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Transnational Gold Smuggling in Chennai International Airport: A Content Analysis

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Abstract

Gold smuggling is a fancy word which everyone comes across in cinema, TV and newspaper. It is a transnational crime that happens via land, sea and airways. Transnational gold smuggling is an unorganized crime which is executed by the smuggling syndicates internationally by recruiting carriers/couriers – in Tamil ‘kuruvi’ or ‘kokku’ as code word. These carriers all are not smugglers by profession. The gold smuggled in to Indian territories are mostly from West Asian countries like UAE, Saudi Arabia, etc; South and Southeast Asian countries like Sri Lanka, Myanmar, Bangladesh, Singapore, Malaysia, Thailand, etc. Chennai city international airport is one such hot spot, prone to rampant transnational gold smuggling. Gold smuggling cases in the Chennai airport has become a series of endless crime, even during the corona pandemic emergency lockdown. The gold smuggling cases through airports are caught and dealt by customs inside the airport according to Customs Act 1962; and by DRI officials in and outside the airport. The objective of this paper is to profile and analysis of the MO of this transnational crime. This paper is based on latent content analysis a qualitative methodology. The authors have collected secondary data published in newspapers (Indian dailies) from the October 2018 to March 2020. The data collected are ascertained and presented for readers to infer profile and analysis of the MO of the gold smuggling in India.

Keywords: Gold Smuggling, Carriers, CA1962, transnational crimes, modus operandi.

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Introduction

In India, gold is considered a symbol of pious, sacred, godly, good luck and most precious metal. India has about 20,000 tons of gold resting in private hands. Ironically this is more than the combined gold reserves held by the central banks of the US, Eurozone or China and yet India is branded as a poor nation. Indian's craving and desire for this precious metal dates back to several hundred centuries. India has rightly earned the sobriquet of the golden bird despite not having huge reserves of gold in its mines. Roman writer Gaius Plinius Secundus (AD 23/24 – 79), also called as Pliny was a Roman author and philosopher, in his work criticized then about India draining all gold from the empire in lieu of fine fabric and spices. The Indian trade practices including Barter helped India to gain gold in every hold from the kings' treasuries to temples in the country. In addition, there would be negligible amount of people who do not use this in some form or other. Two thousand years after Pliny, India still witness one-third of all gold movements happening through its borders, says Canada-based group IMPACT in its assessment (Martin, 2019).

It is estimated that up to one-fifth of the total volume of gold entering India arrives through illicit trade which predominantly involves smuggling. India imports around 800 tons of gold every year while the annual consumption is around 1,000 tons. This suggests that up to 200 tons of gold is being smuggled into the country (Dutta, 2020). Seasoned observers opine that India has recently seen an upsurge in gold smuggling, which was rampant during the decades before liberalization and opening up of Indian economy in 1990s.

The economic reforms ushered by then Prime Minister Shri PV Narasimha Rao and his Government in the 1990s had repealed the draconian Gold Control Act of 1960s that prohibited all import of gold except for jewelry. This law led to the emergence of the active notorious network of gold smugglers, as the lust for gold remained among the Indian populace and there was a great gap in the demand and supply ratio. Then introduced reforms led to a cap of Rupees 450 per 10 grams on the duty imposed on the precious metal, bringing gold smuggling almost to a grinding halt. The rate of gold started rising in 2013 when the government shifted from fixed rate to ad valorem, which is a tax based on the assessed value of the item, and within two months, the duty on gold increased four-folds. From then import of gold attracted a hefty customs duty of 12.5 per cent (raised last year from 10 per cent), a GST of 3 per cent, and an additional GST of 5 per cent on making of gold ornaments.

Against this backdrop and with highest interest for gold among Indian people, a higher rate of taxes incentivized smuggling of this metal. It is widely estimated that there is a profit of Rupees (Rs) 6 lakhs on every kilogram (kg) of smuggled gold over and above that's imported through legal routes (Dutta, 2020). With the price of gold crossing Rs 50,000 for 10-grams, illicit trade becomes all the more profitable and hence there is a definite spurt in gold smuggling. One of the main modes of gold smuggling is using of human couriers and using the aerial route. Because of this reason that the Chennai International Airport sees a huge flow of gold mostly through clandestine means.

