



ORGANIZED CRIME IN 21ST CENTURY INDIA: FOCUS ON THE UTTAR PRADESH GOONDAS ACT, 1970

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Abstract

In recent decades, India has seen a marked evolution in organized crime, from traditional mafia syndicates to modern rackets in narcotics, mining, real estate, cybercrime and beyond. Socioeconomic strains like rural distress, caste-driven patronage and political collusion have fuelled these criminal networks, especially in states like Uttar Pradesh. India's legal response includes national statutes, likewise the Unlawful Activities Prevention Act, NDPS Act, and state laws, likewise the Goondas Acts, Gangsters Acts, and MCOCA. This study examines the Uttar Pradesh Control of Goondas Act, 1970, a preventive detention law allowing magistrates to banish "goondas" (habitual offenders) from a district, its application, misuse, and impact. We analyse cases in UP where the Act has been invoked and scrutinise judicial provisions and compare them with similar laws in other states (Tamil Nadu, Karnataka, Gujarat) and countries, likewise the US RICO Act. The article concludes with recommendations to reform India's framework on organized crime, urging clearer definitions, judicial oversight and safeguards against abuse, while strengthening targeted anti-mafia measures.

Keywords: Organized Crime, UP Goondas Act, Preventive Detection, Drug Trafficking Syndicates, Gangster Act.

Introduction

Globalization and technological change have expanded the scope of organized crime worldwide. As UNODC Director Antonio Costa noted in 2010, there has been a "dramatic rise in organized crime" posing grave threats to public security and prosperity.¹ In India, this includes traditional underworld syndicates like Mumbai's D-Company as well as new rackets in drugs, human trafficking, illegal mining, cybercrime, etc.² Rapid economic growth and porous borders have enabled transnational gangs to operate across regions. At the same time, complex domestic factors such as entrenched social hierarchies, political patronage of criminals, and economic inequality have shaped Indian organized crime. This paper explores how these drivers manifest in UP, and critically examines the Uttar Pradesh Control of Goondas Act, 1970 a preventive detention law aimed at habitual offenders in the context of India's broader legal framework against mafia-style crime.

Research Methodology

This study follows a doctrinal method, relying on primary legal sources such as statutes, case law and government reports, along with secondary materials including academic writings and policy analyses. The analysis is supported through library-based research, using the ILLI citation and referencing style. The

doctrinal approach allows a close reading of the Goondas Act, judicial decisions and comparative laws, helping to evaluate both the legal framework and its practical implications.

Objective of the Article

The purpose of this article is to examine how organised crime has evolved in India, with a special focus on Uttar Pradesh. It aims to study the working of the UP Goondas Act, assess how it is used in practice, identify patterns of misuse, and evaluate its impact on civil liberties and crime control. The article also compares UP's approach with similar laws in other states and countries, and finally proposes reforms to ensure both effective action against criminal networks and stronger safeguards for citizens.

Organized Crime

These crimes are carried out by groups of people who come together to achieve a specific unlawful goal. The size of the group may be small or quite large, but it usually follows a clear chain of command with leaders, skilled members and temporary helpers. Such groups often provide illegal goods or services to many people and sometimes even operate through legitimate businesses or labour unions. They may bribe public officials to avoid oversight, and their main aim is to control the market for profit. The money earned is then used to expand their influence further.

Interpol describes organised crime as a structured group whose main aim is to make money through unlawful activities, often relying on intimidation and corruption to operate.³

The United Nations Convention against Transnational Organised Crime explains that an organised criminal group is a structured set of at least three people, working together over a period of time to commit serious offences in order to gain financial or other material benefits.⁴

Goonda

"Goonda" is a term used in Indian English, Pakistani English and Bangladeshi English to describe an acquired criminal, often one who engages in repeated violent or antisocial acts. It features both in popular conversation and in statutes, where lawmakers have created special provisions under the label Goonda Acts.⁵

Several Indian States have enacted special laws aimed at controlling habitual criminals commonly referred to as goondas. Below is a state-by-state analysis showing how those laws have been framed and some important judicial responses.⁶

Madhya Pradesh: Madhya Pradesh once relied on a local goonda law that dated back to the colonial period, originally enacted as the Central Provinces and Berar Goondas Act of 1946 and later amended in 1950. That statute, however, was invalidated in 1960 by the Supreme Court in the case of *State of Madhya Pradesh versus Baldeo Prasad*. The court found the Act's definition of goonda to be so broad and vague that it offered no clear standard to decide who could be classified under the provision.⁷

