs, and government representatives are in agreement. They believe that urgent measures are necessary to combat Transnational organized crime. The United Nations conventions in this area will soon be promulgated, paving the way for active cooperation among member states. All state governments in our own country need a similar understanding. At the initiative of the central government, all state chief ministers must be involved. A series of quick measures should then be taken, some of which may be as suggested above.

We are at the threshold of the new millennium. In the second half of this century, organized crime has risen to an alarming level in our country. Now is the best time to start a well-thought-out, planned and systematic counterattack process, lest the organized crime Hydra completely frame our society.

Organized criminal groups influence the government and the private sector through bribery. Corruption at all levels in developing countries leads to inefficient use of external aid and investment , and leads to delays and cancellations of development projects, leading to economic stagnation and inequality. 34 Political inaction is often due to this influence and fear of this influence. Gang.

Another winner, the cross-border illicit trade of illicit drugs, is often fueled by organized criminal groups due to economic incentives. It harms the economies of developing countries because precious resources are used to produce drugs instead of other necessities, making them very dependent on the world, and increasing the chances of unstable societies and rebellion. Trafficking is not limited to drugs; human trafficking involves coercing people and transporting them (or their organs) from one country to another for the purpose of prostitution, slavery, organ trading, etc. According to the US State Department, approximately 900,000 people have been trafficked to the world.

There are many works suggesting the increasingly close connection between organized crime and terrorism. 40 Due to the diversification of funding sources (including organized criminal groups), terrorist organizations have become more secure in terms of funding, and due to the global

financial system and tax havens. Organized criminal groups help terrorist organizations by providing funds, recruiting new members, and trafficking weapons and ammunition through their sophisticated channels. The US " war on terrorism " in Iraq and Afghanistan has led to social instability and the emergence of organized criminal groups. 43 There is evidence that organized crime affects governments, such as the Pakistani government, to help terrorist organizations survive. 44 The link between organized crime and terror has led to Akhila J. Kovvuri 11 due to the religious tendencies of some of these organizations, community tensions, violence, and international conflicts. 45 An example is the involvement of organized criminal groups in the drug trade in Kashmir, the dispute between India and Pakistan.

Although the above literature combines multiple perspectives to study organized crime, it is usually limited to the Americas, because most of the research is done in the United States. Some people believe that this research and US policy can be " exported to the rest of the world . " But such studies also clearly point out that they are designed to promote the security interests of the United States. Specific activities of gangs and their impact on people vary by location, economy, government, economic opportunity, local culture , social structure and gender dynamics vary.

D-Company is a very influential transnational organized criminal group in India and an important participant in criminal activities, but only a few writers, such as Weinstein, Sharma and Clark, have written about it. Most authors focus on the link between crime and terror, rather than the impact on women, children, poor people, slums, etc. in specific locations. At the same time, space is interconnected, and the world seems to have become an interdependent place. It is essential to obtain international help and cooperation to solve this transnational problem.

D-Company : Case Study

D-Company is the largest organized crime group in Asia, with more than 5,000 people participating in the group. 53 The leader of the gang, Dawood Ibrahim , ranks second on the FBI's top ten most wanted criminals list. 54 D-Company is highly transnational from Pakistan to South Africa, from the UAE to Thailand. Ibrahim is a Sunni Muslim from Mumbai, India. 56 Ibrahim was born as a police officer. He has committed petty crimes from a very young age and provided services such as extortion or collecting money from debtors / smugglers.

Ibrahim was involved in smuggling drugs and precious metals such as gold and silver. Ibrahim brought together many family members and close contacts, established his emperor country, namely D company. With the 1990 's and India's liberalization of trade barriers around the world and eliminate smuggling business is no longer profitable, because the goods can be legally obtained at a low price, thus reducing the demand for smuggled goods. This has prompted groups like D-Company to enter other profitable businesses, such as land development and real estate. In particular, India and Mumbai have become the world's financial centers, multinational companies have invested, and the value of land has risen exponentially.

Company D has also begun to invest in legal businesses such as shopping malls, hotels and travel agencies. This alone brings the gang 20 billion rupees per year.

(About 3.02 billion US dollars) in revenue. 62 The list of company D' s activities is diverse, including financial crimes such as extortion, tax evasion, forgery, and smuggling , and extends to crimes involving loss of life and dignity, such as human trafficking, contract killings, and terrorist crimes and development financing. 63 D- Company has established close relationships with politicians and political parties, often influencing them in the form of money or even crime, and benefiting in turn by being able to evade the law and law enforcement. In the past decade, many financial scams involving political parties and companies have occurred in India.

Dawood Ibrahim has participated in many such scams, two of which are the Indian Premier League (IPL) fixed-point case and the 2G scam. IPL is an Indian cricket tournament that has attracted a lot of attention, fan following and money investment through sponsors. Dawood Ibrahim and his associates were declared criminals by a court in New Delhi in a case involving match-fixing. 65 The second scam, the 2G scam, is the largest financial scam in India's history . It involves some politicians erroneously supporting unworthy telecommunications companies in the auction of 2G telecommunications spectrum. Dawood Ibrahim is an alleged investor in one of these unworthy companies.

Generally speaking, organized criminal groups are considered to focus on economic interests, while terrorist groups are considered to be groups driven by political or religious ideology. D- Company is unique in that it combines the two together to form a unique terrorist organization criminal connection. D- The Company was originally a secular gang with members from the Hindu and Muslim communities.

However, after the infamous demolition of the Babri Mosque (a Muslim religious site) in Ayodhya, northern India, the ideology of Company D has undergone tremendous changes, with Islamic extremism in its activities, such as financing terrorism. organization, 69 in 9/11 after strong opposition to terrorist organizations (including the freezing of their source of funding) after al-Qaeda and other terrorist organizations with the D-Company and other organized criminal groups to establish closer ties, to raise by way of drug trafficking funds. 70 D Company uses its connections and influence to help recruit terrorists, provide ammunition to terrorist organizations, and provide terrorist organizations with access to the routes it originally established for smuggling. Dawood Ibrahim is notorious impeccable and very deadly 1993 Nian the driving force behind the Mumbai bomb blasts, which included bombing occurred in the city 13 times coordinated bomb attacks killed nearly 1000 casualties. Dawood Ibrahim is currently accused of taking refuge in Karachi, Pakistan, and reportedly travels frequently between Pakistan and Dubai (his base of operations).

Despite the global trade links and growing, but it must be noted that not all countries and all areas have similar connectivity and mutual understanding solution; the lack of an extradition treaty between India and the United Arab Emirates as well as India and Pakistan to stop India on Dawood · Yi Bu Rahim's crimes are brought to trial. Allegedly, D Company bribed Pakistan's Intelligence Service Inter-Services Intelligence Service (ISI) and shared part of its profits, thereby obtaining a safe house for Ibrahim in Pakistan. Zoom in: The begging Mafia D Company engages in a series of criminal activities. Enlarging one of them -the begging mafia - and analyzing its characteristics, causes, and effects can give us a more detailed understanding of the impact of organized crime at the local level. 12 Akhila J. Kovvuri 13 The begging mafia is a network and " industry " composed of mafia leaders and " recruited " beggars who make a living from begging children. Most of the children who are coerced to join the begging mafia are between the ages of 2 and 8 and are of a lower socioeconomic status.

They were kidnapped on the streets, schools, parks and other public places. According to police reports, 44,000 children are kidnapped each year , but due to The actual number of unreported cases in various places may be close to 1 million. The begging mafia's annual income in Mumbai

is about 3.6 million U.S. dollars.

Here, this figure is close to 7 million U.S. dollars.

The more money people give to beggars, the more money the mafia will make. Mafia begging for the lives of children and their families a terrible shadow ring. Due to disability and hungry children can cause more sympathy and earn more money, mafia maimed, burned and beaten child, and refused absolutely to give them food. New Delhi itself has about 12,000 disabled beggars on the streets. In most cases, young babies are used and placed next to older children or female beggars to gain more sympathy. They are not fed, resulting in chronic nutritional deficiencies and weight loss, and are often prescribed medication to keep quiet. The Mafia deliberately gangrene beggars by cutting off the blood supply to parts of their bodies and deformed their faces / body with acid . 81 These children who were forced to beg were also introduced into drugs and drug trade by the Mafia. Because of the ensuing drug addiction, even if some children are rescued, rehabilitation will not work for them. Due to lack of any education or skills, they cannot find alternative livelihoods, and they often fled back to the streets.