Methodology

This paper is based on qualitative methodology which involves collecting and analyzing non-numerical data (e.g., text, video, or audio) to understand concepts, opinions, or experiences. It can be used to gather in-depth insights into a problem or generate new ideas for research. The empirical research form was adopted which is based on observations as directly observed by the researchers. The study has been cast using latent content analysis from a largely circulated English daily newspaper in India titled 'Times of India' (Chennai edition). This research primarily focuses and lays emphasis on transnational crime involving gold smuggling from foreign countries to India through the medium of air. The cases apprehended in Chennai Anna international airport, Meenambakkam are being used as data for this content analysis which are primarily extracted from the Newspaper. This paper is intended to profile and analyze the modus operandi of the gold smugglers and to categorize the pattern of crime committed in Chennai International Airport by passengers with special reference to gold smuggling. The so called smugglers or ('carriers'/'couriers') are locally termed as '*kuruvi/kokku*'- a slang in Tamil to denote couriers/ carriers. The main objective of this paper is to focus on the modus operandi of the transnational gold smuggling in Chennai city international airport. The data collected from newspaper may be short of actual cases in numbers, as there is a chance of a greater number of incidents remaining unreported. Hence, the number of cases, quantities and persons involved in gold smuggling would be higher, if unreported cases are added.

In the course of writing this paper the authors had taken some pertinent questions in consideration to analyze the code of the perpetrators of smuggling and how is it being smuggled. The objective is to derive the above answers on the data verified from the 165 newspaper articles dating from October 2018 to March 2020. The aim is to categorize the pattern of the crime and the modus operandi involved in gold smuggling through airlines; place a profiling and derive on a short analysis from it. To derive at a short analysis and profiling of the modus operandi, the latent content analysis is being used by the authors for classification. A mixture of descriptive and comparative method of content analysis technique is being used (attempted) to ascertain the numbers Indians and the number of foreign nationals involved, thereby drawing a comparison of Chennai airport with other Indian airports, and to illustrate the rare cases observed by the other reports.

Conceptual Framework

Smuggling is broadly defined as "the clandestine import of goods from one jurisdiction to another" (Deflem & Henry-Turner, 2001). The World Customs Organization (WCO) glossary defines smuggling as, a customs offence consisting of the movement of goods across a customs frontier in any clandestine manner, thereby evading customs control. Smuggling, therefore, falls under the category of a criminal offense of bringing into or removing from a country those items that are prohibited or upon which customs or excise duties have not been paid (Merriman, 2002). According to the Customs Act, 1962 the term "smuggling" has vast connotations and means "any act or omission which will render such goods liable for confiscation under Sections 111 and 113 of the said Act." Smuggling of gold is deemed as a crime in India. Whomsoever, it may be according to Customs Act

1962 (CA, 1962) found in possession of gold without valid documents (papers) would be considered as illegal or smuggled and the person is liable to be arrested and the gold be it in any form will be confiscated.

In 1991, UN's Commission on Crime Prevention and Criminal Justice (CCPCJ) classified the following crimes as transnational crimes:

1. If the crime is committed in more than one State
2. If the crime is committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State,
3. If it is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State,
4. If it is committed in one State but has substantial effects in another State. Gold smuggling in airways falls under the category.

Gold stands the test of time in India

In India, gold is revered as divine and auspicious. As a sign of prosperity or an auspicious asset, gold is intrinsic part of Indian society. The Indian mythology describes gold as a metal that represents, '*Goddess Lakshmi*'-the goddess of wealth; and yet another associates gold to '*Kubera*'-the god of wealth and also the son of Lakshmi. There is an ardent belief in certain Indian communities that gold is not to be worn below the hip as an ornament, as it is considered as an element of "*Lord Vishnu*". In Indian astrology it is believed that gold is an element of planet 'Jupiter' signifying '*Guru*'. An auspicious day celebrated in India called '*Akshaya Thrithi*', and it is believed that buying gold on that particular day would usher prosperity and invoke the blessings of goddess Lakshmi, Kubera and Lord Vishnu.

Sangam epics too gave detailed description of gold ornaments (like Pullakkam, Maharapakuvai, and Uvantakam Valampuri) and individual pieces play a critical role in the dramatic arc, such as Kannagi's anklet, Kovalans ring in Silapathigaram or the girdle from which Manimegalai gets its name. A flattened golden headpiece found at the Adichanallur archeological site in 2018 is perhaps the earliest extant piece of gold jewellery in Tamil Nadu (Gupta, 2020).

