

A Study on White Collar Crime in India

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Abstract: *Edwin Sutherland an American social scientist who previously characterized the white collar crime worldwide. He depicted this white collar crime committed by the persons of high social status when contrasted with the individuals who carry out standard violations throughout his work. In 1934, Agin Morris noticed the need for an adjustment in accentuation in regards to wrongdoing. He captured that the enemy of Social exercises of people of high status perpetrated throughout their calling should be carried with the class of wrongdoing and ought to be made culpable. At long last, E.H. Sutherland through his spearheading Work underscored that these Upper Worked wrongdoings which are carried out by the people of upper Socio-financial gatherings in course of their occupation - abusing the trust , Should be named as White Collar Crime So as to be recognized from Traditional crime which he considered Blue Collar Crime And the idea of White Collar Crimes discovered its place in criminal science without precedent for 1941. the Traditional crimes are immediate and are close to home. They likewise include rough techniques like utilizing power to perpetrate wrongdoing. Another contrast among blue collar crime and the white collar crimes is that the financial loss of white collar crime is a great many occasions higher than that of normal violations. The monetary misfortune which the general public needs to bear is higher in white collar crime than the violations carried out by individuals of low-social norm.*

Keywords: white collar, legal, blue collar crime, force and financial loss.

I. INTRODUCTION

The most compelling crime analyst of the twentieth century and furthermore a social scientist, The five ascribes of the given definition are ,It is a wrongdoing ,That is carried out by a notable individual of the organization ,Who appreciates a high economic wellbeing in the organization And has perpetrated it over the span of his calling or occupation. There might be an infringement of trust. Identified with the corporate area, middle class violations are characterized as peaceful wrongdoings, for the most part perpetrated by money managers and government experts. In basic words, wrongdoings perpetrated by individuals who obtain significant situations in an organization are called white collar crime .In 2014, India was positioned 85th which in this way improved to 76th situation in 2015 due to a few measures to handle white collar crime . In 2018, according to the report of The Economic Times, India was set at 78th position, showing an improvement of three focuses from 2017, out of the rundown of 180 nations. India is an agricultural nation and middle class wrongdoings are turning into a significant reason for its a work in progress alongside neediness, wellbeing, and so on The pattern of white collar crime in India represents a danger to the financial advancement of the country. These wrongdoings require quick mediation by the public authority by making exacting laws as well as guaranteeing its legitimate execution. Progression in business and innovation has welcomed uncommon development in one of the kinds of white collar crime , known as cybercrime. Cybercrimes are expanding in light of the fact that there is just a little danger of being gotten or secured. India's position on Transparency International's debasement discernment record (CPI) has improved throughout the long term.

1.1 Objectives

- To Study about the white collar crime.
- To Analyse different types of white collar crime.
- To find out real cause of these crimes.

- To Study the impact of white collar crime crimes on Indian economy.
- To know how white collar crime occur in Different Profession

1.2 GOVERNMENT INITIATIVES

Various regulatory legislation have been introduced by the Government of India to keep a check on the white-collar crime. Some of these legislations are Essential Commodities Act 1955, the Industrial (Development and Regulation) Act, 1951, The Import and Exports (Control) Act, 1947, the Foreign Exchange (Regulation) Act, 1974, Companies Act, 1956, Prevention of Money Laundering Act, 2002. Any breach of the provisions entailed in these Acts amount to white-collar criminality and attracts the penal actions. Also, the amendments introduced in the Indian Companies Act in 2000 and thereafter, Monopolies And Restrictive Trade Practices Act, in 1992

1.3 FACTORS AFFECTING THE TOPIC

- Factors that can lead to white-collar crime
- Using ill-considered job incentives.
- An industry-wide reputation.
- The idea of a victimless crime.
- A slippery slope
- Many people who commit these kinds of crimes don't set out to break the law. Sometimes they may not know they are committing crimes or engaging in practices that harm their company and themselves.

1.4 CURRENT TRENDS RELATED TO THE TOPIC

Recent trends in white-collar crime include a shift in theoretical orientation to opportunity and choice perspectives, a rising interest in the psychology of white-collar crime, research focused on the role of white-collar crime in the global financial crisis, and a continuation of research interest on white-collar offenders' use of neutralizations and accounts. Debated issues include the efficacy of different regulatory styles in controlling white-collar crime, gender and white-collar crime, and the applicability of low self-control theory to white-collar offenders.