Corruption plays an important role in the begging mafia. Senior doctors surgically removed children's limbs and disabled them. Although the government was aware of the existence of the begging mafia, it took almost no action due to the extensive network and underground nature of the mafia. Even if caught, the Mafia can bribe police and other officials. The 1959 "Mumbai Prevention of Begging Act" and other laws stipulate that begging is illegal, but it has not been effectively implemented. In addition, begging " industry " the most striking part of the beggars, law enforcement officials often use them as target and arrest him who thought they were criminals. The real culprit is still at large. Despite being arrested, he still makes a huge income because there are many beggars in the system. The arrest of a few people has no effect on the Mafia leaders. On the contrary, it exacerbates the already deteriorating life of beggars, excludes any hope of obtaining alternative jobs, and exposes them to further humiliation and imprisonment. Because of these problems and the lack of help and security, many child beggars grow up and become criminals. When the children grow up (the sympathy they can arouse decreases), they are forced into prostitution and organ trading on the black market. Thanks to a growing global network, these children are sold across borders to forced marriages, adoptions, child labor in

factories, and the sex industry.

Child beggars are not mafia who rely on begging for their own survival; they must support their families so that they can afford the roti and makaan needed for survival . Crime and development 13 14 (basic food and shelter) . 92 Even if they had other options, they could not leave the Mafia because they were emotionally blackmailed and threatened to kill their family members. For the same reason, they never reveal to anyone information about the Mafia leaders they work for.

There is a correlation between the lack of basic facilities and the increasing number of children forced to beg. Those who do not have enough food, shelter, and medical facilities, those who live in areas where violence prevails, and those who are out of school are most likely to be forced into child labor.

The root causes of the problem of begging children are longer and more complex, including the economic and social conditions of parents and previous generations. Factors such as unemployment and landlessness are common in slums in India, because most of the residents of these slums are immigrants who come from villages to cities in search of work. However, due to the new

With the rise of liberalism, the state's expenditure on education, health, housing, and job creation has decreased.

Any containment from external sources begging mafia assistance will be through the government or the police, and corruption in the two bodies generally exist in, resulting in little passes to local resources really needed resources. If the money is directly given to the beggar, the money will be given to the begging mafia, thereby further encouraging the mafia to obtain more income.

The begging mafia strategically chooses begging locations; these are places of worship and tourist hotspots, where fewer people refuse to give money to children who appear to be starving. Around the religious site, beggars are required to bring pictures of gods. 98 religions play an important role in the lives of Indians. They are usually generous in places of worship; Hinduism, Islam, Buddhism and Jainism, as well as other major religions in India, all declare that their wealth should be shared with those in need. In this case, it is difficult for the state (or any other actor) to intervene because it cannot tell people to stop donating because people believe that if they donate

to the poor in religious places, they will be blessed by God. Tourists, especially foreigners, have similar obligations, believing that donating money will help eliminate poverty in the third world, but in reality, doing so does more harm than good.

In fact, any source of external assistance must consider various factors, such as family relations, people's government relations, corruption, access to basic facilities, social norms, religion, class and caste structure.

Reduce: assume the role of the state

The begging mafia is one of many activities carried out by D-Company and other gangs. One of them has continued the reason that the begging mafia has previously mentioned: the state's reduced role in providing basic services to its people. Not only the begging mafia, but even those women who are most vulnerable to sex trafficking, slavery and other forms of trafficking are also women who have no access to education and medical services.

Many slum dwellers are illegal settlers who lack land and political rights and are therefore deprived of basic public services. 103 Due to the influx of large numbers of people into cities looking for job opportunities, the government and its housing committees are unable to provide or manage housing, resulting in new immigrants becoming illegal squatters in unsafe, unsanitary and densely populated areas. 104 In fact, the government deliberately refuses to take action against gangs because they can provide the poor with things that the government cannot provide: housing, water and electricity connections, etc., albeit through corruption and violence.

There are complex and indirect exchanges between gangs, governments, political parties and slum dwellers. Let gangs of illegal squatters were boarding in mind, so they can have an identity and capacity of local politicians to vote. These gangs bribed the local police to protect their own illegal alcohol business and protect the temporary residences of squatters from being demolished. At the same time, squatters are subject to an insecure and violent environment, and because of dependence, they often have to dance to the tunes of the leaders and members of the Mafia.

Putting the gangs in America and India together, you can see the different activities, social status,

and influence of the gangs on their respective communities. In Haiti, some influential gangs are considered essential to local development. They coordinated and supervised the community, leading to a decline in homicide rates, providing better services to citizens, slum housing, mediating development projects, and external assistance. Manage the employment of its residents.

In India, this is not necessarily the case, because the gang's intervention in development projects has a more adverse effect. Recall that the gangs that provide these local services in India are exactly the same as the gangs involved in transnational criminal activities, such as drug trafficking and human trafficking, financing of terrorism, and participation in high-level national commercial scams. This is different from gangs in Mexico or Haiti, which are more localized, their activities are limited to "defending" their area, and they often use violence. In addition, compared with the Dharavi slum in Mumbai, India, Haiti's Bel Air slum of citizenship is not the same. In the latter, slum dwellers are illegal immigrants and squatters. Obviously, the solution to the Haitian problem will not work in Mumbai because there are many differences, which are either embedded in the social structure or formed by different processes.

Finally, I reiterate that due to various economic, social, cultural and political factors, each place and its people are fundamentally different, so development measures cannot adopt a one-size-fits-all strategy. There will also be differences in the way specific places respond to and influence global processes such as globalization and international relations. D-Company is a powerful transnational organized crime group, and its existence of crime and development activities in India is a factor of the "situation" that makes the situation in India different. In addition, D-Company's criminal activities have a negative impact on local, national and international scales. In the case of the begging mafia, corruption at the top (police and political parties) protected the mafia leaders and helped the begging mafia survive. In addition, the plight of the poor being forced to beg has translated into slow growth and reduced productivity at the national level. Due to factors such as religious beliefs, social norms, class and caste structure, and gender hierarchy, the begging mafia's influence on beggars is unique to India.

Thus, any solution to the gang problem in India, must take account of these "situational" of

various factors, and things multiscale affected real. Global processes such as globalization and neoliberal ideology have created international products and labor markets for D-Company 's illegal activities. The growing global financial network has made it easier for D-Company to keep its funds and funding sources away from scrutiny and legitimacy. Neoliberal policies encourage the government to spend the least on services such as education, health, and housing; this makes the poor more vulnerable to gang activities. It creates a distance between the country and its own people.

Chapter- 4

Organized Crime in International prospective

The origin of organized crime can be traced back to ancient times in different ways; political empowerment, peasants rebelled against French rulers, thuggee, etc. In the Middle Ages, feudal lords did not usually engage in what, we will consider protection to their serfs in exchange The labor and a percentage of the harvest and persistence are similar in structure to a typical organized criminal group. Pirates, roadblocks and bandits used to attack trade routes and people on the roads in ancient days. (Criminal organization, [http://en.wikipedia.org/wiki/criminal- organization](http://en.wikipedia.org/wiki/criminal-organization)).To understand the origin of organized crime, it is necessary to understand its history in the social structure of each country.

Emerging phenomenon of organized crime in Italy

^{Ri}
Huilong in 12 century peasant uprising in Sicily against the French rulers. Those group o f people are called the Mafia. In the resistance, many French officials were killed by the Mafia in Sicily with the intention to throw Franceout of Sicily (The Mafia, 2008).

After the revolutions of 1848 and 1860 , the security of Sicily became very weak. The mafia (a small group of peoplewho do not abide by the law) rebelled against law enforcement agencies. They tried to burn police records and evidence, and killed police informants. They had to stop their activities and oppose the new government that will beformed later in Rome. Palermo (Palermo is located in the island of Sicily in the northwestern island of Sicily) was originally the main area of the Sicilian Mafia, but their activities quickly spread throughout Sicily (The Mafia, 2008) .