Over the years India's infatuation with gold has only grown stronger with Indian's accounting for most of the gold consumed globally. Gold, in Indian history is rated more than an investment, and it is a culturally significant metal which has found a place in Indian hearts and homes alike. It is true that a vast majority of the Indian population survives on meagre resources, but despite this they find ways to buy gold and make it an integral part of their lives, irrespective of gold rates in their city/town. Gold has takers across the length and breadth of our nation.

Gold Consumption and Production in India

The South Indian region consumes about 40% of gold in India (Krishnakumar, 2011). India ranks 10th in the foreign reserves of gold holding in the world, which translates to 557.5 tones (Times of India, 17, April 2018). The state of Kerala by itself consumes a whopping 75 tons of gold valued at a staggering Rupees 20,000 crores out of the 650 tons of gold sold in India and also houses some of Asia's largest gold showrooms (Radhakrishnan, 2011). The state wise expenditure is appended in this chart below:

Chart 1: Kerala's craze for the barbarous relic

Per capita expenditure on gold ornaments is the highest in Kerala by miles

Monthly per capita expenditure on gold ornaments (in Rs)

Seven states with the highest expenditure on gold ornaments

Rural		Urban	
Kerala	208.55	Kerala	189.95
Goa	34.07	Tamil Nadu	44.86
Karnataka	28.01	Haryana	33.2
Himachal	25.33	West Bengal	31.82
Tamil Nadu	22.2	Gujarat	29.62
J&K	21.87	Chhattisgarh	27.22
Punjab	19.90	Karnataka	26.89

Seven states with the lowest expenditure on gold ornaments

Monthly per capita expenditure on gold ornaments (in Rs)

Rural		Urban	
Bihar	2.46	Bihar	7.53
Assam	1.35	Goa	7.46
Nagaland	0.8	Jharkhand	3.76
Meghalaya	0.74	Nagaland	2.4
Jharkhand	0.38	Mizoram	1.92
Mizoram	0.16	Meghalaya	1.35
Sikkim	0	Sikkim	0

Chart 2: Gold glitters for the rich

The expenditure of the richest 5% on gold ornaments is many times that of the middle percentiles

Monthly per capita expenditure on gold ornaments (in Rs)

12 (richest 5%)	216.17
11 (next 5%)	34.84
10 (next 10%)	10.71
9	8.41
8	2.73
7	2.18
6	1.05
5	0.82
4	0.67
3	0.17
2 (poorest 5-10%)	0.52
1 (poorest 5%)	0.1

Graphic by Prajakta Patil/Mint

Source: NSSO

Source: Chakravarty, M., *Live Mint*, 2020

Despite the fact that India doesn't own gold mines compensating with its demand, India's consumption of gold ranks second in the world after China (Ravi, 2020). According to India Gold Council data, India imported 831 tons of gold in the year 2019 (Babu, 2020).

Havens for gold smuggling

The period from 1970's to 1990's was notorious for smuggling gold inside the country and Mumbai was identified as the hot spot for such activities. The gold smuggled into India alone stands at 95 tons as per the information of the officials from World Gold Council, but the India's Associations of Gold Refineries contradicts that claim and observes that the actual gold smuggled in to the country is many times higher than proclaimed (The Economic Times, 26, July 2020). India has a cursed geography forced to share borders with 6 countries. India's porous borders with renders it vulnerable to nefarious activities including smuggling. On similar lines the sea borders particularly the South-Eastern part of Tamil Nadu stands out for gold smuggling via the maritime domain due to the close proximity to Sri Lanka. Kerala enjoys the top spot for gold seizure according to the customs commissioner in-charge of Kerala and Lakshadweep (Babu, 2020). Kerala probably ranks high due to the operation of 4 international airports in the state. During the preceding financial year, the four airports yielded 550 kg of gold in seizures. It has been brought out that 30 percent of Kerala's gold demand is met by smuggling gold in (Babu, 2020). Koduvally, a village near Kozhikode, is termed as the 'gold village and known as the paradise of gold smugglers in India. The remittance of Rs. 40000 crores annually by its 20 lakhs strong non-residents settled in the gulf and the US, makes investment in gold attractive and thereby resort to purchase of smuggled gold (Radhakrishnan, 2011). Tamil Nadu being the neighboring state to Kerala faces the

domino effect of gold smuggling and gold is smuggled in to the state through roads and rails.

