
INTERNATIONAL JOURNAL OF ADVANCED LEGAL RESEARCH

**CAUSES AND CONSEQUENCES OF CORPORATE CRIME
IN INDIA**- Ishanee Kapoor¹**INTRODCUTION**

In simple language, corporation means a group of individuals who come together to do business. Corporation is the creation of law, a business entity recognized by law. Although, English law establishes the origins of the modern corporation in the fourteenth century, some authors² believe that the origins of the corporation can be traced back to the twelfth century, or perhaps to Roman law, the judicial person is said to have been recognized. Sir Henry Main suggested that a type of corporate (personally opposed) responsibility lay at the very heart of the primitive legal system. The society was not what it is currently believed to be, a collection of individuals. In fact, and looking at the men joining it, it was an aggregation of families. The law recognized this system of small independent corporations. Corporations are of two kinds:

- (a) Corporation Aggregate, and
- (b) Corporation Sole.

A corporation total is a corporate body with a membership of several individuals. It is formed by the quantity of individuals known as shareholders, pooling their resources known as capital to begin with and it serves the common interest of all shareholders and one is a profit earner.³ It was the Industrial Revolution of the seventeenth century and the reform of the transport system, which brought previously unforeseen changes not only in the size and structure of corporations, but also in the role and functions of corporations in society. Over the past century, the concept of a corporation has shifted from the idea of an

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²Gross,Edwards;“Organizationstructureandorganizationcrime”,inGilbertGeisandEzraScotland(Eds.)“Whitecollarcrime,theoryandresearch”SagePublications(1980)p.53.

³Salmond;“Salmond onJurisprudence”, FitzgeraldP.J. (Edt.), UniversalLaw PublishingPvt.,NewDelhi,2002p.305-328.

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enterprise headed by an entrepreneur who both owns and drives ongoing concern, to an organization where stock ownership differs from the corporation's control of affairs the latter is being managed by a professional, hiring and self-bureaucratic. Furthermore, the role of individual shareholder has changed from part-owner to investor, and its importance has diminished in large corporations where the most important shareholders are collective units. Shareholder attachment to the corporation is becoming secondary and indirect, reflecting the fact that corporations serve a wide variety of interests other than shareholders, including their employees, customers, and the community at large. And subsequently, it has been seen that "Corporations can at this point don't be identified with a solitary homogeneous gathering of people. Its choices and activities are consequential and responsible for a complex set of interests and clashing claims"⁴. This is a more significant change for the reasons for criminal law and the inconvenience of corporate criminal liability on corporations.

In today's economic and social structure, a corporation has functional structures, it is permanent, large, formal, complex and goal-oriented, and has a decision-making structure. While not all corporations share the trait of large-scale operations involving multiple individual participants, it ought to be noted that small corporations generally do not pose the same problems for prosecution as larger ones. Furthermore, the social importance of an organization's policies and decisions increases with the magnitude of its resources, thereby damaging the large capacity of large organizations. It has also been observed that large corporations create disaster situations.

3.1.ORIGIN OF CORPORATE CRIMES

The concept of corporate crime can be gotten from the bigger idea of middle- class crime, first acquainted with sociology by American analyst Edwin Sutherland in his 1939 official location to the American Association of Sociologists. He portrayed white-collar crime as "a crime perpetrated by a man of high esteem and honour during his capture". Zeroing on as unbelievable but unhappy, such a concept addressed extremist recombination into imaginary notions of criminality. Sutherland later dispersed a book called White Collar Crime (1949), which is completely around corporate crime. Utilizing the authority records

⁴M. Dan-Cohen; "Rights, Persons and Organizations" 1986 Berkeley, University of California Press, p.27

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of administrative workplaces, courts, and commissions, he found that at any rate among 70 organizations over a 40-year time span, he had misused the law for misrepresentation, patent misuse, wartime exchange encroachment, and appraisal. Extortion or Proposed Construction and Flawed Products. There were few repeaters with one general out of the eight negative judgments given for each. Sutherland said that "crime in the streets" is actually a new look, while "crime in desserts" went ahead. While middle-class crime was substantially more costly than street crime, most cases were unquestionably not covered under criminal law, yet we are treated as a common or official infringement

3.1.1. Corporations and Criminality

Most lawbreakers parcel middle-class crime into two significant sorts: corporate crime and business crime (crimes perpetrated during the genuine business for a benefit). Most corporate hoodlums don't see their exercises as crooks, as their infringement is by and large essential to their business. Corporate lawbreakers are hoodlums for standard society and don't identify crime. Their improper conduct is often done carelessly by a business or corporate subculture.