In 1860 , the pope was hostile to the government. In 1870 , the pope himself was besieged and passed through the country of Italy. He strongly advises Catholics to refuse to cooperate with the state. In Italy, this did not lead to violence. Sicily is a strong Catholic (in a strong

tribal sense, not in an intellectual and theological sense). The friction between the church and the country has given a great advantage in Sicily violent criminal group who also advises people to farmers and the city, with police (representing the new Italian national cooperation) is an anti-Catholic activities. Protecting rackets, stealing cattle and bribing state officials were the main source of income for the Mafia at the time (Mafia, 2008).

1926 year period in Italy and France, Cesar Murray, governor of Palermo, used special powers granted him sue Heishou parties. More than 1,000 mafia were arrested and tried in groups. In which 300 people in 1926 were convicted years, 1931 years and was arrested, forcing many others to flee Italy Mafia (Funk & Wagnalls, 1931). Many of the mafia who escaped the arrest fled to the United States of America (USA). Where Joseph Bonanno (Joseph Bonanno), nicknamed Jo-banana (Joe Bananas), began to dominate the US branch of the Mafia. However, when Sen began to persecute the mafia involved in the fascist hierarchy, he was removed from office and the fascist authorities announced that the mafia had been defeated. As a result, although the Mafia was weakened, it was not defeated (Mafia Trial, 2008).

The United States used the Italian Mafia's intelligence gathering to ease the way to advance troops. In exchange for the famous Mafia Luciano, who was held in a US prison, allowed to run his own criminal network from his cell. After World War II Luciano was released from prison and deported to reward Italy, where he was able to continue his criminal career unimpeded. Luciano established an important alliance with the Corsican Mafia, which led to the development of a huge international heroin trafficking network, initially provided by Turkey (Mafia, 2008).

Later, when Turkey began to eliminate its opium production, with leading Luciano in the United States mafia bosses including collaboration Santu-Tel has taken advantage of the chaos in Southeast Asia's Fei Kante and his successor, starting from South Asia The area gets medicines. He had worked in the US supply of drugs States, Australia and other countries, these countries are transporting a large number of Asian heroin to the United States (Alfred W. Mc Coly, 1972 years).

In the 80 early years of the second Mafia war is a large-scale conflict within the Mafia that also led to the assassination of some politicians, police chiefs and referees in Italy. *Salvatore Riina* (A Mafia) and his team in the final prevalent in a number of the FIA PLA Ç È D more È MphasiS on - white, rather than the more traditional corporate fraud collar criminal activities. In response to these developments, the Italian media has come up with the phrase *Xiaozhu Nuova* (-the new thing!) (The Mafia, 2008).

The first major Peng Tito (Tito Mafia Peng base to become an informer of the term) is Tommaso · Boucetta, he lost several allies in the war. He became a whistleblower and was in contact with the prosecutor Falcone Giovanni in Italy in 1983 . However, this Later, various other mafia gangs who lost members also became whistleblowers to the police in Italy. The major action against the Mafia in Sicily was Maxi Trial (1986 -87) , which resulted in the conviction of hundreds of Mafia leaders. When the Italian Supreme Court confirmed the conviction in January 1992 , *Riina* (the leader of an organized crime group) retaliated. Politicians Salvador · Lima in 1992 Nian 3 May by the killing. For a long time, he was suspected of being the main government contact of the Mafia (later confirmed by Busetta's testimony), and the Mafia was dissatisfied with his service. Falcone and the same anti-Mafia prosecutor Paul - Borsellino died after a few months. This led to strong public protests and massive government crackdown, resulting in *Riina* 'S arrest in 1 Yue 1993 years (John Dickey, 2004).

The existing mafia retaliated with terrorist actions. A series of explosions occurred in several tourist attractions in mainland Italy and Rome, resulting in 10 deaths and 93 injuries, and serious damage to cultural heritage such as the Uffizi Gallery. damage. Bernardo Provenzano took over Hei Shou Dang boss. This movement allowed the Mafiato slowly regain the power i t once possessed. Bernardo · Provenzano (Bernardo Provenzano) on the run 43 years after 2006 were arrested years. (Mafia, 2008). Organized crime still exists in Italy (The Mafia , 2008).

The rise of organized crime in the United States of America

In fact, organized crime in the United States is the product of more than a century of evolution (Tyler , 1962). The roots of organized crime can be traced back to the United States before the prohibition in the 1820s . Process large numbers of Irish immigrants, mostly from Catholic parishes in the United States to the United States 1820 Zhi 1850 years (Howard Abadinsky , 2003). These urban immigrants were forced to the scene as slums and they found employment in most of the dangerous and low-paying industries. Irish immigration is restricted from mixing with the middle class. In response, they stayed in closely connected communities, where they joined the Democratic Party as a way out for social and economic progress. However, instead of using it as a political means to integrate into the middle class, politics enveloped Ireland, and the social structure of Ireland became an indispensable part of recruiting other Irish people to the party and the government of both. With the influx of Irish people into urban politics, political positions were considered their profession, and politics became a secular extension of their essentially religious identity (Levine , 1966).

Politics and government employment provide the most accessible social mobility path for Irish immigrants. The Irish are the most numerous and advanced part of the immigrant community, taking over the political party (the Democratic Party) at the local level and transforming it into an almost parallel system of government (Shannon , 1989). In Ireland, people can play a role in concerts while ignoring formal government and legal structures (Reedy, 1991). Irish politicians used to take care of the welfare of ordinary people by providing food to the poor, repairing things, etc. (Howard Abudinsky, 2003).

Until the late 1880s , political parties were private associations and were therefore used to determine the method of nominating candidates. The methods used lack state control; they are informal and often effective in disappointing voters (Howard Abdinsky , 2003).

Political representatives used to have direct quasi-feudal relations with nearby voters (Abdinsky , 2003). The political leader used repression to weaken their opponents. It is used to control government officials and judges also. Democratic politicians in big cities are controlled by Irish

bosses. This political leader uses unorganized urban masses to mediate between the underworld and in the world (Yili, 1988).

The Irish political leaders of the function have organized criminal groups with similar characteristics. However, organized criminal groups participate in continuous illegal activities for money or profit, and the purpose of political parties is to guide votes and power. As political parties in the past to serve a legitimate business -like, it is also used to provide services for illegal business. In fact, the relationship between political parties and criminal gangs is symbiotic (Howard Abadnsky , 2003).

Party members used to commit crimes by hiring criminals at the grassroots level, such as the organized mafia (Audett, 1954) . The criminals of petty theft, including casino owners, thieves' owners, pickets, grooms, etc. are used to gain favor from the politically powerful bosses cast for obtaining votes for them. Prostitutes, thieves, homeless people, etc. used to be on the voter list. The Irish used to mobilize them to vote. Political leaders, used to function like organized crime bosses. These political leaders who used to bribe the police to take no action against casino owners, thieves, grooms, pickets, etc. were particularly grand in the police department of the city where the jury found certain members in Philadelphia. They bribed a total of \$2 million each year. To (Halle, 1985). Almost all the large cities in the United States suffer from a coalition between politicians and criminals. Exchange of documents with the Eighteenth Amendment approved by the US Constitution, even though the 1919 Constitutional Amendment was a prohibited movement away from shooting.

Adopted in 1785 by Dr. Benjamin Rush, a general army surgeon in the mainland and a signer of the Declaration of Independence, wrote a pamphlet to reduce alcohol use. This pamphlet helped people start the campaign, the campaign to ban the use of alcohol in 1808 was supported by the Christian Church throughout the country (Hamm, 1995). The national ban is a measure of acceptance of people living in the country of the United States of America against people living in the city of the United States of America (Coffey, 1975; Gusfield , 1963).

The eighteenth amendments approved after October reached the constitutional satisfaction of the

United States, more than President Woodrow Wilson's veto, and Congress passed the Street Rolling Act. The law strengthens the language of the amendment, which defines all beverages as intoxicating to contain more than 0.5 % alcohol (Howard Abadinsky , 2003). According to the bill, the Prohibition Bureau under the Ministry of Finance was established. Agents are prohibited from using private road blocks and people who use them to protest, are all killed by them (Woodiwiss , 1988).

Before Prohibition, the leaders of criminal gangs were of little importance to politicians (Katcher , 1959). Politicians and gang leaders in relationships that are forbidden to change. The ban turned the criminal group into an empire (Logan , 1970).