Table 1: Gold Seized in kg from Transnational Gold Smuggling from Kerala from October 2018 to March 2020			
Districts & Some Place of Kerala	Year		
	2018	2019	2020
Ekarool	-	1	-
Ernakulam	-	1	-
Kasargod	-	1	-
Kozhikode	-	4	3
Kumbalangode	-	-	1
Malapuram	-	1	-
Thiruvananthapuram	-	1	1
Total	-	9	5

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

IMPACT an international non-governmental organization in its report in 2019 has brought out that 1000tonnes of Gold imported into India remains unaccounted. The executive director of IMPACT Lebert has stated that India is the heart of the web of illicit trade of gold (Deol, 2019).

The merchants of Indian origin use both air and road links to Nairobi and then export the yellow metal to UAE, thus legalizing the whole procedure. The DRI officials based in Delhi and Mumbai, brought out that the Indian refiners and exporters buy the gold from Mwanza, a town notorious for illegal gold trade and move it from Mwanza to Dubai via Kampala, Nairobi, Zanzibar and Dar Es Salaam. The gold from Dubai lands up India. Unconfirmed reports talk about 200tonnes of gold were brought into India by 8 Indian merchants totaling 1600tonnes in the fiscal year 2017-18 alone (Ray, 2019).

Transnational Gold smuggling in Chennai- Grip of the yellow metal

Chennai is the capital city of Tamil Nadu and one of the three cities in Tamil Nadu with an international airport. Chennai is also a port city and one of the 13 coastal districts of Tamil Nadu. In 2019, during the general election canvassing, a random vehicle checks yielded 115 kgs of gold amounting to Rs.25 crore (Daily Thanthi, 24 March 2019, p.2). Chennai city airport plays a huge role in gold smuggling as it experiences a high frequency of direct flights connectivity to and various foreign countries. The problem of arresting the illegal entry of gold into Tamil Nadu is a 24/7, year-long activity involving multiple agencies. The presence of a ready market for contraband gold further compounds the problem. When a kuruvi, (transporter), accepts the assignment of smuggling one kilo of gold worth around Rs.30 lakhs, he tends to make between Rs. 20,000 and Rs. 30,000 approximately.

The smuggler's consignment varies from 200 gm to 1 kg, as per the demand and the quantum of personal risk. The amount the courier earns is a pittance compared to the

profit made by bigger players. The possibility of the courier ending in jail looms large and for continuance of smuggling yet another youth would be lured to do the job with false promises and sky-high hopes. But for the kingpin's which includes the manufacturing units, the smuggling of yellow metal needs to continue as it forms the backbone of gold industry in the country. "Without this dubious 'supply chain', which functions on trust and without bills and GST, it is very difficult to survive in this industry now," a senior executive of a gold firm pleading anonymity confessed. He implied that a supply chain indulges in illegal business practices which include purchase of smuggled gold. Of the total 'margin' of nearly Rs.5 lakh, one makes by avoiding various duties to the tune of 17 per cent by smuggling one kg gold, everybody gets their share of the booty (DT NEXT.in, 06 October 2017). The last buyer or the finished gold manufacturing unit is said to be the biggest benefactor of the entire network.

There are cases when gullible air passengers are hoodwinked into carrying gold without proper documents. The Government of India rules on carrying gold stipulates that a passenger who has lived outside the country for up to 6 months would be allowed duty free clearance up to a weight of 20 grams or Rs. 50000/- (for men) and 40 grams or Rs.1 lakh (for women); and those who return after 6 months of stay abroad have an upper ceiling of 1kg of gold limit by paying 11% customs duty (Prabhakar, 2019). They are fed false information on the laxity of the customs personnel and are assured that they can go through the mandatory customs checks easily.

The newer recruits are willing to work for a pittance of the amount that a veteran courier would charge, and their carrying fees are as low as Rs.2000/- for a male and Rs.5000/- for a female. This change of tactics by the smugglers by inducting first time travelers has put the customs officials on tenterhooks (Prabhakar, 2019). There is also the role played by the banks in this entire gambit of operation. With banks playing not so friendly role when it comes to import of gold, the manufacturers are forced to use smuggled gold. The government of India may take note of this, lacunae and amend rules accordingly.

Among South Indian states, Tamil Nadu has the highest number of buyers. So, Chennai had, has and have been always the destination of smuggled gold. Insiders in the finished gold manufacturing sector say that gold smuggling increased after the Indian government increased the import duty in 2013 to curb gold import (DT NEXT. In, 06 October 2017).