The attacks of white-hoods to a large extent, regardless of Sutherland's speculations, had little light on the full investigation of corporate crime by American crooks Marshall Clark and Peter Younger, titled: *Illegal Corporate Behavior, 1975 – 1976* (1979). The examination consisted of a systematic examination of terminated, managerial, general, and criminal functions documented by 25 government organizations against 477 of the United States' largest wholesale, retail, and service organizations. Several similar patterns were found by Sutherland about thirty years ago. Nearly 60% of giant corporations have, in any event, a the lawful activity started against them, while the most retrograde firms - 8% of corporations - as per most of the crimes (52%, all being equivalent). The oil, drug and auto organizations were responsible for about half, all being equivalent. The simplicity with which corporate violations were dealt with was lax.

3.1.2. Arisen of Corporate Crimes

With the explanation of crime, we can start talking about corporate crime. We can start thinking about why corporations (not individuals) commit crimes. We can start getting

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some good policy to reduce the loss to millions of workers; for millions of customers, and thousands of competitors of the criminal corporation.

Corporate crime originates in the logics of the economic system. The emphasis on benefits ranks first on labour safety, community needs, consumer health or the interests of those exposed to hazardous wastes. It is cheaper to risk people for their own safety.

3.2.HISTORY AND GRWOTH OF CORPORATE CRIMES

Historically, corporations were not initially formed as for-profit institutions with the end goal of public good, to build institutions such as hospitals and universities. Their formation was punishable by law, in violation of their duties as detailed by governments, if any.⁶ Corporations received benefits during the 17th century. Their funds were applied to finance European colonial expansion. As such companies were utilized by royal forces to keep up control of trade, resources, and territories in Asia, Africa, and the Americas. In the early eighteenth century the incorporated companies were massed, but most of them had very short lifetimes and went bust like water bubbles. Investors suffered losses due to commercial failures or maladies. Instead of regulating the operation of the Bubble Act of these companies in Britain, the 1720 declared such entities illegal and void. The partnership was exempted from the extent of the Bubble Act. However, the British Parliament enacted special Acts for banking, insurance etc. activities.

The Bubble Act, 1720 was repealed in 1825. The Industrial Revolution required changes in the law to facilitate business activities. The regulation of corporations began with the enactment of the Joint Stock Companies Act, 1844. Limited liability was provided under the Limited Liability Act, 1855. The registration and limited liability provisions were consolidated into the Companies Act, 1856. The landmark decision of the House of Lords in *Salomon v. Salomon & Co.*⁸ confirmed the company to be a separate legal entity. Thus, the liabilities of the company were considered independent and unmistakable from the shareholders. The very concept of corporations and their functioning, duties and responsibility has evolved at various stages in history. This chapter makes an unassuming endeavour to study such developments to understand the corporate liability under law in the ancient era, medieval era and modern era.

3.2.1. Corporate Liability in Ancient Era

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The world has seen some structure of social reactions to corporate mistakes. The acceptance of presence of criminal danger for corporate groups isn't a consequence of the current culture, as is for the most part acknowledged. In the old society, the standard of thumb was the justification the collective liability of the clan. This clan may be a family or group that engages in any type of responsibility role or position. There is a lot of scripture that bears witness to the fact that in ancient society, collective individuals were not conceived, however, rather as combinations of families. This differentiation significantly affected the confirmation of the laws of the time.

The law was adjusted for a system where small independent groups existed for various functions of society as clans or families.⁵ The moral and ethical conduct and moral decay of the individual were associated and confused with the actors of the group for whom the person worked. The crime is significantly more surprising than the number of crimes perpetrated by its members. Lawlessness was an indication that good tidings were shaken and broken inside a neighbourhood group. Therefore, the tribe had a duty to maintain the lost balance of harmony. Kabila was fully at risk for the bearing of all of its members. The harm achieved by a member of the clan was related to the clan as a whole, in which the person was himself and not the person.

3.2.2. Corporate Liability during the Modern Era

The principle of *societas delinquere non potest* which means that the legal entity cannot be held defective holds a significant place in the legal frameworks in the world⁶ especially in countries such as Italy and Germany, where it was understood that corporate cannot be ostracized or held for felony or treason.⁷ An anonymous case, also cited by William Blackstone, has clearly demonstrated the unwillingness of the judiciary to extend criminal liability to corporations where Holt C.J.'s opinion states that "A corporation is not liable, but its special members are."⁸ However, the reasons behind Lord Holts' decision are not

⁵(1897)AC22.