Uttar Pradesh: Uttar Pradesh regulates habitual offenders through the Uttar Pradesh Control of Goondas Act, first passed in 1971 and amended in 1985. The law sets out a number of descriptions that can bring a person within the Act, including someone who, alone or as part of a gang, repeatedly commits or attempts to commit certain offences under the Indian Penal Code or under specific special laws. The Act also covers people convicted under the Suppression of Immoral Traffic in Women and Girls Act, individuals with multiple convictions under excise or gambling laws, persons convicted under certain sections of the Arms Act, and those generally regarded as a threat to public order. Other categories include repeat obscene behaviour toward women, touts and land grabbers. Under the Act a district magistrate can, by written order, require a person to leave the district or restrict the person's movements for periods of up to six months.⁸

Rajasthan: Rajasthan adopted a similar special law, the Rajasthan Control of Goondas Act of 1975, which likewise allowed authorities to order the externment of a person for up to six months. However, in 2001 the Rajasthan High Court struck down the externment provisions as unconstitutional in a case that highlighted the harsh conditions faced by individuals placed under such orders. The court stressed that

people subjected to externment were often deprived of basic welfare and were left in a worse situation than ordinary prisoners, which raised serious Article 21 concerns about the right to life and personal liberty.

Tamil Nadu: Tamil Nadu's statute, the Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Slum Grabbers and Video Pirates Act of 1982, defines a goonda to include anyone who, alone or in a group, repeatedly commits or attempts to commit certain offences listed in the Indian Penal Code. The Madras High Court has interpreted the law broadly, holding in 2011 that even a single conviction under the Act can justify detention under its provisions.⁹

Karnataka: Karnataka's law on dangerous activities, first enacted in 1985 and amended in 2001, likewise treats recurring involvement in offences such as bootlegging, drug trafficking and immoral traffic as grounds for preventive detention. In recent years the scope of the law has been expanded to include acid attackers and sexual stalkers and to cover certain kinds of digital offences. The statute's language now reaches offences relating to copyright violation, identity misuse and unauthorized use of computer systems for monetary gain, bringing cyber related wrongdoing within the ambit of preventive measures.¹⁰

Kerala: Kerala's Anti-Social Activities Prevention Act of 2007 uses a wide definition of anti-social conduct and explicitly lists a range of activities and offenders, from drug dealers and environmental polluters to digital pirates and hawala operatives. The law groups these behaviours under the heading of antisocial activities and equips authorities to take preventive action against persons engaged in such conduct.¹¹

Punjab: Punjab's control regime, originally introduced in the 1950s and later replaced by an ordinance in 1959, provides a detailed catalogue of offences that can lead to a person being declared a goonda and entered on an official list. The ordinance enables courts to require such persons to undergo compulsory corrective training if they commit further offences and thus supplements criminal penalties with preventive and rehabilitative measures.¹²

Evolution and Forms of Organized Crime in India

Organized crime in the 21st century has diversified far beyond the petty gangs of earlier eras. It now encompasses:

Violent extortion rackets: Criminal groups enforcing protection schemes, especially in urban and semi-urban areas, along with contract killings and gang wars.¹³

Drug trafficking syndicates: Domestic production and smuggling of narcotics (opium, heroin precursors, methamphetamine) have surged. For example, recent reports note that chemical precursors for heroin are widely available in India, and opium poppy cultivation shifted to UP and MP. Global drug networks use India as a transit point and market.¹⁴

Illegal mining and resource mafias: Organized gangs' control lucrative resources. In UP and neighbouring states, "sand mafias" and stone/aggregate cartels illegally exploit quarries. One 2025 case booked 10 people were booked under UP's Gangsters Act for running a cross-border illegal mining racket, causing huge revenue losses. Similar gangs run illicit timber, minerals and sandmining in several States.¹⁵

Real-estate and land rackets: Land mafia groups forge documents and grab public lands. Recently, an Economic Offences Wing operation in Gonda (UP) arrested a fugitive involved in "large-scale land fraud" using fake property deeds. Land and property crime is often backed by influential brokers and local officials.¹⁶

Proliferation of cyber and financial crimes: With digitalisation, piracy (software, media), online fraud, and cyber-enabled trafficking have grown. States have even used Goondas laws to target "digital pirates" Tamil Nadu first amended its Goondas Act to cover copyright infringement. Organized fraud in online gambling, Ponzi schemes, and black money laundering also escalates under the radar.¹⁷

