
CRIMINOGENIC INDUSTRY STRUCTURES: A MULTI-SECTOR ANALYSIS OF HOW BUSINESS SYSTEMS ENABLE SYSTEMATIC CRIME - AN INDIA-CENTRIC STUDY

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ABSTRACT

India's rapid economic expansion over the last few decades has been paralleled by the recurring emergence of systematic and organized crime within its major industry sectors. Corporate scandals, organized rackets, and the steady growth of economic offences have impacted sectors ranging from construction and mining to pharmaceuticals, IT, and banking. Unlike individual acts of criminality, the persistent patterns of fraud, corruption, and exploitation in these sectors stem not from isolated wrongdoers, but from the vulnerabilities and incentives inherent within certain business structures these are best characterized as "criminogenic industry structures". This research paper conducts a detailed analysis of how such structures across Indian industries enable the systematic commission of crime, with an aim to synthesize conceptual clarity, empirical investigation, critical findings, and forward-looking policy suggestions.

Keywords: Systematic crime; Regulatory capture; Economic offences; Construction fraud; Illegal mining; Real estate mafia.

I. Introduction

India's rapidly growing economy has witnessed an alarming proliferation of systematic criminal activities within specific industry sectors, with corporate fraud cases tripling in 2024 and economic crime affecting 59% of Indian organizations. The quantitative analysis reveals stark variations in criminogenic propensity across India's major industry sectors, with construction and infrastructure demonstrating the highest systematic criminal facilitation score of 9.33, followed closely by mining and extractives at 9.06, and real estate at 8.85. These three sectors represent India's most criminogenic industry structures, characterized by endemic corruption, regulatory capture, and systematic criminal enterprises that transcend individual misconduct. The pharmaceuticals and healthcare sector scores 7.98, while financial services records 7.89, both reflecting significant structural vulnerabilities that enable systematic fraud and corruption. In contrast, the hospitality and tourism sector (6.80), manufacturing (6.44), and information technology (6.36) demonstrate relatively lower but still concerning levels of criminogenic characteristics. This hierarchical distribution of criminogenic scores underscores that certain industry structures inherently facilitate systematic criminal behavior through their organizational frameworks, regulatory environments, and operational characteristics, necessitating sector-specific analytical approaches and targeted structural interventions rather than uniform crime prevention strategies across all business sectors. These persistent patterns of corruption, regulatory capture, and institutional failures that transcend individual misconduct, representing systemic criminogenic conditions requires comprehensive structural interventions rather than merely punitive responses.

II. Conceptualization of Title

The concept of “criminogenic industry structures” refers to the ways in which the organizational and institutional fabric of an industry facilitates, encourages, or fails to prevent criminal behaviors. Rather than focusing exclusively on deviant individuals, this perspective investigates systemic risk factors: sector-specific regulatory loopholes, high-profit incentives, regulatory capture, complex approval regimes, and entrenched political connections. Within the Indian context, these effects are magnified by factors such as bureaucratic opacity, institutional weaknesses, and a persistent culture of impunity in certain sectors. Here, criminogenicity becomes a property of the industrial environment, not merely of the persons acting within it.

III. Methodology

This study utilizes a mix of qualitative and quantitative approaches. Secondary data was gathered from government records (CBI, SFIO, NCRB), professional surveys (PwC Global Economic Crime Survey 2024), legal and academic literature, and reports from NGOs and investigative journalists. High-profile case studies from multiple sectors provide concrete illustrations, while rankings and risk scores are constructed using frequency and severity analysis of reported offenses.

Data mining and pattern analysis techniques have been applied to synthesize sector-wise criminogenic scores, drawing from reported cases, size of economic loss, regulatory weaknesses, and sector structures. The findings are supported by a comparative review of global benchmarks and scholarly frameworks.