⁶F.McAuley,&J.P.McCutcheon,*Criminal Liability*, Dublin:RoundSweet&Maxwell(2000)atp.273.

⁷EdwardDiskant"ComparativeCorporateCriminalLiability:ExploringtheUniquelyAmericanDoctrineThroughComparativeCriminalProcedure"(2008)118*YaleLJ*126,atp.129.

⁸JohnC.Coffee,Jr., "CorporateCriminalResponsibility", inEncyclopaediaofCrimeandJustice253, SanfordH.Kadish

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clear, as the cases are of this sentence only. Commentators had cited the case as precedent, but they also noted that there were some exceptions to the general rule against corporate criminal liability.

In the early 1800s, courts began to make corporations criminally liable for the types of public nuisances that were previously instigated by quasi-public corporations such as old universities or collective or modern day municipalities.¹⁵ But two parameters had to be crossed, first; "No individual specialist of the corporation was liable for the corporation's exclusion"⁹ and, secondly, "there was no obstacle of the offense from agent to principal" because "the corporation was only under a duty to perform the specific act in question."¹⁷ In the early 19th century, corporations became more prevalent and ruling in society, and this dominance increased their capacity considerably and caused significant losses to a greater number of people. Through judicial decisions civil sanctions and penalties rose to control and punish corporations where they relinquished their duty to care or create nuisances such as public clutter or deterioration of roads,¹⁰ collapse of bridges,¹¹ and river basin pollution.¹² Public enforcement of punishment and sanctions became relevant as some individuals in society started pursuing these acts to get justice through private prosecutions where the government would be the guilty party. These cases will become publicly good oriented cases rather than privately contested cases as an enormous number of people are affected by these mistakes or nuisances. Instead of a private investigation, these cases attracted the government's more scrutinized role in clearance applications.

Corporate criminal liability was originally limited to non-felony offenses where the failure to fulfill the duty required or assigned by law was ignored or not complied with. However, by the mid-19th century, this obligation was also extended by the courts to acts of misfeasances by companies. Here the acts of companies were being punished by the courts for insufficient performance of a legal act or provision. In 1846 in *The Queen v Great North Of England Railway Co*, Lord Denman stated that "corporations may be criminally

ed.(1983).

⁹Joel P. Bishop, *The Criminal Law*, 1st Edition 1856 contained pp.273-284; L.H. Leigh, *The Criminal Liability of Corporations* (1956), pp.1-13.

¹⁰*Commonwealth v. Hancock Free Bridge Corp* (1854) 68 Mass 58

¹¹*State v. Morris Canal & Banking Co* (1850) 22 N.J.L. 537

¹²*People v. Corporation of Albany II* Wend 539 (N.Y. Sup. Ct. 1834) at 543.

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dependable for misfictions for a situation where the corporation had neglected to assemble an extension over the parkway as per legal prerequisites Courts began to recognize the difference between misbehavior and misdemeanor as inaccurate and extremely hollow as illegal acts or omissions often portrayed as both non-profits and misfares as being involved in the overstepping of the law can go.¹³ In the United States in 1834 "the city of Albany was induced to fail to clean the basin of the Hudson River, which was rubbed dishonest, overfilled and with dead carcasses of mud, rubbish, and animals." ¹⁴

Kathleen Brickey conducted a study of how courts in England and the United States enforced corporate criminal liability and not civil liability provisions, because they also used, especially in cases involving misbehavior or defiance of legal duty by quasi-public corporations, Such as municipalities, resulting in public nuisances.¹⁵ Brickey, in this study of judicial responses, changed the paradigm from civil liability to corporate criminal liability.²⁸

With the change in political structures of a state, corporate grew out of the control of the church and a new style of joint ownership of venture capital began to grow. Because a lot of capital was being invested and these corporations needed to be controlled, the need arose to obtain funds from investors and creditors. Because of lack of money investment control, these independent joint stock companies increased power and dominance in the trade guild. Legally, these businesses were more of partnership associations than a corporate company.

In the 18th century, many of these independent joint stock companies, like the South Sea Company, began to engage in wild stock fraud, which was established in 1711 and wounded in 1720 as it was heavily involved in trade and money speculation and insider trading. In this manner, it managed to raise five times its original price. The unethical profit that was made in South America was in the millions at that time. The scandal caused huge economic losses to the national government and hundreds of people were destroyed.