1.5 COMPARISON WITH OTHER CITIES , STATES , COUNTRIES

It is estimated that approximately 36% of businesses (PricewaterhouseCoopers, 2016) and approximately 25% of households (2010) have been victims of white-collar crimes in recent years, compared to an 8% and 1.1% prevalence rate of traditional property and violent crime, respectively. Unlike blue-collar crimes, white-collar crimes' perpetrators are typically salaried individuals in high-powered positions. Furthermore, white-collar crimes are very elaborate and nonviolent in nature. Examples include public corruption, securities fraud, and money laundering.

II. REVIEW OF LITERATURE

Puniskis said that Just dull speculations are conceivable in response to inquiries of who participates in white collar crime and why. Uncertainty is projected on the regular attestation that organizations in monetary trouble are bound to insult than beneficial ones. Subjective investigations of how white collar crime offenses are executed and how administrative offices look to control offenses establish the most enlightening piece of the literature(Puniskis, n.d.)

Zagaris 2015 said that The review infers that hypothetical advancement is no doubt by means of association hypothesis ideal models, however that segment of white collar crime into "corporate (or hierarchical) crime" and "word related crime" is important to encourage such advancement(Zagaris 2015)

Kelly Strader 2011 The survey deduces that theoretical progression is no uncertainty by methods for affiliation speculation ideal models, anyway that portion of working class bad behavior into "corporate (or various leveled) bad behavior" and "word related bad behavior" is essential to energize such headway(Kelly Strader 2011)

Rajput 2020 The endeavors by the U.S. Sentencing Commission to accomplish an impartial condemning approach, one that is class-daze, neglects to regard the genuine contrasts introduced by these offenders. As the expression "white collar crime" has sociological roots, it is upheld here that humanism should be a part in the condemning of white collar offenders(Rajput 2020)

Gautam and Utreja 2009 This paper endeavors to coordinate etiological examination on white collar crime under the speculation that criminal conduct results from the juncture of proper inspiration and opportunity. The beginning stage is the interactionist hypothesis of inspiration essential to the vast majority of the social mental examination on white collar crime. Interactionist hypothesis encourages us comprehend white collar crime regarding the offenders' representative development of their social universes at the end of the day neglects to clarify its causes(Gautam, Utreja, and Singal 2009)

Singal Be that as it may, no theory of motivation, anyway modern, is adequate to explain the reasons for white collar crime, and the paper subsequently closes with an investigation of the examples of chances introduced to social entertainers in various underlying situations in cutting edge industrialist countries(“Corporate and White-Collar Crime Corporate and White-Collar Crime” 2008)

Ross The consistent sentencing of white collar criminals doesn't exist in the present legal framework. Rules for condemning people and companies have effectively been created by the U.S. Sentencing Commission has not yet been implemented in the courts(Ross, n.d.)

Simpson 2009 Much public commentary has stated or suggested that the American criminal-justice system Unjustify privileges advantages people who carry out crime in partnerships and monetary business sectors. This Article shows that this case isn't exact—at any rate not in the ways ordinarily accepted(Simpson 2009)

Hochstetler 2005 Substantive criminal law makes charges in white collar cases simpler to bring and harder to protect against than in different cases. Enforcement institution, and the political economy where they exist, incorporate highlights that both haven corporate offenders and elevate their openness to criminal liability(Hochstetler 2005)

Benson That advantage, however, doesn't pay off very as one might expect. A completely evolved case of advantage can be supported exclusively by showing that essential American arrangement of criminal law and policing have been misguided. This contention would blame the equity framework for neglecting to regard unlawful conduct inside firms as requiring inescapable policing, a looser definition of criminality(Benson, n.d.)

Snider said Those who believe corporate offenders are privileged should confront the difficulties that argument entails. And they should be aware of the complications that follow from overreliance on punishment to deal with intractable problems of ex ante regulatory control(Snider, n.d.)

Minkes Based on an empirical study of tax evasion and avoidance, this article explores the boundaries of deviant and lawful activities and shows how those boundaries are manipulated to ensure that taxpayers can both try to escape tax and stay on the legal side of the boundary(Minkes and Minkes, n.d.)

