APPENDIX-A

Questionnaire

I, Vishwanath M., Lecturer, University College of Law, Dharwad. Would like to bring to your kind notice that I am pursuing my Ph.D on the topic “A Critical Study of Legal Control of Organised Crimes in India” under the guidance of Dr.K.R.Aithal, Dean Faculty of Law, P.G. Department of Law, Karnatak University, Dharwad. In connection to my Ph.D I am interested in getting your opinion on the following questionnaire, as you are one amongst several stakeholders, who play a prominent role in combating organised crime. The opinion given by you will be kept in secrecy and will not be divulged to any body. It will be used only for academic purposes. So I request you to kindly cooperate.

Thanking you,

(Vishwanath M.)

GENERAL PUBLIC

1. Does prevention of crime holds primary importance above all welfare functions of the state?  YES NO
2. Is crime today a profession involving less risk and more profits? YES NO
3. Is organized crime a reality? YES NO
4. Are organised criminals a threat to national security? YES NO
5. Do you agree that the following factors are responsible for the growth of Organised Crimes:
   a. Glorification of deviant behaviour. YES NO
   b. Poverty and inequality. YES NO
   c. Socio political persecution of the weak and the oppressed. YES NO
   d. Inefficient policing YES NO
   e. Political Patronage. YES NO
6. Amongst the following illegal activities of organised crime which is likely to affect the society more.
a. Drug peddling
b. Human trafficking (women and children)
c. Terrorism.
d. Money Laundering.
e. All the above.
a  b  c  d  e

7. Do you agree that the existing policies, laws and institutions are capable of containing growing threat of organised crimes? YES NO

8. Do you agree that the following factors make them (policies, laws and institutions) ineffective?
   a. Lack of clear and unambiguous policy. YES NO
   b. Conflicting law and its selective application. YES NO
   c. Institutional failure due to lack of resource. (ex., police force lacks resources to fight against sophisticated and highly motivated organized criminals). YES NO
   d. Lack of political will to reform policies, laws and enforcement institutions. YES NO
   e. Absence of centralised criminal investigation agency. YES NO
   f. Failure of political leadership to organize highly professional crime control mechanism. YES NO
   g. Lack of social awareness about the impact of organised crime. YES NO
   h. Absence of imbibing moral values through education. YES NO
   i. Lack of effective control mechanism against glorification of crimes by media and other social institution. YES NO
   j. Institutionalisation of corruption in public life. YES NO

9. Do we need a federal legislation to combat organised crime? YES NO

10. Do we need special task force to combat organised crime? YES NO

11. Do you feel that public and the media can change the socio-political system of the state and help in combating organised crimes? YES NO
12. Do you agree with the allegation that the general public are not cooperating with the investigating agencies therefore there is large number of acquittals?

YES [ ]  NO [ ]

13. Any other Comments or Suggestions
1. Does prevention of crime hold primary importance above all welfare functions of the state? YES □ NO □
2. Is crime today a profession involving less risk and more profits? YES □ NO □
3. Is organized crime a reality? YES □ NO □
4. Are organised criminals a threat to national security? YES □ NO □
5. Do you agree that the following factors are responsible for the growth of Organised Crimes:
   a. Glorification of deviant behaviour. YES □ NO □
   b. Poverty and inequality. YES □ NO □
   c. Socio-political persecution of the weak and the oppressed. YES □ NO □
   d. Inefficient policing YES □ NO □
   e. Political Patronage. YES □ NO □
6. Amongst the following illegal activities of organised crime which is likely to affect the society more.
   a. Drug peddling
   b. Human trafficking (women and children)
   c. Terrorism.
   d. Money Laundering.
   e. All the above.
   a □ b □ c □ d □ e □
7. Do you agree that the existing policies, laws and institutions are capable of containing growing threat of organised crime? YES □ NO □
8. Do you agree that the following factors make them (policies, laws and institutions) ineffective?
   a. Lack of clear and unambiguous policy. YES □ NO □
   b. Conflicting laws and their selective application. YES □ NO □
   c. Institutional failure due to lack of resource. (ex., police force lacks resources to fight against sophisticated and highly motivated organized criminals). YES □ NO □
d. Lack of political will to reform policies, laws and enforcement institutions.
   YES □ NO □

e. Absence of centralised criminal investigation agency. YES □ NO □

f. Failure of political leadership to organize highly professional crime control mechanism. YES □ NO □