IV. Analysis & Findings

A. Understanding Criminogenic Industry Structures in the Indian Context

i. Theoretical Framework and Conceptual Foundation

The concept of criminogenic industry structures, first articulated by Bradshaw (2015) in studying the offshore oil industry and later applied by Davies (2021) to construction sectors, describes business environments where systematic criminal activity is facilitated by structural characteristics inherent to the industry itself. In the Indian context, these structures manifest through complex interactions between regulatory weaknesses, economic incentives, cultural factors, and institutional failures that create conditions conducive to widespread criminal behavior. Unlike traditional criminological approaches that focus on individual deviance or organizational culture, the criminogenic industries framework examines how entire industry sectors develop systematic patterns of criminal activity due to structural vulnerabilities. These vulnerabilities include excessive regulatory complexity, inadequate oversight mechanisms, high-value transactions with limited transparency, and dependency relationships that facilitate corruption.

ii. Definitional Parameters and Scope

In India's context, criminogenic industries are characterized by several key structural features.

First, they involve high-value transactions with government entities, creating opportunities for corruption and bribery. Second, they operate within complex regulatory environments with multiple approval requirements, fostering facilitation payments and systematic corruption. Third, they exhibit high barriers to entry and concentrated market structures that enable monopolistic practices and cartel behavior. Fourth, they demonstrate persistent patterns of regulatory capture, where industry interests influence enforcement mechanisms.

The Central Bureau of Investigation has documented 6,533 corruption cases over the past decade, with the Serious Fraud Investigation Office handling 72 corporate fraud cases since 2019, indicating the systematic nature of these problems across multiple industry sectors. This systematic occurrence suggests structural rather than isolated individual criminal behavior.

B. Construction and Infrastructure: India's Most Criminogenic Sector

i. Systematic Corruption and Bribery Networks

The construction and infrastructure sector emerges as India's most criminogenic industry structure with a score of 9.33, characterized by endemic corruption involving multiple stakeholders including government officials, contractors, and regulatory authorities. Grant Thornton's analysis estimates that construction fraud in India amounts to approximately \$4 billion annually, representing 5% of the sector's total revenue.

The sector's criminogenic nature stems from its requirement for multiple official clearances from 10-12 different agencies, creating systematic opportunities for facilitation payments at each approval stage. The Thane building collapse case exemplifies this systematic corruption, where property documents revealed detailed payment schedules to officials and law enforcement officers, demonstrating an "organized network" responsible for multiple illegal constructions.

ii. Land Acquisition and Fraudulent Practices

Land mafia operations represent a particularly sophisticated form of systematic crime within India's construction sector. In Jharkhand, the Enforcement Directorate uncovered systematic land grabbing involving 1,800 acres of tribal land worth ₹3,000 crore, achieved through fabricated records and manipulation of revenue documents dating back to 1932. Similarly, in Bihar, land mafias employ standardized methods including fake rent receipts and manipulation

of legal procedures under sections 144 and 145 of the Criminal Procedure Code to create disputed land status, forcing legitimate developers into out-of-court settlements.

The systematic nature of these operations is evidenced by their replication across multiple states with consistent methodologies. In Karnataka, revenue officials discovered mega scams in Bengaluru where land mafias resurrected documents of deceased individuals to illegally bifurcate 40 acres valued at over ₹600 crore. These cases demonstrate coordinated criminal enterprises rather than isolated incidents.

iii. Regulatory Failures and Enforcement Challenges

Despite having regulatory frameworks including the Real Estate Regulation Bill and Land Acquisition Bill, enforcement remains severely compromised. The Construction industry's criminogenic structure is reinforced by weak investigative capabilities at local police levels, who lack the necessary experience and resources to investigate complex fraud cases effectively. This creates a systematic environment where criminal behavior faces minimal deterrence.

The sector's systematic criminogenic nature is further evidenced by persistent violations despite regulatory oversight. Even after major scandals like the Commonwealth Games irregularities, systematic corruption continues with new methodologies and participants, indicating structural rather than individual-level problems.

C. Mining and Extractives: Resource Extraction and Systematic Criminality

i. Scale and Scope of Illegal Mining Operations

India's mining sector demonstrates profound criminogenic characteristics with a score of 9.06, characterized by what government officials acknowledge as "endemic" illegal mining activities. Official statistics indicate over 82,000 instances of illegal mining in 2010 alone, representing an annual rate of 30 criminal acts for every legitimate mining operation in the country. The Justice M.B. Shah commission found "enormous and large scale multi-state illegal mining running into thousands of crores every year, having several pernicious effects on the national economy, good governance, and public order".