Minkes and others It describes techniques of 'non-disclosing disclosure' and 'fraud insurance', to show how the labelling process can be managed. It concludes that labelling theory should take account of the scope for self-labelling and the management of stigma. It suggests a rethinking of the classic debate over the definition of white collar crime(Minkes and Minkes, n.d., n.d.)

Gottschalk 2018 This paper examines the severity of sentences meted out to persons convicted in federal court of presumptively white-collar crimes. Most of the items examined were suggested by federal district court judges and were drawn from presentence investigation reports. The sample provided enough variation in social status to allow testing of hypotheses about the relation of sentencing to social class background(Gottschalk 2018a)

Gottschalk and others The results indicate that sentencing is more predictable than some recent accounts would suggest. Important correlates of the decision to incarcerate reflect a) the seriousness of the criminal act, b) the character of the criminal actor, c) the statutory category of violation, and d) such other variables as the sex and age of the defendant and the district of conviction(Gottschalk 2018b)

Benson and Simpson 2017 A different model is necessary to explain differences in length of incarceration. The chief finding with respect to social class is that the probability of imprisonment rises with the occupational status of the defendant. Various interpretations of the findings are suggested and assessed(Benson and Simpson 2017)

Grabosky In Legal Profession the examples are Fabrication of forged documents , Threatening the witnesses of the other party , Violation of ethical standard of legal profession to gain money etc(Grabosky, n.d.)

Payne 2016 White collar crime can have a large impact on society and it does not only affect the criminals. It is also called a socio-economic crime because it has a direct impact on society. When a white collar crime is committed huge losses on business occur which have a direct impact on the consumers and the society(Payne 2016)

Talwar 2006 There are various frauds and scams that have been exposed in our country from the past few years like the 2g scam, hawala scam, banking scam, fodder scam and many more. Due to these frauds and scams the economy of our country has shambled(Talwar 2006)

Shover and Hochstetler 2005 One financial fraud can affect the businessmen, the investors and the government. All you need is one bad employee who out of greed of money will commit a financial fraud and will cause harm to the reputation of the company, lack of profits and gain of losses(Shover and Hochstetler 2005)

III. METHODOLOGY

Empirical research is based on observed and measured phenomena and derives knowledge from actual experience rather than from theory or belief. Key characteristics for an empirical research is Specific research questions to be answered and descriptive content analysis was used to analyze the data. SPSS Version 25 (IBM Corp) was used to categorize and test the results. Description of the process used to study this population or phenomena, including selection criteria, controls, and testing instruments (such as surveys).Random sampling method was used for the purpose of this study. The total Responses collected in the research is 200 , the study can be taken in all over india however this exploration made an example study in the chennai territory as it were. Since the proportion of men is higher than ladies contrasted with different states.

The Independent variables:

- Gender
- Age

The Dependent variables :

- Whether custodial violence has been increasing in the society.
- Estimating the awareness of the arrested persons should be produced before the magistrate within 24 hours.
- Estimating awareness about the custodial torture of a arrested person is a gross violation of human rights.
- Whether there is proper training for police officers to treat the arrested individuals.

Sample size

The sample size of the research paper is 200

IV. ANALYSIS AND DISCUSSION

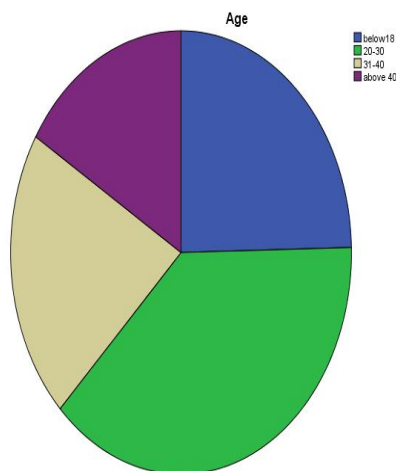


Fig: 1

Legend: The above pie chart clearly gives the age information of the people who answered the questions the age people between 20-30 are the highest people's who the answered the both questions

Age

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	below18	50	24.6	24.6	24.6
	20-30	77	37.9	37.9	62.6
	31-40	43	21.2	21.2	83.7
	above 40	33	16.3	16.3	100.0
	Total	203	100.0	100.0	