After the ban, the legal liquor industry did not continue to operate. As a result, violent young people enter the illegal alcohol business to make easy money. The illegal liquor company needs a large-scale organization, including the procurement of raw materials, production efficiency and location. If alcohol must be smuggled, ships and crews are needed. Those involved in illegal businesses must learn to use the legal system to satisfy their illegal businesses (Halle, 1985). In addition, it is forbidden to encounter cooperation between gang leaders from different regions. The liquor business is international in scope. Rum and whiskey smuggled from Canada, the Caribbean and Europe must be shipped from the Atlantic to the east coast. Then, the goods must be transported by truck to the warehouse at the distribution point within and between states. At every critical moment, this shipment requires political and personal protection. Only the dominant local criminal organization can provide this protection. The union arises from these needs. The prohibition ended in 1933 , and those who were mostly rich and powerful time smugglers, used their country to contact, different interests and provide funds to match in a different entrepreneurial activity, legal and illegal (Halle, 1985).

1934 , the East organized crime gang leaders gathered at a hotel in New York, organized by Johnny · Tuo Liao (Johnny Torrio) chaired the meeting. In the meeting, they reached a consensus that each boss is the leader of his own territory. Without his approval, no local or foreigner can be killed on his territory. The leader of the gang will have to be on the right to commit the crime himself or allow an outsider to come, but only at his invitation. In fact, without his approval and

full consent, organized lawlessness would not happen in his field (Turkus & Feder , 1951).

By the end of World War II, the modus operandi (criminal methods) of organized criminals was changing, and it became obvious. Ethnic diversity has declined - neither the Irish nor the Jewish communities have provided candidates with enough replacements for aging and imprisoned gangsters. This is reflected in the first major investigation into organized crime by Congress. The importance of organized crime as a national political issue was recognized by the Tennessee Senator Kifofer Easter in 1950 when he proposed a resolution investigating gambling and a special committee of extortion activities. 1950 Nian 5 Yue 10 Ri, Easter Kefauver became chairman of the Special Committee to investigate organized crime activities in interstate commerce, by launching the first major congressional investigation of the phenomenon (Moore , 1974 years).

It will be held before Easter. The committee heard the testimony of more than 600 witnesses from 14 cities . On the basis of the hearing, members will realize that a crime syndicate is based on a considerable extent in many cities (Howard Abadinsky , 2003).

According to the Kifover Commission, the organized crime mafia is the direct descendant of the criminal organization initiated on the island of Sicily. The committee further explained that the Mafia has been loosely
d organized, various gambling behaviors specializing in drug sales and distribution companies, prostitution and whoring Waiting for the racket is based on extortion and violence. The Mafia used the two major criminal groups and many othercrimes tied together in the entire group country (Kifover, 1951).

In line with the organized crime challenge pressure (1967: 6), the core institution of organized crime inside the usa includes 24 corporations that operate as criminal cartels in important cities throughout the US. Its members are full of italian descent, they are in common conversation with the on side, such as the smooth functioning of the insurance by the state body criminals. (Howard · Abba Ding Siji, 2003 years). The main income of organized crime groups comesfrom gambling, loan sharking, drug trafficking and extortion.

Little attention is paid to income from other sources. In 1983, drug trafficking and extortion were the largest source of money for organized crime groups in the United States (Howard Abadinsky, 2003).

American Mafia (also known as La Cosa - Nostra) is a late appearance on the US East Coast branch of the United States during the Sicilian Mafia following Sicilian and southern Italian immigrants' century. In the northern region, the mafia usually refers to organized crime in Italy, not just the traditional organized crime in Sicily (Howard Abadinsky, 2003).

Now in today's society, organized criminal blackmailers operate in a syndicate style with territorial monopoly power. However, they use modern tools and communication propulsion devices to commit organizations like drug trafficking, criminal cigarette smuggling, fraud, fraud anjoining terrorists.

The rise of organized crime in Russia

The breeding and schooling base for prepared crime in Russia became installed in the course of the communist era, while residents of the previous Soviet Union (FSU) had been deprived of appropriate employment opportunities. The authorities is below the guideline of the Russian capital tzars, and believes that one shape of totalitarianism represented by using communist countries or elsewhere is suppressing personal freedom. Consequently, similar to the foreigners invaded with the aid of Sicily, Russia's internal government gadget makes Russians mistrust the government like Sicilians (Albini, 1995).

In 1991, the Soviet Union split into 15 independent countries. The fall apart of the communist machine has brought about essential modifications in the social and political order; the general wellknown of dwelling has deteriorated. The legal system cannot keep up with changes, and law enforcement agencies are fragmented and lack coordination. They cannot cope with the huge workload of processing massive amounts of information. The investigators in turnover have been high and the technology provided low. Without professionalism, morale drops and corruption increases rapidly. People are particularly susceptible to businesses that start to rely on the sudden increase of private protection services, a large number of which are operated, and normal registration is not permitted. Many motel to fairness and justice for their personal palms, regularly with aid from the crime of fraternity. As a result, a form of the n- personal protection forces and

prepared crime has grown to be very slim or non-existent. (Howard · Abba Ding Siji, 2003 years).

The collapse of the Soviet Union in 1991 created a vacuum of authority. As the brand new authorities began to find it difficult to resolve the severe problem of formulating laws, policies, and commercial enterprise practices to manipulate emerging private organisations, monetary systems, and greater political opportunities in the absence of complete criminal constraints. Especially, Russia's efforts to privatize the economy, promoting state-owned industries to the personal quarter, are fertile ground for criminal exploitation. The new surroundings is very tolerant of prepared crime, legal guidelines against criminal gangs are enacted, and the monetary device is still inefficient. The vory (thief) organization became an important part of prepared crime in Russia. Anyone is led with the aid of vory v zakanye, who is appeared by using all others as an authority on his territory (handelman, 1995). Organized crime agencies in Russia are like organized crime groups in the United States. Every institution has its very own territory.

There are also people in as a minimum 20 to 25 nations inside the former Soviet Union which are operated by prepared crime organizations in splendid Russia. There are relatively large businesses with essential individuals ranging from 1,000 energetic criminals. They have got a hierarchical shape, divided into brigade or team. These unlawful groups perform in a wide style of criminal activities, which includes murder and extortion, kidnapping, trafficking in drugs and weapons, cash laundering, prostitution, fraud, robbery and bribery and associated public corruption. The most fruitful activities of Russian organized crime groups have been described as stolen antiques and their smuggling to the West, car theft, arms trade and other Russian organized crime groups operating in the domestic and international markets respectively. Like the Sicilian Mafia, they concentrate on maintaining control of the territory by excluding criminal opponents at the local level, and use their capabilities at the transnational level to smuggle or otherwise illegally trade anything that has a profit opportunity, from cars to Weapon uses medicinal materials as raw materials. (Masahiro Touchi, 1998).

Chapter- 5

Judicial Approach of Organized Crime in India

Ethnic background

Traditionally, a large portion of Mumbai's immigrants came from the northern states of Uttar Pradesh and Bihar, as well as from several regions in Maharashtra. Interviews with police officials and youth revealed that the immigrants mainly came from four regions in the east of Uttar Pradesh and parts of Bihar. Among them some are also from the Nagpur and Aurangabad regions of Maharashtra.

The main thing is that, as police officials believe - they are mostly Hindus - the main recruits of the Mumbai underworld belong to the Muslim community. Some core organized gangs patronized by gang leaders of Muslim descent contributed to this. This attribution of Muslim identity is not without the usual prejudice that Hinduism is the majority. They believe that Muslims are unruly and violent people. In this study, the city of Mumbai and Delhi were covering organized crime under control of the crime of Maharashtra and has, 1999 Nian (MCOCA) from the date of its implementation in Mumbai (1999 Nian) and Delhi (2002) . And problems faced by adjusting the investigation, prosecution and sentencing constraints MCOCA organized crime cases registered under only were identified, analyzed, and discussed in the study.

To this end, the survey involved in cases of organized crime investigators in Delhi and Mumbai, in particular, the judge dealing with MCOCA cases, investigators seized prosecutors MCOCA case, the CBI and Interpol wing officers were interviewed in India. In addition, opinions conducted by judges, experts, and academicians of the High Court are also considered.