The net effect is that organized criminal networks have become more diverse and expansive.¹⁸ Traditional mafia dons like Dawood Ibrahim still exist (engaged in smuggling, extortion and global crime), but today's crime rings span from highway robbery gangs to cybercasters. Technological advances and globalization

have enabled even small-time criminals to link into global illicit supply chains, while the profitability of illegal trades (drugs, counterfeit medicines, wildlife, etc.) continues to attract opportunistic networks.¹⁹

Socio-Political and Economic Drivers of Organized Crime

Several interlocking factors drive organized crime in India, especially in states like Uttar Pradesh:

- **Rural Distress and Unemployment:** Agricultural hardship and lack of jobs have pushed many into crime. Research on western UP notes that liberalization and mechanization in the 1990s enriched large landowners of the sugar and brick business while marginalizing small farmers. Rising unemployment coincided with spikes in highway robbery, extortion and violence. Young men from landless or oppressed communities often join gangs when formal employment is scarce.²⁰
- **Caste based power networks:** In rural Uttar Pradesh, dominant upper caste groups such as Jats and Gujjars have organised private militias to defend and expand their economic interests. These caste and kinship networks have worked their way into local politics, into elements of the police, and into business dealings. By the early twenty first century, gangsters tied to dominant castes were protecting a wide range of economic activities across agriculture and mining. On the ground this often looks like gangs enforcing labour discipline, steering contracts to friendly contractors, and using force or the threat of force to secure rents for their patrons. Wealthy families sometimes bankroll or shelter local criminals to provide muscle at election time or to act as informal vote banks.²¹
- **Political patronage and corruption:** A persistent feature of the state has been the close link between politicians and organised criminals. Several well-known crime bosses have also held or used political office as cover for illicit enterprises. For example, Haji Iqbal, also called Bala, served as a legislator for the Bahujan Samaj Party in Saharanpur while operating a mining network under political protection. Prominent figures such as the Ansari brothers in eastern Uttar Pradesh likewise combined local power with formal political roles. Political patronage allows gangs to operate openly, often with the complicity or assistance of parts of the police, and successful candidates can gain effective immunity from prosecution. In recent years, State leaders have framed elections around anti-mafia rhetoric, accusing opponents of sheltering criminals.²²
- **Economic Inequality and Urbanization:** Rapid urban growth has created slum areas where gangs recruit. Economic polarization means lucrative criminal opportunities like in construction, illicit liquor, mining, are controlled by a few, incentivising organized syndicates. Cities like Delhi-NCR and Mumbai have ongoing gang conflicts over real estate and control of the informal sectors.²³
- **International Links and Border Smuggling:** UP's proximity to porous borders as Nepal, Bangladesh, and within India, Rajasthan/Haryana makes it a transit point for illicit goods. Cross-border smuggling of weapons, drugs and even counterfeit currency is common. The COVID lockdown saw UP become a corridor for opioid trafficking across northern India. Traffickers exploit gaps in enforcement between states.²⁴

Socio-politically, fear and lack of trust in law enforcement also perpetuate crime. Witnesses are often intimidated. A condition for invoking the Goondas Act is that people fear giving testimony, enabling criminals to escape prosecution. In summary, a mix of deep-rooted inequality, collusion by elites and under-resourced justice systems fuels the growth of organized crime networks.²⁵

Legal Framework for Organized Crime

India's legal arsenal against organized crime is multi-layered, combining preventive laws with penal statutes. Key components include:

- **Preventive Detention Laws:** Central laws like the National Security Act (NSA, 1980) and Prevention of Illicit Traffic in Narcotic Drugs (PILND) allow administrative detention of suspects without trial. State versions include the **Goondas Acts** and **Anti-Social Activities Acts**. For example, Tamil Nadu's 1982 Goondas Act (formerly PDA) covers bootleggers, slum-grabbers,

forest offenders, cyber-pirates, etc., allowing up to one-year detention.²⁶ Karnataka's Prevention of Dangerous Activities Act (PDABA, also called the "Goondas Act") similarly targets habitual offenders and organized crime elements. Gujarat, Andhra Pradesh, West Bengal and Maharashtra have had similar "goonda" laws historically. These laws define broad categories of "goondas" (habitual offenders engaged in serious crimes) and empower the state to detain or extern them as a preventive measure.²⁷