Due to the scandal, the company's stock price crashed resulting in one of the worst

¹³Commonwealth v. Proprietors of New Bedford Bridge 68 Mass 339 (1854).

¹⁴V. S. Khanna, Corporate Criminal Liability, What Purpose does it Serves? Harvard Law Review, Vol. 109, May 2009, Number 7.

¹⁵Kathleen F. Brickey, "Corporate Criminal Accountability: A Brief History and an Observation", 60 WASH. U.L.Q. (1981), 393, at p. 396.

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financial mishaps in world history.¹⁶ An investigation was initiated by the government to investigate the entire matter and the result was the enactment of the Bubble Act, 1720 by the United States Parliament in 1720. The Act strictly followed that a corporation could be established only by passing an Act by Parliament and corporations were prohibited from doing the microcosm of their sanctioned constructions.¹⁷ It took these corporations more than a century to gain the trust of the government and policy makers. The Bubble Act 1720 was repealed in 1825, resulting in the quick advancement of business houses. The South Sea Company created the government to monitor and establish these corporations as before it in the eighteenth century; the corporate entity was deemed incapable of committing a crime because they had the wrong intentions, power and physical force to commit wrongdoing.¹⁸

By the mid-19th century, corporate criminal liability had been increased for all crimes completed by the company, which didn't require proof of criminal reason. Judicial interpretations of wrongs moved from judicial decisions to judgments requiring an erroneous element such as proof or proof for negligence from 1909 in the United States and from 1917 in Britain. Nonetheless, regardless of their normal practices, current models that have created in common law courts are not identical.

Courts in the US, even at the federal level, have largely adopted the appropriateness of the doctrine of promiscuous liability, while attributing criminal liability to offenses, including intentions. American courts also follow the principle of defendant superior, which means that the commandant of a corporation is obligated for the wrongdoings of any of its agents or employees when the act was carried out during the employment by that employee with the intention of making a profit for the company.¹⁹

Even despite the fact that corporate criminal responsibility is perceived in most countries, till now there are countless those who are in favor of strict compliance of this obligation or

¹⁶RonHarris“TheBubbleAct:ItsPassageandItsEffectsonBusinessOrganization(1994)54JEconHist610 at610

¹⁷WilliamLaufer,*CorporateBodiesandGuildMinds:TheFailureofCorporateCriminalLiability*, 1sted, UniversityofChicagoPress, Chicago(2008),at p.11.

¹⁸StessensGuy,*CorporateCriminalLiability:AComparativePerspective,InternationalComparativeLawQuarterly*43,1994,pp.495-498

¹⁹*NewYorkCentralandHudsonRiverRailroadCo. v.UnitedStates*212US481,1909

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who do not comply.²⁰ These experts in the fields of criminal law and corporate law believe that the concept of corporate punishment for wrong is highly suspect. His view is that civil liability and its provisions are sufficient to manage the punishment awarded to a company if it is wrong; therefore there is little or no scope for criminal liability.²¹ Being a capitalist nation of the United States, huge multinationals have a huge presence. There are heaps of people who are associated with these companies and experts believe that when a corporate gets punished, then it is the whole group of individuals who are affected like - shareholders, stakeholders, employees, consumers etc. one who suffers the brunt of the ban or punishment given for the crime. These experts promote that there should be restricted or minimal use of a company's criminal liability principles²² but there are so many consequences that the community faces when a corporate commit a mistake that the voice of such experts goes away.

3.2.3. English Law Concepts

There were many convictions in English jurisprudence that the corporate lacked soul and did not have the body to kick; therefore, there can be no wrong intention²³. This view was further upheld by the theory of *ultra vires* which suppressed the development of the teaching of corporate criminal liability because according to this theory, corporations can neither commit nor authorize their employees, agents or employees for any action outside the extent of objects of the corporation.²⁴ Therefore, the courts prohibited companies from taking *ultra vires* actions for offenses where specific intent was required to prove as a fundamental component of the offense.²⁵

This theory was eventually rejected in the law of torture in the case, *Citizens Life*

²⁰Beale Sara Sun, "Is Corporate Criminal Liability Unique?", *American Criminal Law Review* 44, 2007, pp. 1503-1504

²¹Alschuler Albert W, "Two Ways to Think About the Punishment of Corporations" *American Criminal Law Review* 46, 2009, at p. 1359

²²Arlen Jennifer and Kraakman, Reinier, "Controlling Corporate Misconduct: An Analysis of Corporate Liability Regimes", *New York University Law Review* 72, 1997, pp. 687-692

²³Alschuler Albert W, "Two Ways to Think About the Punishment of Corporations" *American Criminal Law Review* 46, 2009, 1366-1367

²⁴*State v. First National Bank* (1872) 2 SD 568 at 571 cited in Andrew Weissmann and David Newman "Rethinking Criminal Corporate Liability" 2007 82, *Ind LJ* 4 11, at p. 420.

