

**GANGS AND THE SPECIAL LAWS DEALING WITH GANG  
CRIMES**

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**Athar Chowdhary**

**Research Scholar Shri Venkateshwara University**

**Dr. Ashok Yadav**

**Assistant Professor Rampur College Of Law**

**M.J.P. Rohailkhand University**

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**Abstract**

*The history of organized gangs in any country, whether it is India, the United States, or any other nation, will in most cases reveal a progression that is comparable to other developments in a number of respects, and this will be the case regardless of the country in question. In most cases, the formation of a gang begins with a single ambitious person who turns to criminal activity and attracts a few followers. It is successful in terms of bringing in money through his chosen business as usual, which might be piracy, smuggling, or any other kind of unlawful action. Every gang leader is familiar with the police compulsion or has interacted with members of the police force at some point. They would try to influence them with their tremendous fortune if they could. However, because not all police officers are approachable or opportunistic, the supervisors need to discover available means to eliminate such personnel if they are to continue their jobs and remain in their positions.*

**Keywords:** *Gangs and special laws dealing.*

**INTRODUCTION**

Every type of gang activity has the same overarching purpose, which is to amass more wealth. This can be accomplished by a variety of techniques, such as the illegal sale of drugs, betting, advance sharking, or the avoidance of paying taxes. The history of organized gangs in any country, whether it is India, the United States, or any other nation, will in most cases reveal a progression that is comparable to other developments in a number of respects, and this will be the case regardless of the country in question. In most cases, the formation of a gang begins with a single ambitious person who turns to criminal activity and attracts a few followers. It is successful in terms of bringing in money through his chosen business as usual, which might be piracy, smuggling, or any other kind of unlawful action.

Every gang leader is familiar with the police compulsion or has interacted with members of the police force at some point. They would try to influence them with their tremendous fortune if they could. However, because not all police officers are approachable or opportunistic, the supervisors need to discover available means to eliminate such personnel if they are to continue their jobs and remain in their positions. The only set of people who have the ability to exert any kind of influence or control on the police officers are the politicians who

now hold power. As a direct consequence of this, gangs have prioritised taking them as their victims. Legislators are naturally untrustworthy people since their livelihoods are completely contingent on them making the right judgements. When he is forced to speak to the voters, he will grasp at any available straw. In order to amass votes in India, one could employ one of the following three strategies. The challenger has to immediately establish a robust presence in the public arena in order to increase the likelihood that the people would vote decisively in his favour. Such competitors are quite uncommon in today's world.

The following option is to amass sufficient funds to purchase votes from vote brokers, who operate in different parts of the country and cannot be relied upon to cast honest votes. The third option is to either avoid democratic regions in order for their votes to be projected by fakers or to scare voters with violence if they do not vote in their favour. If voters do not vote in their favour, they will be threatened with violence. In a similar vein, the staff working in the democratic corner is terrified of being forced to make concessions. The second and third possibilities both include the participation of organised criminal syndicates that are either prepared to purchase votes or frighten voters. Under these conditions, the lawmaker is under the impression that it would be enormously useful to use gangs of hoodlums as a means to make decisions and achieve power. They have to pay the price in order to reassure the gangs that the police will not be focusing their attention on them.

The term "organised crime" refers to any criminal activity that is carried out by two or more people in concert with one another as part of an ongoing scheme. It is typically carried out by members of a gang or of an organisation who collaborate with one another to commit crimes and help each other out in the process. As a consequence of this, it is possible that it is a group of individuals operating under the auspices of a corporation, the primary objective of which is to acquire financial gain via the commission of illegal crimes. As a result of the fact that these offences are committed by a collection of individuals working together, they are usually referred to as gang crimes or organised crimes. As a direct consequence of this, the term "organised crime" is used to refer to a collection of powerful families that work together to form a mafia and engage in criminal activities. The following is a list of traits associated with organised crime. It is common practise for them to arrange their illegal acts in advance. They attempt to commit crimes that have a violent and intimidating vibe to them, and sometimes they really do commit such crimes. They engage in activities that are very illegal, yet they do it in a crafty manner despite this fact. They are meticulous, methodical, and organised in their approach. They ensure that the leaders of their organisation are not personally involved in any illegal conduct. They are incredibly influential people of society who participate often in political activities. The pursuit of material wealth is the end goal of all criminal activity committed by gangs. This can be accomplished through a variety of methods, such as the sale of illegal drugs or gambling, the solicitation of illegal loans, or the washing of illicit funds.