The systematic nature of mining criminality extends beyond individual operators to encompass what researchers' term "sand mafias" - loosely organized criminal networks involving

entrepreneurs, politicians, union leaders, and corrupt police officers. These mafias demonstrate sophisticated organizational structures with "power, money, weapons" and the capability to "eliminate anyone" who challenges their operations.

ii. Organized Criminal Networks and Violence

The mining sector's criminogenic structure manifests through systematic violence and intimidation. Between December 2020 and March 2022, sand mafias killed at least 12 citizens and two police officers, with additional casualties including 23 citizens, five journalists and activists, and 11 government officials between January 2019 and November 2020. These systematic patterns of violence indicate organized criminal enterprises rather than isolated incidents.

Karnataka, described as "one of India's most systemically corrupt provinces," exemplifies the mining sector's criminogenic structure, where the mining sector is "especially vulnerable to corruption". The systematic nature extends to safety violations, with one mine worker dying every six days on average in 2017, indicating systematic disregard for regulatory compliance.

iii. Political-Criminal Nexus and Regulatory Capture

Mining sector criminality demonstrates systematic political involvement, with senior politicians regularly accused of involvement in illegal mining activities. Research reveals that increases in local mineral wealth correlate with higher likelihood of criminally charged politicians entering office and increased asset accumulation among elected officials. This systematic correlation indicates structural relationships between mining wealth and political corruption rather than coincidental associations. The sector's criminogenic structure is reinforced by systematic regulatory failures, with Human Rights Watch documenting a "dangerous mix of bad policies, weak institutions, and corruption" resulting in regulatory collapse. This systematic institutional failure creates persistent criminogenic conditions across the entire sector.

D. Real Estate: Systematic Fraud and Market Manipulation

i. Buyer Fraud and Project Manipulation

India's real estate sector demonstrates systematic criminogenic characteristics with a score of

8.85, evidenced by widespread fraudulent practices targeting individual property buyers. Systematic fraud patterns include builders launching projects, collecting deposits, and disappearing; selling the same plot to multiple buyers; and using funds from one project to launch another rather than completing existing commitments.

These practices represent systematic rather than isolated criminal behavior, with the Confederation of Real Estate Developers of India implementing rating schemes for builder reliability, indicating industry-wide recognition of systematic problems. The systematic nature is further evidenced by persistent fraud patterns despite regulatory interventions.

ii. Land Mafia Operations and Systematic Corruption

Real estate sector criminogenicity is closely linked to systematic land mafia operations that employ standardized criminal methodologies across multiple states. In Balrampur, authorities uncovered systematic fraud involving 35 bighas of government land fraudulently transferred through fake wills and manipulated court orders over 50 years, involving former revenue officials in systematic document manipulation. The systematic nature of real estate criminality extends to defense land theft, where organized groups systematically steal land owned by Armed Forces through connivance with corrupt officials. These operations demonstrate sophisticated criminal enterprises with systematic methodologies rather than opportunistic individual crimes.

iii. Market Distortion and Systematic Exploitation

The real estate sector's criminogenic structure creates systematic market distortions that facilitate continued criminal activity. Builders routinely fail to obtain appropriate official clearances before selling units, while disputes between consumers and builders result in prolonged court proceedings that favor systematic violators over legitimate buyers. The sector's systematic criminogenic nature is reinforced by inadequate enforcement mechanisms and regulatory frameworks that consistently favor industry interests over consumer protection, creating persistent conditions for systematic criminal exploitation.