The above table clearly gives the age information of the people who answered the questions. The age between 20-30 peoples are the highest percentage of the peoples who answered the question and the percentage is 37.9% out of 100%

Gender

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	MALE	63	31.0	31.0	31.0
	FEMALE	140	69.0	69.0	100.0
	Total	203	100.0	100.0	

The above table clearly gives the information about the gender of the people who answered the questions female is the highest percentage who answered the question and the percentage of the female is 69%

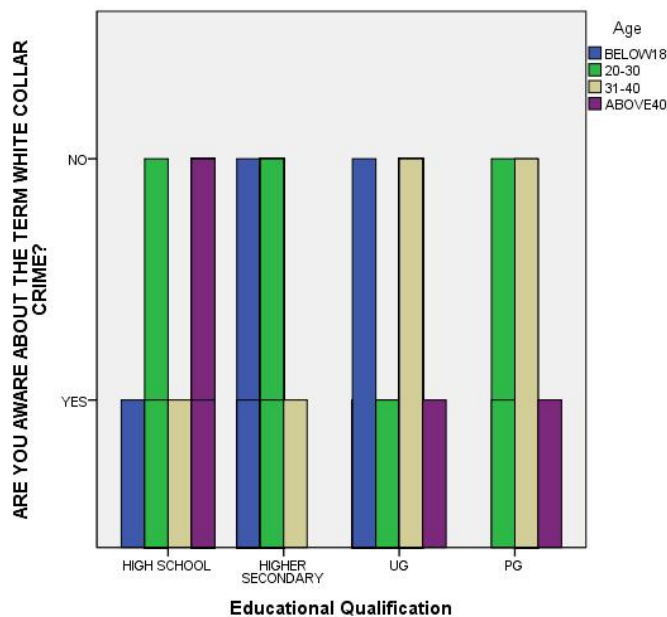


Fig: 2

Legend : The above graph which gives the educational qualifications of the people who answered the question. The most of the peoples are finished their higher secondary

Educational Qualification

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	HIGH SCHOOL	46	22.7	22.7	22.7
	HIGHER SECONDARY	86	42.4	42.4	65.0
	UG	56	27.6	27.6	92.6
	PG	15	7.4	7.4	100.0
	Total	203	100.0	100.0	

The above table which gives the educational qualifications of the people who answered the question. The most of the peoples are finished their higher secondary

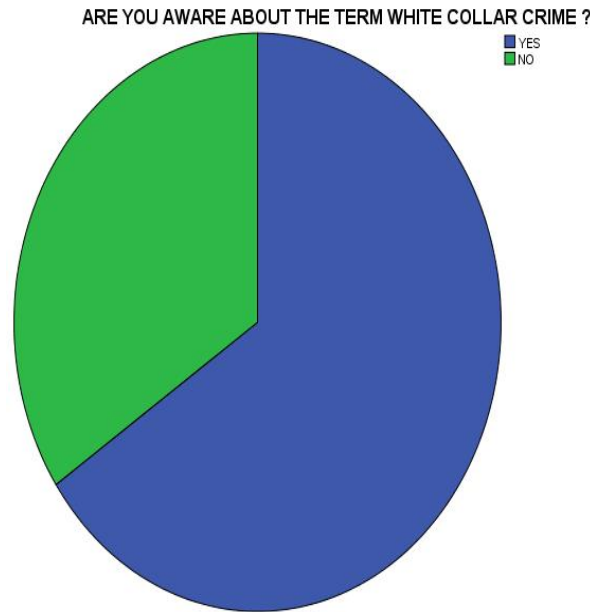


Fig: 3

Legend : The above pie chart which says that the most of the people who answered the question are saying yes to the first question.