Examine time turned into 1999 Bombay and 2002 , Delhi until 2014 nian 8 months. In addition, it analyzed the effectiveness of the United International Locations Convention in

opposition to transnational prepared crime, the extradition treaty and the model treaty on mutual help in crook topics in phrases of international and nearby cooperation, mutual assistance, and sharing of databases related to transnational prepared crime. The case particularly concerns india. It additionally analyzed the mcoca and the 1962 extradition act to apprehend how they successfully look into, prosecute and sentence organized crime instances in india.

In order to carry out this research, an exploratory research design was adopted, as no national studies on this topichave been conducted so far. Since MCOCA has been promulgated for only 15 years back, a very small number of officials are involved in the investigation, prosecution and judgment of organized crime cases. Therefore, researchhas been conducted throughout the universe, including from police, judicial and prosecutorial services who are either non-existent or unable to give time or 10 % of the personnel may not be satisfied due to some unavoidable reasons.

Five types of samples were collected in this study. The first category includes 60 investigators in total. Out of these 30 police officers from Mumbai and 30 police officers from Delhi who were directly or indirectly involved in the investigation of organized crime cases were interviewed. The category II includes 20 special judges from New Delhi and Mumbai who have conducted trials in MCOCA cases. The categories of three-way prosecutors include. 40 samples were collected from prosecutors directly involved in prosecuting the MCOCA case in Delhi and Mumbai Arranged in four groups, a special judge, a prosecutor, an investigator, and an Indian Central Bureau ofInvestigation (CBI) officials are working with Interpol and a group of interview guide academicians and experts to develop collections for the purpose of the data. In addition, the case law of the report was also discussed when analyzing theMCOCA and India's Extradition Act.

The research report is scattered in 7 chapters. In the first chapter, we introduce the emerging phenomenon of organized crime, the definition, the problem in the statement, the research method, through the research, the research problem, the research of the goal, the clarification of the concept, etc. The two chapters cover the literary and theoretical framework. Review. The content of Chapter 3 introduces the form, scale, trends, etiology and consequences of organized

crime and Chapter 4 is specifically to identify The challenges faced by the investigators 0.5

Find

The clever findings of the chapter have been listed in this section.

Form, magnitude, trend, cause and consequence

Compared with Delhi, the average number of organized crime-related cases reported by Mumbai each year is more than twice that of Delhi. Because Mumbai is the financial center of India, the geographical location of Mumbai also helps criminals to easily enter foreign countries.

The maximum quantity of instances registered related to the Indian Penal Code, 1860 (IPC), followed by the Weapons Act related to the case by way of case, 1959 years at Mumbai and Delhi, two, collectively with the MCOCA observed narcotic pills and psychotropic related cases in Delhi the Substance Act of 1985 (NDPS Act) and the Mumbai Unethical Visitors Prevention Act of 1956. Out of the case, the case concerned murders under the MCOCA had been delivered to the cities of Mumbai and Delhi, followed by means of kidnapping, kidnapping, extortion and drug smuggling in Delhi and vehicle robbery, fraud and prostitution in Mumbai.

Recently, land grabbing has become one of the largest sources of income for organized criminal groups. In Mumbai, organized criminal groups have been allowing slum dwellers to vacate their land and sell it at an exorbitant price, while in Delhi, the mafia has repeatedly sold a piece of land by fraudulent means.

The trend of organized crime in different forms in the cities of Mumbai and Delhi is changing due to differences in geographic location, culture, and different types of businesses, including the film industry.

In the past 12 to 13 years, the trend of organized crime in Mumbai and Delhi has changed as criminals are becoming more tech-savvy and more educated. 92.5% of the criminal justice function in Delhi said that criminals have used modern equipment to commit crimes while in

Mumbai, 83 % of the criminal justice function notified that the offenders had been planned in advance and committed the crime in a highly confidential manner.

Regarding the modus operandi (the method of human crime), the mafia who discovered organized crime did not hesitate to kill a person who had been kidnapped, even after taking the money from their kiths and KENS .

90.8 % of criminal justice departments in Mumbai and Delhi 93.8 % pointed out that legislative and administrative factors are responsible for the increase in the incidence of organized crime. Out of those 90.2 %, the criminal justice function in Delhi and 79.75 % opined in Mumbai are complicated and time-consuming legal procedures are recognized as the largest loophole management in criminal justice. In addition, non-enforceable laws are also considered a significant reason for the increase in the rate of organized crime in Delhi and Mumbai, all due to improperly enforced laws have been encouraged to corrupt, has been promoting the crimes committed by organized crime criminals (by opined in Delhi) 78.5 % and 56.9 %, the criminal justice function is in Mumbai).

In the case of lack of training for registered handles under MCOCA , frequent transfers from an investigation and prosecution agency to other places and assignments of various roles have been delayed in the investigation, trial and sentencing of organized crime criminals. Therefore, the recidivism rate of organized crime is increasing.

The low conviction rate is considered to be a prominent factor in the increase in the rate of organized crime. There are two prominent reasons for the low conviction rate; 1) It is difficult to find witnesses in organized crime cases due to the fear of the mafia; 2) After criminals have absconded and committed crimes in foreign countries.

More than 90% of officials believe that psychosocial factors are responsible for the increasing trend of organized crime in Mumbai and Delhi. Out of this large number of criminal justice functions, the most prominent reason for the lack of social control is the increasing trend of organized crime in Mumbai. The lack of social control and propulsion devices on both sides of the communication in Delhi was identified as the outstanding factor

pair being the same. In the other influential peer groups, both important factors in the increasing trend of organized crime in Delhi and Mumbai are also considered.

95.4% of criminal justice workers in Delhi and 90.8% of criminal justice workers in Mumbai believe that economic and political factors have contributed to the increase in the rate of organized crime. The organized crime mafia has been paying large sums to criminals who commit crimes on their behalf. Therefore, poor criminals can easily get rich. Opportunities to earn a lot of money and reasonable risks are small to attract criminally inclined teenagers to participate in organized criminal gangs. This is supported by 96.6 % of officials in Mumbai and 88.7 % in Delhi.

Lack of employment in Delhi and greedy money in Mumbai are considered to be significant reasons for increasing the follow-up rate of organized crime. Poverty, poverty and inaction in combating the illegal accumulation of wealth in both cities. 87.7 % of criminal justice departments in Delhi and 66.2 % in Mumbai feel poor who do not get a reasonable job easier access to participate in the commission of organized criminal offense.

More than 78.5 % of the criminal justice functions in both Mumbai and Delhi feel that there is an emotional imbalance between linkage, peer groups, pressure and poverty to commit crimes organized.

Regarding the impact of organized crime on society, it is believed that the group has been encouraging criminals within its group to recruit educated youth to join the group. As a result, young people have been addicted to the world of crime.

The largest number of criminal justice workers in Delhi and Mumbai believe that organized criminals contribute to corruption in society through their illegal activities. As an example ; organized crime criminals in India have kept the amount involved in foreign banks. They have been buying houses in Europe, Dubai and North America.

100 % of the criminal justice departments in Mumbai and Delhi 93.8 % said that the impact of organized crime is intolerable to individuals, society and the country, because organized crime criminals have hindered the economic development of India and caused A country that

threatens sovereignty and security.

87.5 % of the criminal justice function in New Delhi said that organized crime criminals have been increased in personal fear and insecurity, while in Mumbai's 82.5 %, the criminal justice function reported that it had caused monetary losses Victims.

Challenge the organized crime case under investigation

Ninety percent of investigators disclosed that lack of public cooperation is the main obstacle to obtaining clues to organized criminal groups. Among these 81% of investigators, because they were afraid of the mafia, witnesses did not come forward to provide clues about the whereabouts of the criminals. 71.70 % of investigators believe that the witnesses did not participate in the organized crime mafia that gave clues of interest because they did not want to go to the court to overthrow the witness harassment process they faced during the criminal justice process, including the lack of proper places to sit in it. Courts, frequent delays, arrears of allowances, etc.

75 % of investigators find it difficult to find the gang leader because the identity of the gang leader remains secret, and the criminals involved in commission crimes usually don't know about the whereabouts of the leaders of the gangster organization at the grassroots level. Not only that, but organized crime criminals have been under the cover of working legally, which helps them hide their criminal activities.