According to one definition of organised crime, its participants are "those engaged, generally cooperating with others, in continuing significant illegal actions for large profit, elsewhere." A collection of individuals who have committed crimes and have agreed to work together in order to commit more offences is known as an organised crime gang. The majority of illicit activities, including but not limited to homicide, contract killing, smuggling, illegal weapon supply, bootlegging, ransom, kidnapping, and prostitution, are carried out by these gangs.

Gangs are organised with a clear hierarchy, which places the gang leader at the top, followed by his closest associates, and then the remainder of the gang members. They might make a significant amount of money, but it all depends on the sort of work that they undertake.

Communities across the United States are facing an increasingly widespread threat in the form of youth and delinquent gangs, as well as street gangs and criminal gangs. Gangs, which were once believed to be largely an issue that cities faced, have begun to arise in smaller communities, which poses a severe danger to the local resources. Gang activity is localised to a specific geographic location in every instance. The vast majority of gangs have their origins in the communities in which they operate. This may be because they serve as surrogate families or economic opportunities, or because they were founded in the communities itself. Even large-scale gangs with well-known networks throughout the country recruit youths from the surrounding area and take advantage of opportunities for gang involvement in their community.

The gang-problem triangle is a method that may be used to evaluate or create a broader awareness of local gang concerns, as well as point to viable solution possibilities that may be available. There must be an offender, a victim, and a venue for gang-related violence to take place. If any of these are missing, the violence cannot take place. If each component is considered to be a side of a triangle, it is simple to understand how the collapse of the triangle would occur if only one of the triangle's sides was removed. Recognising that there are third parties on each side of the triangle with responsibilities is a key component of the gang-problem triangle. The term "controller" refers to individuals who, by looking out for the prospective criminals' interests, work to dissuade them from engaging in criminal behaviour. Guardians are those who make it their mission to protect potential victims from being harmed. It is the responsibility of managers to keep an eye on any locations that might potentially be damaged. In order for communities to minimise and avoid future gang troubles, they need to identify the individuals accountable for victims, offenders, and places, and then incorporate those individuals in the process of formulating plans and initiatives.

## **OBJECTIVES**

1. To determine and analyses the causes and effects of the development of specialised police gang units and how those causes and effects affected the units' responses to the gang issues in their areas;
2. To look at different methods that police departments have set up their resources to deal with local gang issues;

## **THE LAW IN THE CONTEXT OF ORGANIZED CRIME**

The reason why the police force is going after the numerous government workers whose positions are dependent on the political leader is due to the fact that their postings, moves, promotions, and so on are all subject to the political leader's formal or informal permission. As a consequence of this fact, the whole police force is subject to the political will of the government. What could possibly be a more foolproof plan for a gang boss than to have a politician offer to furnish him with police insurance? All law enforcement agencies, including Customs, Excise, and Revenue, as well as the police, stand to benefit from the current scenario. This includes the police, of course.

The police officer is going to have to make a decision that is not easy. If he gives in to the pressure, he will lose a significant amount of his position, authority, esteem, and force, in addition to receiving a sizeable amount of financial incentives. In the event that he does not comply, he will be detained in awful circumstances, be refused even the most fundamental rights and positions, and will have a career that is usually confusing and frustrating. Given the current state of affairs, it is just not reasonable to anticipate that a typical

needed officer will carry out his responsibilities in a legitimate way. In spite of its role as the final safe haven for those who tell the truth, the court system does not always paint an accurate picture of organised crime. During the period when unlawful intimidation was taking place in Punjab, it is preferable if as little as possible is said about the legal executive. While the general population and the criminal justice system in India are both suffering from a state of insensibility, India's enormous metropolitan regions are being overrun by members of organised crime.