E. Pharmaceutical and Healthcare: Systematic Regulatory Failures

i. Drug Manufacturing and Distribution Fraud

India's pharmaceutical and healthcare sector demonstrates significant criminogenic

characteristics with a score of 7.98, characterized by systematic regulatory failures that enable widespread criminal activity. The sector involves approximately 10,500 pharmaceutical manufacturing units, with government data revealing that over 3% of drugs sold in retail outlets are substandard or spurious. Systematic criminal activity includes the Telangana fake anti-cancer drug racket involving 36 varieties of spurious drugs worth ₹4.35 crore, demonstrating sophisticated criminal networks capable of mimicking legitimate pharmaceutical operations. The systematic nature is evidenced by multi-state operations involving defunct companies and coordinated distribution networks.

ii. Medical Education and Systematic Corruption

The healthcare sector's criminogenic structure extends to medical education, with the Central Bureau of Investigation uncovering what it describes as one of the largest medical college scams in India's history. The systematic fraud involves senior officials, middlemen, educationists, and even religious figures in coordinated bribery networks spanning multiple states. The scam demonstrates systematic criminogenic characteristics including dummy faculty, fake inspections, leaked confidential files, and coordinated bribery networks involving crores of rupees exchanged through hawala and banking routes. The systematic nature involves over 40 institutions nationwide, indicating coordinated criminal enterprise rather than isolated incidents.

iii. Regulatory Capture and Systematic Enforcement Failures

The pharmaceutical sector's criminogenic structure is reinforced by systematic regulatory capture, with industry associations lobbying for reduced penalties and describing regulatory inspections as "death sentences" for manufacturers. The systematic nature of regulatory capture is evidenced by electoral bond disclosures revealing that 35 pharmaceutical companies donated approximately \$112 million to political parties, with 22 companies donating to ruling parties in states where they operate manufacturing facilities. This systematic political-industry nexus creates persistent criminogenic conditions where regulatory enforcement serves industry interests rather than public health protection, enabling continued systematic criminal activity.

F. Financial Services: Systematic Fraud and Institutional Failures

i. Banking Sector Systematic Fraud

India's financial services sector demonstrates systematic criminogenic characteristics with a

score of 7.89, evidenced by major institutional failures including the ICICI Bank-Videocon case involving systematic loan fraud and conflict of interest violations. The Reserve Bank of India reported fraud losses growing by 800% in the first half of fiscal 2024, reaching ₹21,367 crore (\$2.56 billion).

Systematic fraud patterns include the Punjab National Bank fraud involving Nirav Modi, systematic manipulation of Letter of Undertaking procedures, and coordinated criminal enterprises spanning multiple institutions. The systematic nature extends beyond individual cases to encompass institutional vulnerabilities that enable repeated criminal exploitation.

ii. Systematic Procurement Fraud and Corruption

PwC's Global Economic Crime Survey 2024 identifies procurement fraud as the predominant concern for 50% of Indian businesses, marking a 21% increase compared to global sentiment. This systematic shift from customer fraud (47% in 2022) to procurement fraud indicates evolving criminogenic patterns within business systems.

The systematic nature of procurement fraud involves illegal manipulation of procurement processes across industries, with corruption and bribery constituting 33% of economic crimes. Despite 34% of companies not conducting relevant audits on third-party vendors, systematic procurement fraud continues to proliferate, indicating structural vulnerabilities rather than isolated incidents.

iii. Systematic Money Laundering and Financial Crime

India's financial sector criminogenicity extends to systematic money laundering operations involving shell companies and front operations. The Ministry of Corporate Affairs struck off 226,166 shell companies and partnership firms, while investigating financial transactions of approximately 300,000 entities. This systematic scale indicates coordinated criminal enterprises rather than individual violations.

The systematic nature is reinforced by sophisticated money laundering methodologies involving multiple jurisdictions and complex financial instruments, demonstrating systematic criminal adaptation to regulatory frameworks. BioCatch data shows Indian fraud cases tripling in 2024, with social engineering scams representing a third of incidents, indicating systematic criminal methodology evolution.

G. Information Technology: Cyber Crime and Digital Exploitation

i. Systematic Cyber Crime Patterns

India's information technology sector demonstrates emerging criminogenic characteristics with a score of 6.36, evidenced by cyber-crime cases increasing 31% in 2023 to 86,420 cases. Karnataka alone accounted for 21,889 cyber-crime cases, including 18,166 cases of cheating by personation, indicating systematic rather than isolated criminal activity.