Transnational Crime via Chennai Airport; Gold Smuggling Carriers: Nothing distracts like glitter

It is always the same gang that; procure gold abroad to smuggle to India. They use different carriers to take gold to India. They also use different routes and different modus operandi to make sure that the yellow metal finally reaches the manufactures in Tamil Nadu," sources in customs department said. The smuggling of gold is happening more via road and sea from neighboring countries like Myanmar and Sri Lanka (DT NEXT.in, 06 October 2017).

The Directorate of Revenue Intelligence (DRI) officials, opines that the smugglers regularly involve the air routes to smuggle gold (Ray, 2014). In some cases, airport

officials assist in smuggling of gold (Prabhakar, 2020), What comes under the scanner of enforcement agencies are not even 10 per cent of the actual gold smuggled into the country, an officer confessed adding that ‘gold operators’ in certain airports function after seeing the duty roster of customs officials. “The smugglers decide on time of landing only after making sure that ‘friendly’ customs officers are on duty,” another officer added (DT NEXT.in, 06 October 2017). This dangerous trend is extremely unhealthy says, a top official at the Gems and Jewellery Export Promotion Council (GJEPC), a Mumbai-based body of the Indian Commerce Ministry (Ray, 2014).

Techniques and Tactics

Liquid gold

The smugglers adopt a novel way of carrying gold melted in acid, which is passed off as toilet cleaner. The yellow-orange colour solution when tested and was found to contain gold dissolved in aqua regia solution, a mixture of nitric acid and hydrochloric acid. The gold is later extracted by way of heating the solution in small parts on a clay plate over a charcoal fire (Prabhakar, 2017).

PC circuit board

The computer circuit board is used where the transformers are embedded with pieces of gold. When unscrewed, the power supply unit’s six transformers facilitate the process with pieces of gold embedded in it.

Rubbery Spread

The gold is wrapped in red/black/brown/white colored adhesive tapes highest and this is the most popular forms of gold smuggled. The gold is powdered, then made as a paste and wrapped in an adhesive tape material. In most cases it will be in red color poached bundles, which is ultimately stuffed inside the carrier’s anus; or inside the under garments of both men and women. The material hidden inside a secret pocket in a custom-made jean pant where the waist line gap is used to stuff the gold. Table 3 shows amplifies the gold smuggled kept inside the anal passage (rectum) of human body.

Dresses and Baggage’s

The gold is hidden as small bits, or gold balls and semi unfinished chains. The gold is hidden in secret compartments on specially stitched dresses and shoes. The gold is sometimes hidden in the sanitary pad (napkin) by the lady passengers. The specially made baggage’s secret compartment of suitcases, carry bags, ladies hand bags, and trolley are also used extensively. Table 4 shows the gold smuggled through dresses and baggage’s.

Specially molded and infused

This mode involves electrical/electronic home appliances like mixer-grinder, juicer, microwave, pasta maker, coffee maker, murukku maker, gas stove, spoon handles, meat handle lever, shaving razors, ceiling fan, hammer heads, water motor pump, hair dryer, hair straighteners, wrist watches nebulizer, radios, TV, bolts, LED rechargeable emergency lights, red emergency lights, play stations box, joysticks, hard disk, refurbished laptops,

SIM card cutter, Bluetooth speakers, woofers, boom box, mobile phone cover, biscuit tin, bolt fasteners, to name a few. The above mentioned are the mode of which were caught repeatedly by the officials.

Face cream

Some gold carriers bring small containers of a branded cream with button-sized gold pieces concealed in it.

Baby shoes

Innocent looking children's cuddly toys and even their shoes are sometimes used as the perfect product to conceal the contraband in the hope that such items would pass scrutiny and security check.

Toys/key chains

They also use pens, baby sandals, baby shoes, key rings, toy cars, paper clips which are coated with nickel. Under the cover of nickel, gold remains concealed.