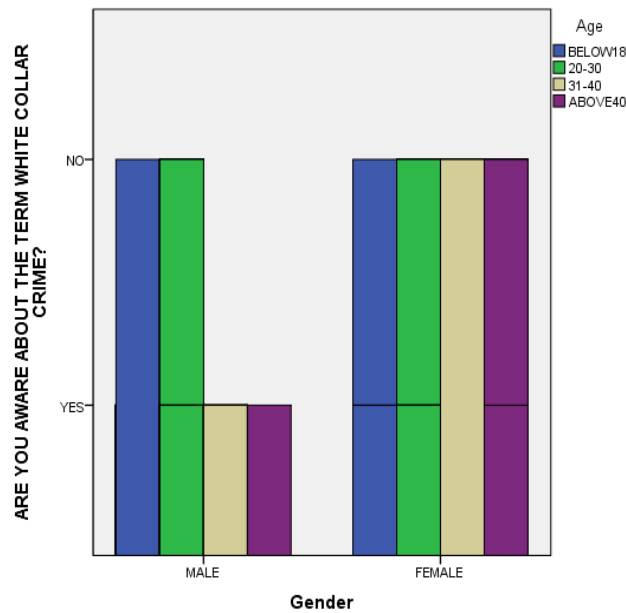


Fig : 4

Legend: The above graph which says that the most of the people who answered the question are saying yes to the first question.

ARE YOU AWARE ABOUT THE TERM WHITE COLLAR CRIME ?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	133	65.5	65.5	65.5
	NO	70	34.5	34.5	100.0
Total		203	100.0	100.0	

The above table which says that the most of the people who answered the question are saying yes to the first question and the percentage of the people who answered yes to the question are 65.5%

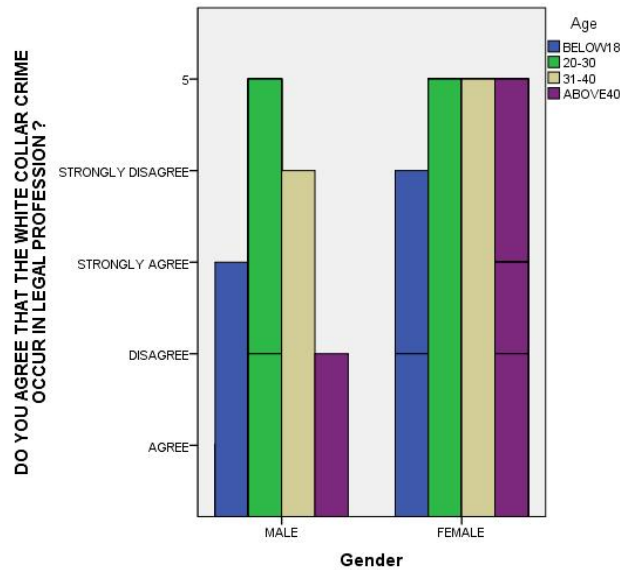


Fig : 5

Legend : The above table clearly gives the information of the people who answered the second question and most of the people are disagree with that statement

DO YOU AGREE THAT THE WHITE COLLAR CRIME OCCUR IN LEGAL PROFESSION?

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid AGREE	54	26.6	26.6	26.6
STRONGLY AGREE	25	12.3	12.3	38.9
NEUTRAL	36	17.7	17.7	56.7
DISAGREE	10	4.9	4.9	61.6
STRONGLY DISAGREE	78	38.4	38.4	100.0
Total	203	100.0	100.0	

The above table clearly gives the information of the people who answered the second question and most of the people are disagree with that statement and the percentage of the people strongly disagree is 38.4%

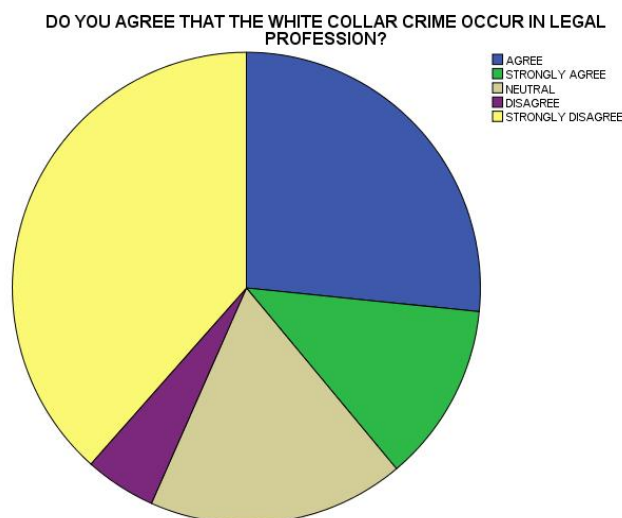


Fig : 6

Legend : The above pie chart clearly gives the information of the people who answered the second question and most of the people are disagree with that statement