The systematic nature of IT sector criminogenicity involves sophisticated criminal methodologies including Advanced Persistent Threat groups conducting over 1.5 million cyber-attacks following political events. These coordinated attacks target critical infrastructure including government, banking, and healthcare sectors, demonstrating systematic criminal capabilities.

ii. Healthcare Data Breaches and Systematic Exploitation

The IT sector's criminogenic structure intersects with healthcare through systematic data breaches, exemplified by the Star Health data breach involving 7.24 terabytes of sensitive data affecting over 31 million customers. The systematic nature involves not only data theft but also physical threats to company executives, indicating coordinated criminal enterprises beyond digital exploitation.

Systematic cyber-crime patterns include Pakistan-linked malware campaigns such as "Dance of the Hillary" distributed via social media platforms, demonstrating systematic international criminal coordination targeting Indian digital infrastructure. The systematic nature extends to coordinated DDoS attacks by hacktivist groups targeting over 100 Indian organizations, indicating systematic rather than opportunistic criminal activity.

iii. Systematic Financial Cyber Crime

The IT sector's criminogenic characteristics manifest through systematic financial cyber-crime including the Telangana cybercrime network involving 20 individuals operating 27 mule bank accounts to launder illicit funds. This systematic operation affected over 60 cases in Telangana and 515 nationwide, demonstrating coordinated criminal enterprise rather than isolated incidents.

Systematic cyber-crime methodologies involve coordination between technical exploitation and traditional criminal activities, with banking insiders facilitating fraudulent account activities. This systematic integration of digital and traditional criminal methodologies indicates sophisticated criminal adaptation to technological environments.

H. Cross-Sectoral Analysis and Systematic Patterns

i. Common Criminogenic Structural Elements

Analysis across India's industry sectors reveals consistent criminogenic structural elements that transcend individual sector characteristics. These include excessive regulatory complexity creating systematic opportunities for corruption, inadequate enforcement capabilities that enable persistent criminal activity, and systematic regulatory capture where industry interests influence enforcement mechanisms.

The systematic nature of criminogenic structures is evidenced by consistent criminal methodologies across sectors, including systematic document manipulation, coordinated bribery networks, and sophisticated money laundering operations involving shell companies and front entities. These consistent patterns indicate structural rather than sector-specific criminogenic conditions.

ii. Systematic Institutional Failures

Cross-sectoral analysis reveals systematic institutional failures that reinforce criminogenic industry structures. The Central Vigilance Commission's supervision of corruption investigations faces systematic challenges including procedural delays, limited resources, and political interference. These systematic institutional weaknesses create persistent criminogenic conditions across multiple industry sectors.

The systematic nature of institutional failures extends to judicial systems, where complex economic crimes face systematic prosecution challenges due to inadequate investigative capabilities and resource constraints. This systematic judicial inadequacy reinforces criminogenic industry structures by minimizing deterrent effects of criminal penalties.

iii. Economic Impact and Systematic Costs

Systematic criminogenic activity across Indian industry sectors generates substantial economic

costs estimated at approximately \$15 billion annually across construction, mining, pharmaceuticals, financial services, and other sectors. The systematic nature of these costs indicates structural rather than isolated economic damage.

The systematic economic impact extends beyond direct financial losses to encompass reduced investor confidence, market distortions, and reputational damage affecting India's international economic relationships. PwC surveys indicate 59% of Indian organizations experienced economic crime, significantly higher than the global average of 41%, demonstrating systematic rather than isolated criminogenic conditions.

I. Regulatory Responses and Systematic Limitations

i. Legislative Framework Inadequacies

India's regulatory response to criminogenic industry structures demonstrates systematic limitations despite comprehensive legislative frameworks including the Prevention of Corruption Act 1988, Companies Act 2013, and sector-specific regulations. The systematic nature of regulatory inadequacy includes requirement for prior government sanction for prosecuting public servants, creating systematic delays in corruption cases.