g. Lack of social awareness about the impact of organised crime.
   YES □ NO □

h. Absence of imbibing moral values through education. YES □ NO □

i. Lack of effective control mechanism against glorification of crimes by media and other social institution. YES □ NO □

j. Institutionalisation of corruption in public life. YES □ NO □

9. Do we need a federal legislation to combat organised crime? YES □ NO □

10. Do we need special task force to combat organised crime? YES □ NO □

11. Any other Comments or Suggestions.
POLICE

1. Does prevention of crime hold primary importance above all welfare functions of the state? YES ☐ NO ☐

2. Is crime today a profession involving less risk and more profit? YES ☐ NO ☐

3. Is organized crime a reality? YES ☐ NO ☐

4. Are organized criminals a threat to national security? YES ☐ NO ☐

5. Do you agree that the following factors are responsible for the growth of Organised Crimes:
   a. Glorification of deviant behaviour. YES ☐ NO ☐
   b. Poverty and inequality. YES ☐ NO ☐
   c. Socio-political persecution of the weak and the oppressed. YES ☐ NO ☐
   d. Inefficient policing. YES ☐ NO ☐
   e. Political Patronage. YES ☐ NO ☐

6. Amongst the following illegal activities of organised crime which is likely to affect the society more.
   a. Drug peddling
   b. Human trafficking (women and children)
   c. Terrorism.
   d. Money Laundering.
   e. All the above.
   a ☐ b ☐ c ☐ d ☐ e ☐

7. Do you agree that the existing policies, laws and institutions are capable of containing growing threat of organised crime? YES ☐ NO ☐

8. Do you agree that the following factors make them (policies, laws and institutions) ineffective?
   a. Lack of clear and unambiguous policy. YES ☐ NO ☐
   b. Conflicting laws and their selective application. YES ☐ NO ☐
   c. Institutional failure due to lack of resource. (ex., police force lacks resources to fight against sophisticated and highly motivated organized criminals).
   YES ☐ NO ☐
d. Lack of political will to reform policies, laws and enforcement institutions.
   YES □ NO □
e. Absence of centralised criminal investigation agency. YES □ NO □
f. Failure of political leadership to organize highly professional crime control mechanism. YES □ NO □
g. Lack of social awareness about the impact of organised crime. YES □ NO □
h. Absence of imbibing moral values through education. YES □ NO □
i. Lack of effective control mechanism against glorification of crimes by media and other social institution. YES □ NO □
j. Institutionalisation of corruption in public life. YES □ NO □

9. Do you feel that constitutional and legal protection is more tilted towards the accused than the victim? YES □ NO □

10. Do you feel the following are the main reasons for large number of acquittals?
   a. Lack of professional police investigation. YES □ NO □
   b. Lack of professionalism in prosecution. YES □ NO □
   c. Failure to protect witness. YES □ NO □
   d. Witness turning hostile. YES □ NO □
   e. Delay in deciding the cases. YES □ NO □
   f. Incompetence of Judges. YES □ NO □
   g. Corruption in Judiciary. YES □ NO □
   h. The Impact of pre trial by media in some cases. YES □ NO □

11. Do you feel the inefficiency of police in combating organised crime is due to following reasons?
   a. Lack of autonomy to police. YES □ NO □
   b. Lack of professionalism. YES □ NO □
   c. Political interference in police functions. YES □ NO □
   d. Corruption in police. YES □ NO □

13. Do you feel the following reasons contribute for people's averseness towards the police?
   a. Rulers police than peoples police. YES □ NO □
   b. Feeling of being harassed and intimidated. YES □ NO □
c. Lack of concern for common man. YES □ NO □

d. Misuse of power by favoritism (political, money or power) YES □ NO □

e. Police have been symbol of power than service. YES □ NO □

12. Any other Comments or Suggestions
ADVOCATES

1. Does prevention of crime hold primary importance above all welfare functions of the state? YES ☐ NO ☐

2. Is crime today a profession involving less risk and more profit? YES ☐ NO ☐

3. Is organized crime a reality? YES ☐ NO ☐

4. Are organised criminals a threat to national security? YES ☐ NO ☐

5. Do you agree that the following factors are responsible for the growth of Organised Crimes:
   a. Glorification of deviant behaviour. YES ☐ NO ☐
   c. Poverty and inequality. YES ☐ NO ☐
   c. Socio-political persecution of the weak and the oppressed. YES ☐ NO ☐
   d. Inefficient policing. YES ☐ NO ☐
   e. Political Patronage. YES ☐ NO ☐