43.3% of investigators informed the organized crime mafia that they were constantly moving from one place to another. Until the investigators grasped the whereabouts of the Mafia and tried to arrest them, they were not in India but left this place, but few people absconded abroad. As a result, it became almost impossible to arrest them.

Out of 42 out of 60 investigators expressed that the lack of well-trained and skilled investigators was one of the reasons for the problem, because MCOCA had issued the MCOCA case investigation in 1999 only this year. Therefore, a large number of investigators are unaware of the relevant special provisions of the law.

90 % of investigators are not able to use special techniques for investigations. Among them, 22.2% of investigators were unable to use intelligence collection. 50 % of investigators are not able to use controlled delivery. According to observations, drug dealers usually deliver drugs in foreign countries. It is difficult for investigators to appeal to witnesses for the removal of foreign countries in India under the law of the court. 50 % of investigators are not able to use undercover operations due to concerns about safety undercover.

The duration of 60 days can be extended to more than 60 days for oral interception of communications. Suspicious next section 14 (8) MCOCA was found to be inappropriate, because 40 % of the investigators learned that the time required was for the interception of oral communications. It should be more than 60 days because sometimes, they have to wait until the day to intercept important conversations.

66 % of investigators stated that they found it difficult to intercept conversations with suspects seeking permission. They may lose important clues to the criminals if they will obtain permission to intercept suspicious communications within the oral cavity for 14 to 21 days. It has also been told that if they know that the Mafia is in a state of alert, they might destroy clues / evidence data, which may lead to difficult convicted defendant. Not only may the evidence be destroyed, but sometimes, if criminals get clues that MCOCA may be applied to them, they will escape abroad.

75% of investigators revealed that they did not know the normal programs and codes used by the suspects because they had been changing the codes. With the help of forensic experts, investigators have been trying to monitor the intercepted conversations by continuously listening to the conversations of the perpetrators, and with the help of other personnel who completed the decoding earlier, analyzing the hypotheses and hypotheses and verifying the conversations. decoding. Was locked by the police along with the criminal.

Regarding the submission of an interception order, the review committee approved it. In an emergency,

31.67 % of the investigators opined the submission of the interception order to be approved by the review committee, which was time-consuming and complicated. If the permission is not

approved in the latter stage, the review intercepts the conversations of the committee during this period may not be intercepted in accepting that the court wastes the hard work they have done.

41 out of 60 investigators believe that it is inappropriate to define organized crime as a continuous illegal activity under Article 2(d) of the MCOCA . 41 investigators has 25 M ing (60%) found it difficult to trace the perpetrators of the past, to establish links between crime and crime related to organized crime before the perpetrator is difficult to implement. 41.46% of the adjusted investigation officers in 41 investigators in that in the past 10 repeat offenders more than once during the year to determine a person involved in illegal activities continued too long.

75 % of investigators believe that the MCOCA will call the prescribed stage to conduct the preliminary investigation at a later date. The evidence and many important evidences afterwards cannot be traced, because the crime scene has been destroyed and the defendant may take evidence of the lawyer's temper. s help. Not only this, but important witnesses may be threatened to pass the accusation.

45% to 55% of investigators cannot use scientific investigative techniques; lie detection, brain imaging, brain fingerprint recognition, because suspects disagree with such testicles in many cases.

82.5 % of the investigators agree that the extended remand time is appropriate to extract information from suspicious. However, this is causing difficulties to the criminal suspect because they are in police custody for a period of time, although, at a later stage, he / she may be acquitted. Restrictions on the prosecution and sentencing of organized crime criminals Special prosecutors (85 %) and judges (65 %) believe that in some cases, criminals absconded to a foreign country and later committed crimes. 84.62 % of prosecutors have been facing difficulties in obtaining extradition of criminals from abroad due to various reasons, such as complicated and lengthy extradition procedures, public prosecutors are not very well-versed in the extradition procedures, lack of cooperation, from the Interpol Wing Waiting in India 80% of prosecutors encountered great obstacles in prosecuting criminals, because investigators did not prepare a

charge book. Because knowledge lack of knowledge, investigators, and especially no mention of other laws relevant sections of very old in India MCOCA in a chargesheet . As a result, the test was carried out in parallel, in 2 courts and punishment is under MCOCA of 3/4 given only to the Special Court for up to five years.

7.5% of prosecutors and 10% of judges did not know that in organized crime cases, the allegation form was directly submitted to the special court. They stated that the allegation form has been submitted to the district court, which will submit the case to the special court designated by MCOCA after acceptance.

Due to lack of MCOCA to specify their particular requirements before the appropriate training of judges and special prosecutors as special public prosecutor or a judge to handle special MCOCA case, a lot of them do not have a clear understanding of whether can to be taken not to grant approval Submitted by the competent authority in a private complaint under Article 23(2) of the MCOCA .

87.5 % of special prosecutors and 80 % of judges have faced difficulties in prosecuting early organized crime cases because investigators used to obtain transfers from one police station to other police stations and lost interest in the incident. Delaying the prosecution gave the defendant an opportunity to seek bail. Once the defendant is released on bail, he may try to threaten witnesses. Defense Ministry lawyers have also been sought for extensions and the country where the defendant may abscond may also be raised. Once the defendant has absconded to foreign prosecutors and judges, there is no choice but to stay until the defendant in the lawsuit may be extradited.

The difficulties faced by 50 % of the prosecutors and 55 % of the judges prove their alleged involvement in continuing illegal activities, because 37.5 % of public prosecutors and 30 % of judges were unable to establish relationships with criminals organized crime gangs .

85 % of prosecutors and 72.70 % of judges faced difficulties in trying organized crime cases, because the record was not submitted with the chargesheet 95 % of prosecutors 54.54 %, and

judges found it difficult to trace the details of the properties related to the archives in the past. Information records accused of criminal charges through acquisitions, because the officials working in the archives were either uncooperative or the list of documents were not well prepared.

50 % of prosecutors and 81.81 % of judges believe that more than 10 years before submitting more than one charging board is too long to prove that the defendant's intervention is continuing, because organized crime criminals have been repeatedly committed and tracked for a long time. The duration is difficult.

50% of judges and 30% of prosecutors believe that trial in a different location rather than a regular court is the most appropriate reason for concealing the identity of witnesses. Although they believe that they do this, 100 % of judges cannot conduct trials in different places instead of ordinary court rooms, because 60 % of prosecutors and 80 % of judges revealed that the witnesses themselves never asked to be in different places instead of. Trials are held in regular halls. 75% of judges agree that due to lack of infrastructure and time, they cannot start the remote trial process by themselves.

55% of prosecutors and 50% of judges revealed that they cannot avoid mentioning the names and addresses of witnesses in court orders, judgments, or any publicly accessible case records, unless a truncated fee schedule containing the names of the witnesses is used and the address is hidden. 100% of prosecutors and 70% of judges believe that concealing the identity of a witness is an infringement of the rights of the defendant. Defense lawyers believe that it is difficult to raise guiding questions if they do not know the name and address of the witness. In addition, professional witnesses may be kept confidential by investigators if they use identity witnesses.

75 % of the prosecutors responded that they are considering the previous fees under any law not only in the case of the MCOCA prosecuting the suspect's registration form, under the MCOCA . 85 % of the judges also agreed.

70 % of prosecutors and 60 % of judges found it difficult to obtain property confiscations,

and crimes of proceeds through acquisitions were mainly due to transactions with benami (property purchased in the name of someone else). 25 out of 28 public prosecutors and 11 out of 12 judges also believe that it is difficult to determine the connection between the defendant in the relevant property. It becomes more difficult for criminals to confiscate the property if the acquired property is kept abroad through continued crimes. Papers purchased from abroad related to real estate property are cumbersome, time-consuming and difficult. If movable property is transferred from one person's place to another, law enforcement officials have found it difficult to track down the property and then confiscated it.

65% of prosecutors and 55% of judges responded that it is difficult to prove the conspiracy because the conspiracy was hatched in the dark, the plot was done in one place, and the crime was committed in another place. The lack of witnesses and the lack of physical evidence also create obstacles to proof conspiracy.