- **Gangster Acts:** Several states, notably Uttar Pradesh and Haryana, enacted Gangsters and Anti-Social Activities Acts like the UP Gangsters Act, 1986 specifically targeting organised violent gangs. Under UP's Gangsters Act, police can detain or restrict "history-sheeters" linked to gang activities, and banks and properties can be seized. In 2021 UP police reported registering about 3,032 cases under the Gangsters Act (against ~9,933 accused) as part of an alleged "strong action" against mafias.²⁸
- **Narcotics and revenue laws:** The Narcotic Drugs and Psychotropic Substances Act of 1985 is the main instrument used to pursue drug cartels, and it carries very severe punishments along with provisions to seize property linked to the trade. Financial crimes connected to organised groups are addressed through anti-corruption and money laundering statutes such as the Prevention of Corruption Act and the law on benami transactions. These laws allow investigators to follow the money trail behind criminal syndicates and target their assets.²⁹
- **Sedition and counter terror laws:** Provisions in the Indian Penal Code dealing with acts against the state, together with the Unlawful Activities Prevention Act, were originally framed to deal with terrorism and violent political movements. Although these statutes focus on ideology-driven violence, they have occasionally been applied in cases where criminal networks pose a threat to public order or engage in activities resembling political conspiracies.³⁰
- **Judicial oversight:** The Criminal Procedure Code requires that any form of preventive detention be periodically examined by an advisory board. Even so, many special laws give wide powers to the executive. Under the Goondas Act, for example, a person detained has only one formal route for appeal, which is through the divisional commissioner, an executive authority rather than a judicial body.³¹

The Uttar Pradesh Control of Goondas Act, 1970

This Act enacted in 1971, the UP Control of Goondas Act, 1970 is a key preventive statute in the state. It defines a "goonda" in eleven categories, including habitual offenders under specific IPC sections, persons involved in predatory crimes like cow-slaughter or land-grabbing, and even those simply "generally reputed" to be dangerous. Crucially, a district magistrate may issue an externment order against a person deemed a goonda, ordering them to stay outside the district for up to two years as a preventive measure. The act allows this even if the person has not been convicted or even formally charged under any crime; indeed, even mere police bookings can qualify someone as "involved". The affected individual must be given notice and a chance to reply, and may hire a lawyer, but the magistrate may rely on any evidence (not necessarily admissible in court) in making the order. Violation of an externment order itself is an offence punishable by up to three years' imprisonment.³²

In practice, the Goondas Act was intended to remove known trouble-makers (e.g. violent repeat offenders) from communities to maintain public order. Similar externment laws existed in other regions, like the colonial-era Goondas Act in the Central Provinces was struck down by the Supreme Court in 1960 for vagueness. The UP law was upheld but has come under repeated judicial scrutiny. The state's Gangsters Act (1986) complements the Goondas Act by dealing with "dacoits, bandits and gangsters" through its own preventive measures, often used in tandem with the Goondas Act. In late 2017, the UP government even introduced the UP Control of Organised Crime Bill (UPCOCA) in the legislature, modelled on Maharashtra's MCOCA, to define "organised crime" (covering kidnapping, illegal mining, illicit liquor, extortion, etc.) and to provide new tools like asset seizure. This bill included safeguards as cases only on the recommendation of senior officials, in response to critics' fears of misuse.³³

Therefore, India's framework against organized crime is a patchwork of preventive detention laws, special statutes and regular penal provisions. In UP, the Goondas Act stands out for its extraordinary power to banish suspects pre-emptively.

Implementation, Misuse, and Effectiveness of the Goondas Act

The Goondas Act's implementation in UP has been extensive and controversial. Its preventive nature, allowing magisterial orders without trial, means it bypasses normal judicial procedures. Critics argue this makes misuse easy and violates due process. Key issues include:

- **Excessive Executive Discretion:** Orders are made by district magistrates and reviewed by Commissioners (both executive officers) rather than by courts. As Scroll reported, the appeal lies only to the divisional Commissioner, not to any judicial authority. This means there is no independent judicial check on the internment orders.
- **Vague Definition:** The law's sweeping definition of "goonda" includes anyone "generally reputed to be desperate and dangerous". This open-ended category allows almost anyone with a tarnished reputation to be targeted. Moreover, even accusations such as being booked under cow-slaughter laws count as "involvement" under the act. Social activists note this encourages filing false FIRs: like Muslim men booked in cow-slaughter cases have been externally banished as 'goondas'. In effect, the magistrate can exile a person purely on suspicion or reputation, without a requirement of actual evidence.³⁴
- **Avoidance of Standard Evidence Rules:** Magistrates may rely on any material to make an externment order, even hearsay or inadmissible evidence. This lowers the burden of proof significantly compared to a criminal trial. The High Court warned that such broad powers demand strict safeguards, lest they become arbitrary. In fact, the Supreme Court in 1960 struck down a similar Goondas law for ambiguity and lack of protections, and in 1999 the Allahabad High Court cautioned UP magistrates against issuing notices under the Goondas Act for minor offences without careful consideration.
- **Scale of Use:** Data suggests UP authorities invoke the Act very frequently. The National Crime Records Bureau observed that UP accounted for a disproportionate share of "special/local law" cases in India – partly due to the Goondas Act. State police reported that in 2021 alone they initiated action under the Goondas Act against 31,764 individuals.³⁵ By some estimates, UP police register **700,000-800,000 Goonda Act cases per year**³⁶ though this includes traffic and minor violations also filed under special laws). Such numbers imply almost blanket use of the law.
- **Political and social misuse:** A growing number of accounts suggest that the Act is often invoked for reasons that have little to do with public safety. In 2023 the Allahabad High Court openly noted widespread misuse by the Uttar Pradesh administration and asked the state to prepare clear guidelines to prevent abuse. Former police officials have also remarked that influential local politicians sometimes use the Act as a tool to intimidate critics or settle personal scores. Social activists and journalists who question official conduct have described receiving eviction orders based on questionable allegations. One example is the case of editor Zakir Ali Tyagi, who was kept out of his own district for seven months after facing a disputed charge, an action he believes was linked to his reporting. Another instance is that of Gambhira Prasad, a former village head, who says he was forced to leave his region in 2016 for leading a land rights protest. Although he was named in several first information reports that alleged violent conduct, none of the cases resulted in conviction. These stories illustrate how easily the Act can overturn the lives of people who may not have committed any proven offence, and how the label of goonda creates a social stain that is difficult to remove.³⁷
- **Effectiveness:** Supporters of the Act argue that it discourages habitual offenders and weakens the influence of established criminal groups. In certain police drives, authorities have even made extermination orders public in an effort to intimidate networks of local mafia. Yet there is little evidence that temporary removal from one district reduces crime over the long term. Critics point

out that relying on suspicion rather than proven guilt weakens the principle that every person is presumed innocent until conviction. International human rights experts have also warned that preventive detention laws, if used without strict checks, can slide into a form of administrative detention without charge or trial and erode protections guaranteed by the rule of law. Taken together, these concerns suggest that while the Act was intended to strengthen public order, its wide reach and limited safeguards have led to repeated misuse and have raised serious questions about whether it is a proportionate and effective response to organised criminal activity.³⁸

Case Studies of Uttar Pradesh

- **Sonbhadra (Prasad case), 2016:** Gambhira Prasad, a former village head and activist in land acquisition protests, was booked in multiple FIRs (rioting, unlawful assembly, etc.) after police clashed with villagers. He was never convicted. Nonetheless, a Goondas Act order barred him from Sonbhadra for six months in 2016. Prasad reports that while he was away in Chhattisgarh, local authorities repeatedly visited his house and placed police “surveillance” on his family. After returning, he says he withdrew from public activism to avoid further harassment.³⁹
- **Ghaziabad, 2025:** In 2025 police in Ghaziabad named 23 men with criminal records and ordered each of them to leave the district for six months under the Goondas Act. In a well-publicised operation officers escorted the men from their homes to the city boundary amid drum beats and loud announcements, saying the action would weaken the hold of local gangsters. The magistrate issued the externment on the basis of police reports that these individuals were habitual offenders accused of crimes such as robbery, rioting and illegal arms possession, and no trial was pending when the orders were made.
- **Meerut, 2022:** The case of journalist Zakir Ali Tyagi drew national attention. After being charged under a cow slaughter law in 2020, Tyagi was subject to an externment order in December 2022 that forced him to live outside Meerut for seven months. He maintained that the measure was punitive and linked to his reporting rather than any genuine security threat. Tyagi said the episode left him branded a traitor and caused serious damage to his reputation. Many critics cited his situation as an example of how the Act can be used to stifle criticism and dissent.
- **Gonda, 2025:** The Uttar Pradesh Economic Offences Wing arrested Ambika Prasad, a long-time fugitive accused in numerous cases, in connection with extensive land fraud in Gonda district. Investigators found that he and his associates had used forged property documents to seize both public and private land, and around fifty fraudulent transactions were uncovered in just one town. Although the Goondas Act was not invoked here, the episode shows how organised criminal groups in rural Uttar Pradesh have increasingly moved into financial and document-based offences, often running coordinated operations to tamper with land records and manipulate the registration system.
- **Saharanpur, 2025:** In July 2025 the police carried out a major operation against illegal sand mining in Saharanpur, targeting an interstate group involved in extracting minerals without permission. Ten suspects, many of them from Haryana, were booked under the Uttar Pradesh Gangsters Act. The first information report described the group as an organised network that caused large revenue losses to the state and serious harm to the environment. Although this action relied on the Gangsters Act rather than the Goondas Act, it illustrates how the state uses its anti-mafia laws to deal with powerful criminal enterprises such as mining cartels.