6. Amongst the following illegal activities of organised crime which is likely to affect the society more.
   a. Drug peddling
   b. Human trafficking (women and children)
   c. Terrorism.
   d. Money Laundering.
   e. All the above.
   a ☐ b ☐ c ☐ d ☐ e ☐

7. Do you agree that the existing policies, laws and institutions are capable of containing growing threat of organised crime? YES ☐ NO ☐

8. Do you agree that the following factors make them (policies, laws and institutions) ineffective?
   i. Lack of clear and unambiguous policy. YES ☐ NO ☐
   j. Conflicting laws and their selective application. YES ☐ NO ☐
   k. Institutional failure due to lack of resource. (ex., police force lacks resources to fight against sophisticated and highly motivated organized criminals). YES ☐ NO ☐
1. Lack of political will to reform policies, laws and enforcement institutions. YES ☐ NO ☐

m. Absence of centralised criminal investigation agency. YES ☐ NO ☐

n. Failure of political leadership to organize highly professional crime control mechanism. YES ☐ NO ☐

o. Lack of social awareness about the impact of organised crime. YES ☐ NO ☐

p. Absence of imbibing moral values through education. YES ☐ NO ☐

q. Lack of effective control mechanism against glorification of crimes by media and other social institution. YES ☐ NO ☐

r. Institutionalisation of corruption in public life. YES ☐ NO ☐

9. Do you feel that constitutional and legal protection is more tilted towards the accused than the victim? YES ☐ NO ☐

10. Do you feel the following are the main reasons for large number of acquittals?
   a. Lack of professional police investigation. YES ☐ NO ☐
   b. Lack of professionalism in prosecution. YES ☐ NO ☐
   c. Failure to protect witness. YES ☐ NO ☐
   d. Witness turning hostile. YES ☐ NO ☐
   e. Delay in deciding the cases. YES ☐ NO ☐
   f. Incompetence of Judges. YES ☐ NO ☐
   g. Corruption in Judiciary. YES ☐ NO ☐
   h. The Impact of pre trial by media in some cases. YES ☐ NO ☐

11. Do you feel that there is nexus between some professional lawyers and crime syndicates (as they are paid heavily to protect them by exploiting the lacunae in our criminal justice system) YES ☐ NO ☐

12. Do you feel that the following are the main motto of the professional lawyer
   s. To acquit the accused at any cost. YES ☐ NO ☐
   t. To help the court in reaching the destiny of truth. YES ☐ NO ☐
   u. To protect the society by helping the court in punishing the guilty. YES ☐ NO ☐

13. Any other Comments or suggestions
JUDICARY

1. Does prevention of crime hold primary importance above all welfare functions of the state? YES □ NO □

2. Is crime today a profession involving less risk and more profits? YES □ NO □

3. Is organized crime a reality? YES □ NO □

4. Are organized criminals a threat to national security? YES □ NO □

5. Do you agree that the following factors are responsible for the growth of Organised Crimes:
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   c. Socio-political persecution of the weak and the oppressed. YES □ NO □
   d. Inefficient policing. YES □ NO □
   e. Political Patronage. YES □ NO □

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   c. Institutional failure due to lack of resource. (ex., police force lacks resources to fight against sophisticated and highly motivated organized criminals). YES □ NO □
d. Lack of political will to reform policies, laws and enforcement institutions. 
   YES □ NO □

e. Absence of centralised criminal investigation agency. YES □ NO □

f. Failure of political leadership to organize highly professional crime control mechanism. YES □ NO □

g. Lack of social awareness about the impact of organised crime. 
   YES □ NO □

h. Absence of imbibing moral values through education. YES □ NO □

i. Lack of effective control mechanism against glorification of crimes by media and other social institution. YES □ NO □

j. Institutionalisation of corruption in public life. YES □ NO □

9. Do you feel that constitutional and legal protection is more tilted towards the accused than the victim? YES □ NO □

10. Do you feel the following are the main reasons for large number of acquittals?

   a. Lack of professional police investigation. YES □ NO □
   b. Lack of professionalism among prosecution. YES □ NO □
   c. Failure to protect witness. YES □ NO □
   d. Witness turning hostile. YES □ NO □
   e. Delay in deciding the cases. YES □ NO □
   f. Incompetence of Judges. YES □ NO □
   g. Corruption in Judiciary. YES □ NO □
   h. The Impact of pre trial by media in some cases. YES □ NO □

11. Do you feel that the present system of Adversarial should be replaced by Inquisitorial to provide better justice to the victims of crimes? YES □ NO □

12. Any other Comments or Suggestions