²⁵*Ashbury Railway Carriage and Iron Co. v. Riche* [1875] LR 7 HL 653 and *People v. Rochester Railway & Light Co.* 88 NE 22 (NY 1909).

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*Assurance Company Ltd v. Brown*²⁶. The Privy Council considered that corporations, like employers, were liable for the misconduct submitted by their workers during their employment. This explanation of the obligation of a company exposed to the law of torts was later extended through corporate criminal law as well as torts. These references were necessary due to the advent of industrial revolution and the advent of railways facilities through road facilities, hazards, effects and losses caused by the actions of companies, leading to manifold growth.

Corporations became more powerful and began to accumulate prosperity not only through wealth and profits, but also through insider trading, bribery, stock manipulation and exploitation of labour with no average or no safeguards were for workers. It was difficult for the courts to be oblivious to these facts and to acknowledge the ultra vires precept or corporate as a hypothetical entity notion and ignore the huge losses being incurred by corporate giants. This force led to the courts, which enforce the civil law of civil liability for crimes committed by companies, mainly in common-law countries. The main initiative was being completed by the courts of the United Kingdom, where liability, unlike the American courts, was being applied only to regulatory offenses.

The proliferation of free-market ideas in the 1980s, just as the dominance of the neo-liberal philosophy of privatization of the business world, prompted the regularization of companies that were gradually moving out of government restrictions and led to applicability and corporate criminalization. Obligation inhibited development. The UK Parliament introduced legislation to deal with corporate crime after only several crimes in the past decade, where no corporation or individual could be held accountable or convicted for accidents.

3.2.4. Developments in India

Section 11 of the Indian Penal Code, 1860, includes the definition of any company or association of individuals as to what is included or not. This means that the provisions of punishment equally apply to the wrongdoing committed by corporations. However, the difficulty arises for the company to hold wrongful acts responsible and to determine a guilty state of mind. The common law principle of promiscuous liability is followed in

²⁶*CitizensLifeAssuranceCompany v. Brown*[1904]UKPC20(NSW).

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India. The common law tradition of 'alter ego' or identity is judicially followed in India.²⁷ The generally accepted rule is that barring such offenses, a corporation is thought of unable to commit because of the way that they are associated with individual malevolent aim. A corporation may be reliant upon an arraignment or other criminal strategy, though the criminal demonstration is executed through its delegates.²⁸

The punitive policy has not yet been specifically punished in the penal legislation remembering the natural persons punished. The Law Commission of India in its 41st and 47th report recommends empowering the courts with fines, where imprisonment or imprisonment and other penalties prescribed in fines.²⁹

The history of company law in India began with the enactment of the Joint Stock Companies Act, 1850. The cumulative process of amendment and consolidation continued because of the enactment of the Companies Act, 1956. Even then it was not exhausted in all ways to contain business concerns. There is also a process of incorporation by special Acts of Parliament.³⁰ The 1956 Act was amended several times and has now been replaced by the Companies Act, 2013. Common law principles are still followed in various matters related to the operation of companies, for example the rule in *Derry v. Peck*.³¹

The general punishment is dealt with under the Indian Penal Code, 1860 as well as the Prevention of Corruption Act, 1988, the Money Laundering Act, 2002, the Narcotic Drugs and Psychotropic Act, 1985, Prevention of Unlawful Activities and various other special Acts. However, the criminal liability of corporations has not been dealt with specifically. However, the well-defined principles of criminal justice in India are not sufficient to fix the criminal liability of corporations.

The 1984 Bhopal gas leak incident in India has been one of the world's most exceedingly terrible industrial disasters. The disaster raised various issues concerning responsibility of multinational corporations, both civil and criminal, when such corporations are engaged in inherently dangerous activities. In the latter case the Supreme Court of India laid down the principle of absolute liability as an extension of the custom-based law regulation of strict

²⁷AssistantCommissionerAssessment-Iv.M/sVelliappaTextilesLtd.,AIR2004SC86.