These examples show the dual reality of UP’s framework: while some actions target genuine criminal networks like the Gangsters Act against the mining gang, others have swept up non-violent individuals (journalists, activists) through the Goondas Act. The Goondas orders often rely on the police’s word; affected persons sometimes have no pending trial to contest, and their only remedy is an appeal to the same executive branch that issued the order.

Comparative Analysis

Other Indian states: Several states maintain preventive laws akin to UP's Goondas Act. Tamil Nadu's Prevention of Dangerous Activities Act, a "Goondas Act" since 1982 traditionally covered bootleggers, drug offenders, forest trespassers and even sand-miners. It was controversially amended to include copyright piracy in 2004, resulting in hundreds of detentions: by 2010 Tamil Nadu admitted detaining 675 people under this Act, its highest since 2002. Karnataka's Prevention of Dangerous Activities of Bootleggers, Drug Offenders, etc. similarly targets habitual criminals. Amnesty International has noted that Karnataka's law (often called the "PDABA Act") allows detention up to two years for offences ranging from liquor bootlegging to cyber piracy. Gujarat's 1985 Anti-Social Activities Act also identifies "goondas" as repeat offenders in crimes like bootlegging or land-grabbing. In general, most state Goonda-Acts share features of UP's law: broad categories of offenders and administrative detention.

Special Organized-Crime Laws: Some states went further. Maharashtra and Delhi use the Control of Organised Crime Act (MCOCA, 1999) targeting mafia networks. MCOCA defines an "organised crime syndicate" and imposes stringent evidence standards (e.g. admission of intercepted communications) and extended punishments, along with mandatory asset confiscation. The UP government's 2017 UPCOCA bill was explicitly modelled on Maharashtra's law. In contrast to Goonda Acts, MCOCA requires the prosecution to prove a "combination of persons" working together for criminal purposes. Andhra Pradesh and Telangana have passed similar laws.

International equivalents: Countries with a history of mafia problems often emphasise enterprise-wide measures. For example, the U.S. **RICO Act**, 1970 targets criminal organizations by tying together underlying offences racketeering predicates and allows forfeiture of all assets obtained through the enterprise. Italy's anti-mafia laws, criminalize mafia-type associations and include witness protection and asset seizures. The European Union has directives on organized crime and money-laundering that focus on financial investigations. In comparison, Indian law traditionally emphasizes preventive detention locking up suspects rather than dismantling criminal enterprises through financial penalties. However, India has begun adopting some asset-seizure tools like MCOCA allows forfeiture of property of convicted mafiosi; money-laundering laws do allow confiscation of criminal proceeds.

The comparative picture shows that while many states use "goonda" laws, these statutes are increasingly seen as blunt instruments. In other jurisdictions, balancing crime-fighting with rights has led to more judicial involvement. In India, even the Supreme Court has noted the need for clear safeguards: it struck down an old Goondas law for vagueness, and UP's own judiciary has warned against issuing experiment orders "mechanically" for minor infractions. These concerns suggest that reform is needed to align UP's law with constitutional norms and international standards of due process.

Conclusion and Suggestions

The study of organized crime in Uttar Pradesh, especially through the lens of the Goondas Act of 1970, shows how deeply crime, politics and social structures are intertwined. While the Act was created as a preventive tool to keep habitual offenders away from communities, its wide language and the broad discretion it grants to executive authorities have often led to outcomes very different from its stated purpose. The examples and case studies discussed in this work demonstrate a pattern in which the Act has been used against both hardened criminals and individuals who pose little real threat, including activists and journalists. This uneven application raises concerns not only about misuse but also about the erosion of constitutional protections, due process and public trust in the justice system.