Statistics

		Age	Gender	DO YOU AGREE THAT THE WHITE COLLAR CRIME OCCUR IN LEGAL PROFESSION?	Educational Qualification	ARE YOU AWARE ABOUT THE TERM WHITE COLLAR CRIME ?
N	Valid	203	203	203	203	203
	Missing	0	0	0	0	0

The table which give the statistics information of the second question which the people who answered the questions

V. DISCUSSION

The above pie chart clearly gives the age information of the people who answered the questions. The age people between 20-30 are the highest people who answered both questions. The above table clearly gives the information about the gender of the people who answered the questions female is the highest percentage who answered the question and the percentage of the female is 69% (Fig: 1). The above graph which gives the educational qualifications of the people who answered the question. Most of the peoples finished their higher secondary (Fig: 2). The above pie chart which says that the most of the people who answered the question are saying yes to the first question (Fig: 3). The above table which says that the most of the people who answered the question are saying yes to the first question (Fig : 4). The above table clearly gives the information of the people who answered the second question and most of the people disagree with that statement (Fig : 5). The above pie chart clearly gives the information of the people who answered the second question and most of the people are disagree with that statement (Fig : 6)

VI. SUGGESTIONS

My Suggestion is most of the people who answered the question are aware about the and they are disagree with the statement Because The above table which says that the most of the people who answered the question are saying yes to the first question and the percentage of the people who answered yes to the question are 65.5% The above table clearly gives the information of the people who answered the second question and most of the people are disagree with that statement and the percentage of the people strongly disagree is 38.4%. So the government should make more awareness about how white collar crime occur in different professions. This is my suggestion.

Limitations:

The major limitation of study is, couldn't reach out to the targeted audience due to the pandemic situation of covid and also due to the time constraint is also one of the major reasons for the study.

VII. RESULT

Figure: 1

In the survey most of the people who answered the question are between the age of 20-30.

Figure : 2

The above graph says that most of the people who answered the question finalised higher secondary.

Figure: 3

The above pie chart says that most of the people who answered the first question are saying yes.

Figure: 4

The above graph says that most of the people who answered the question are saying yes and most of the people are aware about the term.

Figure: 5

Most of the people disagree with that statement and the percentage of the people strongly disagree is 38.4% so they didn't have knowledge about white collar crime occurring in the legal profession.

Figure: 6

The pie chart says that most of the people who answered the second question are disagree with the statement

VIII. CONCLUSION

As I am concluding that the Research article breaks down a basic report on white collar crime in India. Furthermore, to comprehend the idea of white collar crime in India. White collar crime essentially implies the crime perpetrated by the informed individuals having a place with a higher class of society over the span of their occupation. In this paper, the creator has talked about what separates white collar crime from the blue or normal violations. It can likewise be known as the wrongdoing of instructed and expert elites. In this article the writer has additionally examined the basic sorts of white collar crime advanced in India from the most recent couple of years. What's more, how this has become a financial wrongdoing. Other than this there are wrongdoings which are engaged with various callings for example in clinical, schooling and lawful calling. The paper features different enactments of Indian laws which discusses the discipline of these sorts of violations. The writer will at long last finish up the article with his own ideas White collar crime is a crime perpetrated by individuals who have a place with the higher class of society and are from the trustworthy gathering of society. This crime is perpetrated throughout their occupation. Individuals who are perpetrating this crime for the most part have a superior comprehension of innovation, their separate field, disciplines and so forth White collar crime have generally advanced from a couple of years prior. What's more, they are believed to be submitted in huge associations that cover an enormous number of exercises. So we can say that these crimes are basic to exchange, business, instruction, wellbeing and so on As the criminal profile has changed a ton in a couple of years the conventional wrongdoings have somewhat changed to the white collar crime in the country. The essential distinction between the white and the blue collar crimes is that the conventional for example the hoodlums of blue collar crime are individuals of under-favored area and privileged are engaged with white collar crime and they perpetrate the crime in an extremely coordinated way. They keep up their regard in the general public until the crime is found.

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