²⁸StandardCharteredBankv.DirectorateofEnforcement(2005)Cri.L.J.4917SCpara7.

²⁹LawCommissionofIndia41stReport(1969)para24.7andLawCommissionofIndia47thReport(1972)para8.3.

³⁰AvtarSinghCompanyLaw,14thEd.,EasternBookCompany,Lucknow,(2004)pp.2-3.

³¹*Derry v. Peck*(1889)14AC337

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liability in *Rylands v. Fletcher*.³²The court determined that when the enterprise is performing a naturally hazardous activity, its liability in the event of any damage is strict, but rather absolute since it isn't dependent upon any exceptions to the strict liability rule under *Rylands v. Fletcher*. Subsequently having a deterrent effect, the court determined that such enterprise could be held liable to pay harms to the degree of its capacity. Union Carbide Corporation's civil responsibility was fixed in the Bhopal case in the settlement case.

3.3.TYPOLOGY OF CORPORATE OFFENCES

Crime is the result of unethical issues. Immoral methods encourage crimes at various levels. Crimes also occur at the corporate level. There are three types of corporate crime.

For our motivation, corporate level crime is isolated into three general classes

- (1) crime involving employees (2) crime between firms and (3) crime against societies. A wide range of corporate crime is examined with a photograph.
 1. Crimes involving employees: A corporate crime may involve an employee and if a representative is included it will be more destructive to both the organization and the employees.
 2. Crimes between firms: Another kind of crime is against firms. For a situation, crime is against firms or associations
 3. Crimes against societies: This is the most perilous because these types of crimes afflict the whole society.
 4. Violence against employees: Six million workers working within the U.S.A died and 10,000 died within geographical points from wounds and 10,000 from delayed impacts of activity illnesses. Class estimations of company chiefs are reprimanded for the mind greater part of fatalities since they require active wellbeing and security standards or have been decided not to deliver sufficient standards.
- Therefore, the working class is more secure in the city than their positions. Two square measures for every individual slaughtered by a business person out and about, dead by their labourers.
5. Violence against shoppers: Thousands of hazardous items harm or murder customers every

³²[1868]UKHL1

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year. Every year 100,000 people square measure and 13,000 people die for good disabilities.

The marketing of the product within the accumulation is another important issue to consider.

6. Corporate pollution: The last public furthermore encounters savagery within the contamination and types of elective new crimes. There the class measures the crimes of many alternatives ignorant. However, they are all committed to profit and they have all hurt the setting.

CONCLUSION

In the present time corporations are carrying out hazardous activities at large scale. With globalised multinational corporations with huge capital are in dominating position. As such there is a need to reinforce the corporate criminal law to meet the new situations.

With the liberalisation of economic policies the corporation shave started operating on larger scale and at the global level cross border Merger, Acquisitions of Corporations are taking place to diversify business with increased synergy, accelerated growth, tax benefit and improved profitability etc. With the enactment of Competition Act, 2002 the India has modified its policies from putting curbs to promoting competition at the national and international levels. However, with the increasing dominance of large-scale corporations in every sphere of life there is a requirement for developing a sound system to put a check of on corporate crime and criminality.

REFERNCES

- AhmadSiddique, 'Criminlogy,' AfzalQadri,(Ed.), (5thEd.), (Lucknow:EasternBookCompany 2007),p.32.
- AngiraSinghvi, 'Corporate Crime and Sentencing in India: RequiredAmendments in Law', International Journal of Criminal Justice Sciences, vol.1, July2006.p.4.
- Atiyah.P.S., VacariousLiablity in the Law of Torts,(Butterworth &CoPublicationLtd, 1967),p.2.
- Avtar Singh Company Law, 14th Ed., Eastern Book Company, Luck now,(2004)pp.2-3.
- BöseMartin, CorporateCriminalLiabilityinGermany, IusGentium-

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Comparative Perspective on Law and Justice, Volume 9, Springer (2011), at p. 227

Celawells, Corporation and Criminal Responsibility, (2nd Ed). (New York: Oxford University Press Ltd, 2001), p. 156

Corporate criminal liability was reintroduced after it had been removed in 1934. See also, Robinson A. A., 'Corporate Culture' as a Basis for the Criminal Liability of Corporations (2008).



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