At the same time, the state does face genuine challenges from well-organised criminal groups active in areas such as mining, narcotics, land fraud and cybercrime. These networks are supported by local patronage systems, economic inequality and gaps in enforcement. Where strong laws like the Gangsters Act or targeted investigations have been used responsibly, authorities have made meaningful progress in disrupting criminal enterprises. What becomes clear, however, is that preventive detention alone cannot address the deeper forces that sustain organised crime. Sustainable results depend on a combination of fair legal safeguards, effective policing, transparent data, and long-term social measures.

Reform of the Goondas Act is therefore essential. A clearer and narrower definition of who qualifies as a “goonda,” stronger judicial supervision, and procedural safeguards will help ensure that preventive powers are not used arbitrarily. Equally important is the need for accountability mechanisms and rehabilitation programmes for those who may be drawn into crime because of poverty or social disadvantage. By strengthening both justice and fairness, Uttar Pradesh can move toward a system that protects communities without undermining fundamental rights.

Thus, combating organised crime requires a balanced approach. Law enforcement must remain firm against genuine criminal networks, but the tools used must respect constitutional values and avoid punishing the innocent. Only by aligning strong enforcement with strong safeguards can the state build a system that is both effective and just.

Suggestions

Clearer definitions: The Goondas Act should be revised to limit its scope to genuine repeat offenders. Vague descriptions such as someone being “generally reputed” or minor offences should be removed. The Supreme Court’s 1960 decision striking down an older law for having an unclear definition remains a useful warning.

Stronger judicial review: Experiment orders should not rest solely with the executive. A sessions court or an independent panel ought to confirm such decisions before they take effect. At the very least the state should follow the Allahabad High Court’s 2023 direction to issue detailed rules on evidence and procedure.

Fair procedure and safeguards: Anyone facing action under the Act should receive a proper hearing, access to the material used against them and the option of legal assistance. Procedures from the Criminal Procedure Code, such as the duty to record reasons in writing, periodic review and consideration for release, should be built into the process.

Better data and transparency: Crime statistics should clearly show when the Goondas Act has been used. The practice of reclassifying serious crimes under special laws creates misleading data. Separate reporting would allow human rights bodies and researchers to monitor use of the Act.

Focused action against mafia groups: Preventive laws should not replace standard criminal investigations. Special task forces, working under strict oversight, can target organised gangs through regular criminal laws such as the Gangsters Act or NDPS Act. Proper witness protection and a well-staffed investigation structure are essential.

Rehabilitation options: Many people drawn under the Act are young or from vulnerable backgrounds. Counselling, skill training and supervised community programs can offer alternatives to detention and help address the causes that lead to crime.

Civil remedies: People wrongly interned should have a way to seek compensation and clear their reputation. Officials who bring unfounded petitions for political or personal reasons should be held accountable through departmental inquiry.

References

1. Singh, K., Choudhury, P., et al. (2021). Recent trends in organized crime in India. *Ilkogretim Online – Elementary Education Online*, 20.
2. *Ibid.*
3. Nesbitt, P. (cited in Bresler, 1993). Interpol, Head of Organized Crime Group. Available at: <http://www.organizedcrime.de/index.htmlOrganized%20Crime%20Definitions.htm> (last visited on 27 November 2025).
4. United Nations. (2000). *United Nations Convention against Transnational Organised Crime*, Article 2(a).
5. Bhat, S. (2018). Goondas Act vis-à-vis freedom of speech and expression: A critical analysis of the recent amendment (bill) in the Goondas Act in the light of IP laws. *NLUA Law and Policy Review*, 3.