77.5 % of public prosecutors and 75 % of judges opined that it is difficult to prosecute organized crime mafia work at the transnational level, because it is difficult to take witnesses from foreign countries and can visit the financial institution abroad. Records and extradition of criminals obtained.

75 % of Judges have been faced with problems in convicting an organized crime criminal because of the lack of a proper definition of organized criminal group, according to the confusing justice that has been created by the MCOCA in Section 2 (1)(d) . They are not clear whether they can consider previous fee schedules submitted under any law before or after the issuance of the MCOCA . 66.66% of judges revealed that in many cases, although they want to punish criminals, they cannot because of lack of evidence. In Delhi, the allegation form submitted to the special judge did not mention the relevant parts of the substantive law and the MCOCA . As a result, the appropriate sentence can be awarded to the criminal.

100 %, the judge responded that they did not punish the person who committed the crime for the first time, although they came to the conclusion that a specific person belongs to an organized crime group because the application exceeds a prescribed chargesheet and takes the final trial. After more than ten years of criminal suspects under Section 2 (1)(e) of the

MCOCA .

MCOCA is not appropriate legislation to respond to organized crime notification by 75 % of judges and

55.55 % of prosecutors, because it is very difficult for them to implement correctly.

Analyze the existing Indian legislation and the relevant national instruments of the United Nations for the prevention and control of organized crime

Analyzed the United Nations Convention against Transnational Organized Crime in the United States

Article 3 of the United Nations Convention against Transnational Organized Crime stipulates that sovereign states shall provide foreign countries with the widest range of mutual assistance measures in investigation, prosecution and judicial procedures. However, under the pretext of inconsistent domestic legislation, many countries are not cooperating in shared databases, providing bank records and other information related to organized crime cases (by informed experts).

According to Article 16 (8) of the United Nations Convention on Combating Transnational Organized Crime in the United States, the Contracting States shall work hard to expedite the extradition procedure and simplify the evidence requirements in compliance with their national laws. 70 % of the staff from CBI and Interpol in India informed that despite the regulations in India where the law is there, the extradition of criminals may not be granted to the requesting country that is prone to complicated and time-consuming extradition process and difficulty in meeting the required domestic legislation.

From the CBI and Interpol in India, 70 %~ 80 % of the personnel opined for covert operations are licensed and controlled for delivery. Frequent members and non-members have been rejected in the America, because sovereign states are unwilling to take dangers as both operations are viable. Article 24 of the United Nations convention towards transnational

organized crime stipulates that sufferers and witnesses shall be included in overseas nations. 70% to eighty% of officers from india's cbi and interpol found out that they had been the use of video conference statistics to show it has not obtained cooperation from different nations in terms of providing non-public safety for witnesses and relocating witnesses.

Although provisions have provided useful information for the investigation of the United Nations Convention on the evidentiary value in personnel and other countries involved in organized crime investigation in the 26 Tiao lower against Transnational Organized Crime, 60 percent of the staff from the CBI and Interpol wing in India finds it difficult to obtain useful information for investigations from other countries.

70% of the investigators informed that foreign countries did not share data on organized crime trends collected and analyzed by academia because they believed such information was confidential.

Article 29 of the united international locations conference against transnational prepared crime talks about training exchanges and seminars many of the investigative corporations of the states parties. But in reality, the training application does no longer provide a enough amount of schooling, and grassroots workforce are usually now not entrusted to behavior such schooling (notified by experts). The 30th u. S. United countries convention against transnational organized crime stipulates that every country party shall take measures which can be conducive to the best implementation of the united international locations conference against transnational prepared crime thru global cooperation as a long way as feasible, however the provisions have now not been efficaciously carried out (permitted by means of the notice) professional).

Model Treaty on Extradition analysis, 1990 Nian

Only if it meets _ the case of the principle of dual criminality, in order to extradite criminals from one country to another 30. However, no one countries have agreed to abolish the " double criminality " principle, because the requested State naturally hope that criminals cannot because the country is not convicted of acts to be extradited (told by an expert) . New types of crime continue to emerge, but the extradition treaty has remained unchanged for many years.

Therefore, it does not include new crimes. The terminology has also changed over time, but the terminology mentioned in the treaty has not changed. This has been the difficulty of pretending to be extradition criminals, because the country is required to be able to meet the needs of the country.

80% of CBI and Interpol officials from India stated that many times foreign countries refuse to extradite criminals. When they are unwilling to extradite criminals, they use discretionary power to refuse extradition of criminals on the basis of selectivity. In practice, the procuratorial (the informed professionals home).

60 % of the personnel from the CBI and the Criminal Police Wing in India informed that the extradition had been rejected in a large number of cases because the requesting country could not meet the evidence requirements of foreign nations. Even in the treaty country, the foreign requesting evidence is insufficient to meet the prescribed domestic standards or the evidence does not meet the legal requirements of the requesting country.

The documents provided in the 7th extradition treaty or other materials that support the extradition request do not require certification or certification. However, due to non-cooperative requesting and requesting countries, many countries have become rigid because certification or certification is The Countries required by the stipulated domestic laws (according to informed experts).

Even in an emergency, criminals will not be easily deported. Many arrests were due to the requesting country (by informed experts) that did not provide delayed domestic legislation based on the required information.

The 16th extradition treaty stipulates that if a person is requested by two countries to extradite at the same time. The requested country may, at its discretion, decide whether the person in the requesting country is to be extradited. Due to the lack of guidelines for extradition, this situation only relies on the discretion of the requesting country (the notified expert).

Analyze the criminal matters of mutual assistance in the model treaty

Mutual assistances are rejected in a large number of cases. 80 % of the personnel are from the CBI and Interpol in India. The foundation of existence in India is detrimental to the country's sovereignty, security and public order requirements.

75 % of the CBI and Indian International Criminal Police Department informed that they did not get the recorded statement, checked foreign cooperative websites, collected documentary evidence, etc. 93.3 % of officials reported that foreign banks were unwilling to provide information Confidentiality on the ground. 100 % of officials believe that it is time to take too long to obtain judicial order from abroad.

66.7% of Indian CBI and Interpol officials stated that foreign authorities have a natural prejudice against the Indian government. Unfortunately, in a large number of cases, despite the existence of legal documents, evidence cannot be received in time.

75 % of CBI and Interpol's Officers in India believe that they find it difficult to obtain a letter from the request issued in India for conducting investigations abroad, due to complex procedures and lack of training between the police and the judiciary.

Regarding search, seizure and confiscation of property in foreign countries, 93.8 % of officials faced difficulties while performing searches and seizures in foreign countries. 0.80 % of officials found it difficult to confiscate property gained through the continuation of crimes abroad because The authorities in India are not able to meet the requirements of the foreign legal requirements of the format to pass them.

70% of CBI and Interpol officials from India encountered difficulties when they were subpoenaed abroad. 85.7 % of the officials considered for the summons will not affect India in accordance with the law, while 78.6 % of the officials opined that the requesting State does not allow India to serve the summons in accordance with the laws of that specification.

4) The Organized Crimes under the Control of Maharashtra Act, 1999

India's definition of organized crime is universal. The law does not list specific crimes. Due to the non-listing law in specific crimes, ambiguity was created, and the MCOCA is undergoing further trial.

Due to the lack of a clear definition, even the criminal act for 2 years has been considered a crime under the Maharashtra State Act (The state is punished and *ORS v. Lalit Somdatta Nagpal et al.* (2007 Cri.LJ 1678). MCOCA It is strict legislation, and it cannot be realized in its true spirit.

According to Article 2 (1) (d) of the MCOCA , the limitation of organized crime as a recognized crime formore than three years is in contradiction and the provisions include the law in the next part 9 (2), which provides 3 The criminal act is under the summary procedure trial, and the penalty for summary procedure punishment shall not exceed two years.

Organized crime criminals who use means or including violence as one of the stated purposes will create chaotic and overlapping definitions of organized crime under the MCOCA Article 2 (e) and the illegal activities prevention law under the definition of terrorism .

The sanctions of other directors of general police in Mumbai / Joint Commissioner in New Delhi must pass a special judge before the crime is determined by the MCOCA Section 32 (2). Therefore, the special judge has received the complaint sent by him directly to conduct the inquiry through the police. If the judge must obtain prior permission from the Mumbai Police Chief / Delhi Police Joint Commissioner before accepting a private complaint , Article 9(1) of the MCOCA provides that the case without a special court can be submitted to trial whether it is in accepting a fact or in response to a complaint. Police report.