The swarm of unlawful abundance that is associated with organised gangs becomes greater each and every day. The Central Bureau of Investigation (CBI) placed Dawood Ibrahim's yearly earnings at a whopping Rs. 2,000 crores. This took place over the course of five years ago. It is possible to make a conservative calculation that the current yearly cumulative revenue of all coordinated thug gangs operating in India is at least 50,000 crores of rupees. It is quite likely that somewhere in the range of fifty percent to sixty percent of total compensation would be spent on the remuneration of gang members as well as the maintenance of their assets, which may include things like vehicles, ships, secure residences, communication gadgets, weapons, and so on. In addition, it would pay for the legal fees of those who were detained, as well as the salaries of those who worked in law enforcement, customs, immigration, the airport terminal, the port, and professional security and prisons.

## **THE DEVELOPMENT OF ORGANISED CRIME IN INDIA AND ITS EVOLUTION**

The evolutionary history of organised criminal gangs often reveals a pattern of growth that is, in most respects, comparable across a variety of countries, including India, the United States of America, and other countries as well. In most cases, a single creative person who engages in criminal activity and wins over a few followers is the impetus for the formation of a gang. He is effective in making money by whatsoever form of operation he chooses, whether it is smuggling, bootlegging, or some other type of unlawful business. After he has established himself in his area of operation, which is initially rather restricted, he pays the law enforcement authorities in his territory, often the local police station and local customs and excise officials, to provide security for himself and his subordinates. This is done after he has established himself in his area of operation. As soon as he achieves this level, the other low-level criminals in the region will begin to flock around him in an attempt to take refuge behind his protective umbrella. This may be achieved in one of two ways: either these minor offenders join his organisation on a regular basis or they make consistent payments of protection money while concealing their identity. On the other hand, their operational region is limited to a swath of territory that has been mutually agreed upon by both sides.

No criminal organisation, regardless of how huge or powerful it is, can survive in the absence of police protection or disinterest. Every gang boss is either familiar with the police or has personal experience interacting with members of the force. They would much prefer try to win them over with their incredible fortune. However, given that not all members of law enforcement can be corrupted by money or are dishonest, the bosses need to think of ways to undermine the integrity of the honest officers if they are to continue to thrive. The only people who have the power to convince the police to do nothing or change their behaviour are the politicians in authority. Because of this, gangs target them as their primary target. A politician is intrinsically unstable since his ability to provide for his family is entirely contingent on his success at election time. When faced with the electorate, he is willing to clutch at every straw, regardless of its significance. In order to obtain votes, the three strategies listed below are frequently utilised in India: To begin, the candidate has to have such a high social standing that the general public would vote for him without any hesitation. This

is known as "street cred." Such individuals are exceedingly rare in today's world. The second choice is to amass sufficient funds to buy votes from vote brokers situated in various parts of the country, despite the fact that such individuals cannot be relied upon 100 percent of the time. The third choice is to coerce individuals into voting for them or to encourage voters to abstain from casting their ballots in order to provide fraudulent voters the opportunity to do so. Additionally, those who serve as staff members at the voting booth are subjected to fear.

Organised gangs with the financial wherewithal to purchase votes or terrorise voters might carry out the second and third possibilities, respectively. Under these conditions, it is relatively simple for politicians to achieve power by allying themselves with criminal gangs in order to win elections. They are obligated to make a sacrifice in order to protect the gangs from the intrusion of law enforcement. With such a substantial amount of money at their disposal, the mafia is able to acquire virtually anybody they want. There are innumerable examples of high-ranking politicians who have direct links to the Mafia and are dependent on them to remain in power. These politicians use their connections to the Mafia to maintain their positions of power. In a nutshell, the modern-day Indian Mafia is made up of dons, politicians, police, customs, excise, revenue, and even, to some extent, the judicial system. They have established major inroads into all of these entities, at least significant enough to thwart any attempt at law enforcement and guarantee the success of the Mafia. Finding effective techniques and methods to combat organised crime becomes an extremely difficult task in light of the current circumstances. The vast majority of those in positions of authority within the justice system are working towards eliminating organised crime. They are also capable of carrying it out in its entirety. The spirit is willing, but the body is weak, despite the fact that the spirit is willing.

## **INDIA'S POSITION**

The country of India is in shambles because of the criminals. Both the Bombing in Mumbai in 1993 and the Assassination of Music Mogul Gulshan Kumar are remarkable examples of how much power the mafia has in India. Gangsters of note include Hazi Mastan, Dawood Ibrahim, and Chhota Rajan from Mumbai; Abu Salem, Abdul Latif, and Faheem Khan from their respective states of Uttar Pradesh, Gujarat, and Jharkhand; and Chhota Rajan from Bangladesh.