6. *Ibid.*
7. *The State of Madhya Pradesh and Anr. v. Baldeo Prasad*, AIR 1961 S.C. 293 (India).
8. *The Public Gambling Act 1867* (Act No. 3/1867).
9. Sangameswaran, K. T. (2011, June 25). Tamil Nadu: Single case enough to detain person under Goondas Act. *The Hindu*.
10. Prasad, S. (2014). *We the Goondas*. The Center for Internet and Society.
11. *The Kerala Anti-Social Activities (Prevention) Act, 2007* (Act No. 34, 2007).
12. *Punjab Control of Goondas Ordinance, 1959* (West Pakistan Ordinance No. XXXV).
13. *Supra* Note 5.
14. *Ibid.*
15. 10 booked under Gangsters Act for illegal mining in UP. Available at: <https://www.tribuneindia.com/news/haryana/10-booked-under-gangsters-act-for-illegal-mining-in-up/#:~:text=In%20a%20major%20crackdown%2C%20the,mining%20in%20Saharanpur%E2%80%99s%20Behat%20area> (last visited 24 November 2025).
16. Wanted land mafia held for fraudulent property deals. Available at: <https://timesofindia.indiatimes.com/city/lucknow/wanted-land-mafia-held-for-fraudulent-property-deals/articleshow/125096379.cms#:~:text=Lucknow%3A%20Economic%20Offences%20Wing%20,police%20station%2C%20Gonda%2C%20which%20were> (last visited on 23 November 2025).
17. Chari, M. (n.d.). Why many states are using the 1923 Goondas Act to curb digital piracy. Available at: <https://scroll.in/article/673042/why-many-states-are-using-the-1923-goondas-act-to-curb-digital-piracy#:~:text=Tamil%20Nadu%20takes%20the%20lead> (last visited on 24 November 2025).
18. *Supra* Note 5.
19. *Ibid.*
20. Deo, V. S., & Barooah, R. (2023, February). *Behind the criminal governance in Western Uttar Pradesh, India*. Veil Policy Brief.
21. *Ibid.*
22. UP mafia story: 3 of 66 named in police list now dead, cops on lookout for those on the run. Available at: <https://timesofindia.indiatimes.com/city/lucknow/up-mafia-story-3-of-66-named-in-police-list-now-dead-cops-on-lookout-for-those-on-the-run/articleshow/100050675.cms#:~:text=jail%20after%20a%20court%20appearance,took%20advantage%20of%20the%20situation> (last visited on 25 November 2025).
23. *Ibid.*
24. *Supra* Note 20.
25. Bhalla, V. (n.d.). How the Goondas Act in Uttar Pradesh is designed to crush dissent. *Civil Liberties*. Available at: <https://scroll.in/article/1055561/how-the-goondas-act-in-uttar-pradesh-is-designed-to-crush-dissent#:~:text=Under%20the%20act%2C%20one%20of,own%20discretion%2C%20without%20sufficient%20evidence> (last visited on 26 November 2025).
26. Chari, M. (n.d.). Why many states are using the 1923 Goondas Act to curb digital piracy. Available at: <https://scroll.in/article/673042/why-many-states-are-using-the-1923-goondas-act-to-curb-digital-piracy#:~:text=The%20Goondas%20Act%20is%20just,jail%20cell%20for%20a%20year> (last visited on 26 November 2025).
27. Madhusudan, M. K. (n.d.). Amnesty maps preventive detention laws in Indian states. Available at: <https://timesofindia.indiatimes.com/city/bengaluru/amnesty-maps-preventive-detention-laws-in-indian-states/articleshow/49322342.cms#:~:text=Commodities%20Act,known%20as%20the%20%E2%80%99Goondas%20Act%E2%80%99> (last visited on 26 November 2025).
28. Jafri, A. A. (n.d.). UP police claim sharp decline in crime rate; former top cops term it 'fake'. Available at: <https://www.newsclick.in/UP-Police-Claims-Sharp-Divide-Crime-Rate-Former-Top-Cops-Term-Fake#:~:text=Sharing%20the%20annual%20crime%20data,the%20Gangsters%20Act%20in%202021> (last visited on 24 November 2025).
29. *Ibid.*
30. *Ibid.*
31. *Supra* Note 23.

32. *Ibid.*
33. UP Assembly. (n.d.). UPCOCO bill to combat organised crime introduced in UP Assembly. Available at: <https://timesofindia.indiatimes.com/city/lucknow/upcoca-bill-to-combat-organised-crime-introduced-in-uttar-pradesh-assembly/articleshow/62179142.cms#:~:text=deputy%20inspector%20general%20of%20police,of%20investigation%2C%20in%20order%20to> (last visited on 27 November 2025).
34. *Supra* Note 23.
35. Abdul.
36. Tiwary, D. (n.d.). NCRB data: The odd case of crime in Uttar Pradesh, IPC rate very low, overall, very high. Available at: <https://indianexpress.com/article/explained/ncrb-data-uttar-pradesh-crime-rate-up-police-3033360/> (last visited on 27 November 2025).
37. *Supra* Note 25.
38. *Ibid.*
39. Bhattacharya, S., & Sachdev, B. K. (2021). Organized crime: A major crisis in India and its impact on the internal security of India. *International Journal of Multidisciplinary Research and Growth Evaluation*, 2.