

"organised  
proscribed, for the  
pursuit of profit



**ASSIGN  
BUSTER**

“ Organised crime is distinguished from other types of crime by its hierarchical structure, monopolistic control and influence, dependence on violence for enforcement, immediately from the law through the corruption of police and judicial processes, and incredible financial success.”

Traditionally, organised crime has been seen as a ‘ family” affair led by some unscrupulous people with criminal tradition. Today, however, organised crime is increasingly viewed as activity based on the same market processes as legal business, providing goods and services that are illegal. Organised crime thus can be viewed as “ the extension of legitimate market activities into areas normally proscribed, for the pursuit of profit and in response to latent illicit demand.” Since there is an unlimited demand for illicit goods and services many more suppliers are attracted to the field. As a result the traditional organised criminals are now being challenged by organisations which are capable of successfully organising any kind of crime. Political Corruption and Organised Crime: Political corruption is the main motivating factor for organised crime in the modern societies.

Elliot and Merrill have rightly observed that “ political corruption and organised crime are so closely related that one cannot be considered without the other.” Another writer Sullivan has made more or less the same observation. He writes: “ Actually, organised crime could not exist if it were not fostered by corrupt politicians and corrupt police.

” [Quoted by Mamoria] There is an increase in the organised crime in India, that is, the development of large-scale organisations for criminal activities. The organised crime may take any one of these forms: racketeering, gambling, bootlegging or smuggling, kidnapping, rape, etc. Organisers of

these crimes indulge in anti-social activities — like carrying illegal prostitution in hotels, supplying liquors in prohibited areas, smuggling gold and other valuable goods, organising mafia gang to control various legitimate business activities [such as coal mines] and so on. The main purpose here is to get large profit in the form 'easy money'. The activities of the organised criminals have a great disorganising effect on the community.

**White-Collar Crimes or Socio-Economic Crimes:** White-collar crimes account for enough violations of law.

By comparison, the instances of white-collar crimes are more than the conventional types of crimes such as theft, burglary, arson, loot, murder, kidnapping, etc. The loss incurred through white-collar crimes is far higher than that of the conventional type. In the American context, it has been estimated that losses from such crime may be as high as 200 billion dollars every year, [as quoted by Scarpitti and Anderson] -In India also, such types of crime are on the increase.

**Definition of White-Collar Crimes:** 1. According to Sutherland," White-collar crime is a crime committed by a person of respectability and high social status in course of his occupation." Examples of white-collar crimes as cited by Sutherland: Illegal exploitation of employees, mislabelling of goods, violation of weights and measures statutes, selling adulterated goods, evading corporate taxes, manipulation in stock exchanges, commercial bribery, bribery of public officials directly or indirectly to secure favourable contracts and legislations, misgrading of commodities, tax frauds, illegal sale of alcohol and narcotics, performing illegal abortions, illegal services to criminals, infringements of patents, trademarks and copy rights and unfair labour practices.

2. According to Sayre, white-collar crimes can be called “ public welfare offences”. He has classified such offences into eight categories which may be noted here: (1) illegal sale of intoxicating liquor, (2) sale of impure or adulterated food or drugs, (3) sale of misbranded articles, (4) violation of anti-narcotic acts, (5) criminal nuisances, (6) violation of traffic regulations, (7) violation of motor vehicles laws, and (8) violation of general regulations passed for safety, health or well-being of the community. 3. At present, the term white-collar crime is used to mean “ socio-economic crimes”. According to The Santharam Committee, such crimes include the following: (1) tax evasion and avoidance; (2) share pushing malpractices in share market and administration of companies; (3) monopolistic controls and usury; (4) under-invoicing or over-invoicing; (5) hoarding, profiteering and smuggling; (6) violation of foreign exchange regulations; (7) election offences and malpractices; (8) theft and misappropriation of public property and funds; (9) misuse of their positions by public servants in making contracts and disposal of public property.

(10) offences relating to guest control orders and rationing; (11) violation of standards, weights and measure; (12) frauds in corporate bodies; and (13) professional misconduct. Nature of Socio-Economic Crimes: White-collar or socio-economic crimes are radically different from ordinary or conventional type of crimes in several respects. 1. These crimes are committed by statused people in society such as — doctors, advocates, chartered accountants, government officials, repairers of mechanical goods [such as T. V. s, radios, refrigerators, etc.] and not the traditional criminals such as — robbers, thieves, dacoits, murderers, rapists, etc. 2.

These crimes are normally committed by means of fraud, deceit, misappropriation, misrepresentation, adulteration, malpractices, irregularities and so on. 3. These crimes are committed by means of deliberate and planned conspiracies without any feelings and sentiments. 4. When socio-economic crimes are committed people tend to tolerate them because they themselves indulge in them and they themselves often identify with those who do them. 5. Originally white-collar crime meant to describe middle and upper class business persons who committed crime in the normal course of their work.

But now it refers to a wide variety of occupationally oriented violations committed by persons in any class. 6. The victim of socio-economic crimes is normally the entire community, society or even the entire nation besides the individuals. 7. These crimes do not involve or carry with them any stigma while the ' traditional crimes carry a stigma involving disgrace and immorality.

8. These crimes constitute a separate category because the control of such crimes " involves the protection and preservation of the general health and economic system of the entire society against exploitation and waste..."

[Mamoria]