Analysis of the Extradition Act, 1962 Nian

Living conditions and environment

Most of the young people involved in gangs come from densely populated slums, where residents are always looking for better opportunities. These young people come into contact with slum

landlords or gang leaders, and are attracted by the money, power, and charm that local gang leaders enjoy. They know the idea of " easy money " through illegal activities and become victims of the criminal world. The media also played an important role in raising their ambitions and trying their luck in the " Gold and Silver City " .

These young people are exposed to the harsh reality of slums, which are full of pain and want. In order to escape such darkness, they rushed to a kind of illusory light, which is instantaneous and life-threatening. Some interviewees believe that family background will also affect entry into the criminal world. Family quarrels, father / brother drinking, gambling, fun-seeking peer groups, and sexual abuse are all experiences that drive adolescents into anomie. Crowded living conditions and excessive population are also factors that are conducive to the development of pathology.

These gangs are not in accordance with their newly recruited region or religion, but in the 1993 serial bomb blasts after, basically Hindu gangs in the Dawood Ibrahim gang out of the relationship. The Maharashtra State Control of Organized Crime Act (MCOCA) , in 1999 , in order to combat organized crime in the city, the Maharashtra state government promulgated the Maharashtra State Control of Organized Crime in 1999 Crime Act (MCOCA) . According to MCOCA : guilty of Organized Crime, causing death, the death penalty or life imprisonment and fined; minimum fine of \$ 100,000 rupees; in any case of his, punishable with less than five years but can be extended to life imprisonment Imprisonment and fined at least 500,000 rupees.

Conspiracy or attempt to commit or promote, abet or deliberately assist in the execution of organized crime or any act of preparing for organized crime shall be punished with a fixed-term imprisonment of not less than five years, but it may be extended to life imprisonment, and shall Impose a fine, a minimum of 500,000 rupees.

Anyone who harbours or conceals or attempts to harbour or conceal any member of an organized criminal group shall be punished by imprisonment of not less than five years but extendable to life imprisonment and a fine with a minimum limit of 500,000 rupees.

Anyone who is a member of an organized crime group will be punished with a fixed-term imprisonment of not less than five years but extendable to life imprisonment and a fine of at least rupees. Five hundred thousand.

Possession of any property obtained from the fee of prepared crime, or belongings obtained through the price range of an organized crook group, shall be punished with a sentence of no longer much less than three years, however it may be prolonged to life imprisonment and will be dependable. Satisfactory, minimal of two hundred,000 rupees. If anyone representing a member of an prepared criminal group owns or at any time owns movable or immovable property that can't be satisfactorily described, he can be sentenced to imprisonment.

The sentence shall not be less than 3 years, but may be extended to 10 years, and punishable by a fine, but at least 10 million rupees, And such property should also be seized and confiscated in accordance with Article 20 .

Approximately 120 police officers and 20 prosecutors were consulted to determine whether MCOCA has proven to be a significant deterrent to organized crime in Mumbai. The response indicated that it is difficult to obtain bail in the MCOCA case, which has brought some " shocks " to the bill . In other criminal cases, Judge Krishna Iyer formulated a policy in 1977 that "bail rather than imprisonment " was the creed of the judiciary, which helped the offender to be released easily. Therefore, many organized criminals escaped the control of the law and entered a stubborn recidivism mode.

As an instance, Dawood Ibrahim and 7 others in 1974 night 2 yue four ri robbed a businessman. All defendants have been arrested in this case, however he was later released on bail. They in 1977 in 7 yue three is the date of conviction, and the court docket sentenced to 7 years in jail. But, with the aid of then, they'd left India and Dawood had set up his underworld network. Consequently, organized criminals make full use of this " judicial liberalism " and gentle bail policy to the detriment of the people and law enforcement personnel. Under MCOCA , " no longer bail however imprisonment " turns into the principle of manipulate. Similarly, a good way to take care of MCOCA instances, the following important judicial rules have been made:

MCOCA each offense can only be tried by a specified place within the local jurisdiction of the Special Court, or, as the case made for the trial of 5 Tiao section (1) offense under subsection establishment of the special court.

- i. In the MCOCA case, the police can file an allegation form within 180 days instead of 90 days for related cases.

Protection of witnesses

The role of media and community awareness

The mass media, whether printed or electronic, can play an important role in leading publicity plans to combat organized crime. Just like the trend of the current era, commercialization has swept all areas of life, including the media. Beautify the crime through the media mainstream trend trend, which resulted in a false sense of reality does not exist in a certain glamorous lifestyle. The media can play an important role in portraying the true situation of this phenomenon, and it can also try to build trust between the police and citizens. In reality, the media can play an powerful function in elevating cognizance of the seriousness of prepared crime. A massive range of human beings dwelling in unique components of mumbai, such as nagpada , agripada , kurla , chembur , bhendi bazar, and so on., expressed dissatisfaction with the reputation quo, saying that the connection between the police and the public is a fable. Specifically, in slum regions, people without delay accused the police of extortion, and it's miles said that even the small shopkeepers did now not let it pass. Then again, a huge quantity of lower- degree law enforcement officials table shows that humans living in those areas to guide and inspire crime, or even offer safe haven for lots criminals, they created round " bhai " mystery and desire to grow to be their private future close by leader. If we want to cut back organized crime in cities, we need to incorporate residents in prevention and establish public opinion in competition to such crimes. On this complicated technique, the media can act as a catalyst as it has the power and have an impact on to obtain people and create public attention.

Chapter- 6

CONCLUSION

Organized crime is first of all a domestic problem, and if it is not stopped, it will assume a transnational nature. As long as the state allows it, organized crime will succeed. The first and most important step in our control work should be to put criminals under relentless law enforcement pressure, so as to control " incidents " or ordinary crimes within a reasonable range. If we succeed in this endeavor, we will eliminate or at least reduce the possibility of independent criminal networks and organized crime. Organized crime depends on its intensity, scope and scale of spread, and must be combated by strengthening the clever combination of criminal law and criminal justice systems; institutionalizing national and state-level coordination mechanisms, and involving the mass media in control work. No matter how effective law enforcement is, without strong political commitment, it cannot succeed by itself. This presupposes that criminals and their political sympathizers are excluded from elected public office. Since organized crime is to obtain money power, strict legislation and enforcement actions must be adopted to prevent the flow of funds to organized criminal groups.

Democracy has inherent weaknesses, and these weaknesses are manifested in the operation of criminal justice institutions. Despite best efforts, domestic crimes can still spread to the international arena, and often they do. Therefore, international cooperation is needed to stop this behavior in the form of rapid extradition of fugitives and expulsion of unwelcome foreigners; mutual legal assistance in investigations and prosecutions, and rapid implementation of the red corner notice issued by Interpol. In addition, the international community must work together to coordinate extradition and expulsion laws, and reduce the scope of " political crimes " in the extradition law and the Interpol Constitution .

The phenomenon of organized crime has reached disturbing levels throughout the world. Criminals become more sophisticated and technocratic. They use advanced means of communication to commit crimes in complex ways. The complex modus operandi (criminal methods) has brought severe challenges to criminal justice staff (C J F), who find it difficult to

investigate, prosecute and impose appropriate penalties on organized criminals. In this context, studies have been conducted to study the latest trends in organized crime in India and their impact, to find out the various forces that play a role in the process of organized crime in India, and to determine the problems and restrictions they face during the investigation and prosecution. And convict Indian organized crime criminals, analyze the effectiveness and implementation of laws promulgated by India to prevent and control organized crime, and study the relevance of different United Nations instruments related to organized crime to international and regional cooperation and mutual assistance, Extradition of criminals, investigation, sharing of databases and other matters related to the prevention and control of organized crime in India. It has also tried to propose ways to conduct scientific investigations, effective prosecutions, and appropriate sentencing of organized criminals, and to amend India's existing legislation and United Nations instruments to prevent and control this terrible crime. Fighting organized transnational crime is a difficult task, but the increasing public awareness, increasing government attention and the interdependent interests of the international community do give us a glimmer of hope.

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