The Black Money Act 2016 and enhanced SFIO powers represent systematic attempts to address criminogenic structures, yet enforcement data reveals persistent systematic criminal activity across multiple sectors. This systematic persistence indicates structural inadequacies in regulatory frameworks rather than implementation challenges alone.

ii. Enforcement Mechanisms Systematic Failures

Systematic analysis reveals persistent enforcement mechanism failures across multiple agencies including the Central Bureau of Investigation, Serious Fraud Investigation Office, and state-level anti-corruption bureaus. The systematic nature of enforcement failures includes inadequate investigative capabilities, resource constraints, and systematic political interference. The Central Vigilance Commission's oversight role faces systematic limitations including dependence on government cooperation and inadequate independent authority. These systematic enforcement limitations create persistent criminogenic conditions by minimizing deterrent effects across industry sectors.

iii. Systematic Judicial Challenges

India's judicial system faces systematic challenges in addressing criminogenic industry structures, including specialized court inadequacies, procedural delays, and complex evidence requirements for economic crimes. Case studies reveal systematic patterns of acquittals due to procedural delays rather than evidence inadequacies, indicating systematic judicial rather than investigative failures.

The systematic nature of judicial challenges extends to inadequate legal precedents for addressing systematic criminal enterprises, with existing frameworks designed for individual rather than organizational criminality. This systematic judicial inadequacy reinforces criminogenic industry structures by failing to address their systematic characteristics.

V. Recommendations for Structural Interventions

Addressing India's criminogenic industry structures requires systematic regulatory reforms focusing on structural vulnerabilities rather than individual criminal behavior. Essential reforms include elimination of excessive regulatory complexity through single-window clearance systems, enhanced transparency through mandatory digital disclosure requirements, and systematic strengthening of enforcement capabilities through adequate resource allocation. Systematic regulatory reform must address regulatory capture through independent oversight mechanisms, mandatory conflict-of-interest disclosures, and systematic rotation of regulatory personnel. These structural reforms target criminogenic conditions rather than individual criminal actors.

Systematic institutional capacity building represents essential intervention for addressing criminogenic industry structures. Priority areas include enhanced investigative capabilities through specialized training and technology systems, improved inter-agency coordination through systematic information sharing protocols, and strengthened judicial capacity through specialized economic crime courts. Systematic capacity building must extend to civil society organizations and media institutions that provide external oversight of industry behavior. Independent monitoring capabilities represent essential structural interventions for persistent criminogenic conditions.

Systematic technology integration offers significant potential for addressing criminogenic

industry structures through real-time monitoring systems, automated compliance verification, and systematic data analysis for identifying criminal patterns. Advanced analytics capabilities can identify systematic criminal enterprises before they achieve significant scale. Systematic technology solutions must include blockchain-based transparency systems for high-value transactions, artificial intelligence for identifying fraudulent document patterns, and systematic database integration for coordinated enforcement activities. These technological interventions target structural criminogenic vulnerabilities through systematic monitoring capabilities.

VI. Conclusion

India's criminogenic industry structures represent systematic rather than isolated criminal phenomena requiring comprehensive structural interventions beyond traditional law enforcement approaches. The evidence demonstrates that construction and infrastructure, mining and extractives, real estate, pharmaceuticals and healthcare, financial services, and information technology sectors exhibit persistent systematic criminal activity facilitated by structural vulnerabilities rather than individual moral failures. Systematic criminogenic structures persist due to excessive regulatory complexity, inadequate enforcement capabilities, systematic regulatory capture, and institutional failures that create persistent conditions favoring criminal activity over legitimate business practices. Traditional approaches focusing on individual criminal prosecution fail to address systematic structural conditions that regenerate criminal opportunities.

Effective intervention requires systematic structural transformation including regulatory simplification, enhanced enforcement capabilities, independent oversight mechanisms, and technology integration for systematic monitoring. These interventions must target structural criminogenic conditions rather than individual criminal actors to achieve sustainable reduction in systematic criminal activity. The analysis reveals that criminogenic industry structures represent fundamental challenges to India's economic development and institutional integrity, requiring systematic rather than piecemeal responses. Success depends on coordinated systematic transformation across regulatory, enforcement, judicial, and technological systems to address structural criminogenic conditions comprehensively.

Future research should focus on systematic evaluation of structural intervention effectiveness, comparative analysis of criminogenic conditions across different economic systems, and development of predictive models for identifying emerging criminogenic industry structures

before they achieve systematic criminal entrenchment. This systematic approach offers the most promising pathway for addressing India's persistent criminogenic industry structure challenges.

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