There is no nationwide control of this sector, despite the fact that gangs are deeply embedded in the criminal underworld. The Uttar Pradesh Gangsters and Anti-social Activities (Prevention) Act, 1986 is a piece of legislation that is only applicable inside the state of Uttar Pradesh. According to this law, those convicted of gang-related offences face prison terms ranging from three to ten years. Specific facets of organised crime have been the focus of a number of other key pieces of legislation. They include, just to name a few examples, the Customs Act of 2015, the ND and PS Act of 2017, the IT (Prevention) Act of 2015, the FER Act of 2012, and the PG Act of 2018. In addition, the state government has adopted laws on a variety of areas, including taxation, casinos, prohibition, and others.

## **GANG DRUG AND VIOLENCE INVOLVEMENT**

Both the media and gangs stand to gain from portrayals of gangs and gang life that are blown out of proportion. The media works hard to increase its earnings by spreading sensationalised crime and violence stories to the general populace. This is done in an effort to attract more readers. This objective is being moved closer to completion as a result of the media's practise of attributing these incidents to

gangs. As long as the media continues to portray them in a bad way, gang members will continue to improve their social position by cultivating a reputation for being strong and intellectual.

The media frequently gives an inaccurate portrayal of the multiethnic and multiracial composition of gangs. Gangs are not a minor problem by any means. The vast majority of studies have shown a connection between gangs and the problems they cause and aspects of social structure, such as the social context in which they operate or the possibilities that come with belonging to a particular socioeconomic class. Gangs and violence are often connected with those who live in urban poverty, and participation in gangs can be considered as a kind of social identity among those who endure challenging living conditions. In addition, the social and economic prospects, as well as the living situations, of a great number of people have not improved, and in some cases have even gotten worse. The current members of the gang are.

Some gangs engage in the use of as well as the sale of drugs, while other gangs engage in the sale of narcotics but do not let its members to use them. There are gangs that are highly organised, but there are others that are disorganised and comprised of people who are involved in drug trafficking but who operate independently of the organisation. On the other hand, members of certain other gangs do partake in drug use but do not engage in the distribution of illegal substances. The community believes that there is insufficient evidence to support the hypothesis that there is a correlation between drug use and violent behaviour in general. On the other side, drug users are more likely to conduct crimes to finance their habit, which can lead to more serious offences such as armed robberies on the street. There is a correlation between the illicit sale and distribution of narcotics and the systemic violence that is associated with gangs. The sense of community that formerly existed in a region is obliterated when gang violence occurs there, and innocent bystanders are put in danger as a result.

There is little evidence to support the premise that gang participation in the drug trade is to blame for a considerable number of homicides, despite the fact that gang-related violence appears to be on the increase. This is the case despite the fact that gang-related violence appears to be on the rise. In addition, there are historians who believe that the depictions of street gangs, drug sales, and violent acts that are shown in the media have exaggerated the connections between these three things, particularly during the mid-1980s, when gangs were involved in the trafficking of crack cocaine. The acquisition of territory, rather than narcotics, is by far the most common impetus for gang members to participate in acts of violence and murder. According to one source, just 8 of the 288 gang-related murders that were investigated were found to be drug-related. A research that was conducted in 1992 on the connection between gangs, the sale of drugs, and acts of violence found that killings that were driven by gang activity were less likely to contain drugs than other types of homicides, while murders that were motivated by drug activity were less likely to involve a member of a gang. In addition, the likelihood that victims of gang-related killings had a criminal record involving narcotics was not significantly higher than the likelihood that other victims had such a record.

## CONCLUSION

The nation has a tremendous challenge in the form of organized crime. Due to the breadth and depth of the problem, there is an immediate requirement for a remedy and a legislative framework that can govern the situation. In order for the states to effectively monitor gang-related criminal activity, they need to build an

institutionalized coordination system amongst themselves. In addition, it is obvious that it is up to the judicial courts to decide whether or not they desire to administer justice or whether or not they wish to follow the standards of evidence and leave the administration of justice to the average person on the street.

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