The smugglers invariably select a person who is without a job and use them during the critical phase when the economy is reeling under the onslaught of covid-19. The desperate in order to make quick money they fall prey to the calls of the smugglers. A female passenger with a baby in arms was found carrying a water bottle made of gold. These are the devious methods that the smugglers would adopt to execute smuggling operations (Babu, 2020). The current market rate for 1 Kilogram of gold is Rs. 32.55 lakhs and the customs duty for gold brought from outside the country is 38.5% which would tantamount to Rs.12.53 lakhs (a straight profit) by of avoidance of the custom duty and tax for smuggling one kilogram of gold. A carrier can be arrested if found in possession of 615 grams of gold which is slightly over the authorized carriage. To circumvent this problem the smugglers would hire more than 20 carriers and distribute the gold less than 600gms to each person which will still be cost effective for them. The customs had analyzed the modus operandi of the smuggling pattern and observed that mostly the arrested couriers travel along with their ring leader in the same flight (Prabhakar, 2019). The president of all India Gem and Jewellery Domestic Council, had opined "that a regular tourist wearing a gold chain weighing 100 grams can evade tax to the tune of Rs. 80,0000/, simply implying that getting 16gms of gold by tax evasion is much higher than two-way ticket fare for Dubai" (Prabhakar, 2020).

**Table 2: Gold Seized in kg at Chennai International Airport from
October 2018 to March 2020**

Month	2018	2019	2020
Jan	-	11.574	12.467
Feb	-	7.835	32.118
Mar	-	7.489	11.105
Apr	-	27.179	-
May	-	33.629	-
Jun	-	7.782	-

Jul	-	10.444	-
Aug	-	6.002	-
Sep	-	14.742	-
Oct	4.040	8.980	-
Nov	5.078	57.859	-
Dec	9.016	21.041	-
Total	18.134	235.597	60.690

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

This mode of gold smuggling is time consuming and involves a huge effort for the smugglers to prepare the consignment. Table 5 shows the data of gold hidden in electrical/electronic and other home appliances in various form

Transiting Gold in Flight

The smugglers take advantage of those airlines which clubs the international and domestic routes in the same flights. A set of couriers smuggle gold aboard and keep the gold hidden inside the aero plane toilets, or under the flight passenger seats and another set of carriers board the same flight and take the consignment casually. Sometimes the carriers out of nervousness or fear of getting caught throw the gold somewhere else, for example on 02, February 2019 gold wrapped with adhesive tape in a white bundle found in garbage of airport immigration and arrival hall connecting area. The data in the table 6 shows this modus operandi with forms of transnational gold smuggling.

Abuse of Power by Officials

There are a few cases which has come to light wherein customs officials, or contractual staff working in airport getting caught for their involvement in gold smuggling. This modus operandi is relatively easy as it cannot be caught during the surveillance. Invariably the vigilant officers would have been bought over by the smugglers and thereby render help to get away with the gold. Table 7 shows the data of customs and airport officials accomplish for transnational gold smuggling.

Table 3: Mode of Hide –Modus Operandi – No. of Cases the Persons used Human Body for Transnational Gold Smuggling; Year Wise distribution from October 2018 to March 2020			
Human Body Parts	Year		
	2018	2019	2020
Rectum/Anal	4	72	24
Stomach	0	1	0
Mouth	0	1	0
Total	4	74	24

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

Table 4: Mode of Hide – Modus Operandi – No. of Cases the Persons used their Dresses for Transnational Gold Smuggling; Year Wise distribution from October 2018 to March 2020

Dresses	Year		
	2018	2019	2020
Dresses	1	40	9
Baggage's	3	21	6
Total	4	61	15

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

Table 5: Mode of Hide – Modus Operandi – No. of Cases the Persons used Electrical/Electronics, Sports & Home Appliances items for Transnational Gold Smuggling Year Wise distribution from October 2018 to March 2020

Year		
2018	2019	2020
7	23	10
Total No. Cases 40		

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

Table 6: Mode of Hide – Modus Operandi – No. of Cases Left Gold in Flight Seat/Cushions/Life Jackets in Airplane/Toiletries of Flight and Airport Area for Transnational Gold Smuggling; Year Wise distribution from October 2018 to March 2020

Year		
2018	2019	2020
3	9	1
Total No. of Cases 13		

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

Table 7: Modus Operandi – No. of Cases used Abuse of Power by Airport & Customs Officials Accomplishing for Transnational Gold Smuggling; Year Wise distribution from October 2018 to March 2020

Year		
2018	2019	2020
3	1	1
Total No. of Persons 5		

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

Human Body: A Mine of Smuggled Gold

Humans as a medium of smuggling is high compared to other forms of transnational gold smuggling cases apprehended in the Chennai airport. The use of human body (rectum) for gold smuggling involves both men and women. A group of 9 persons travelling in the same flight from Sri Lanka (Colombo) including 5 women were caught in May 2019 for smuggling gold using the same operational procedure. The cases of foreign nationals from Sri Lanka and Malaysia, who smuggle gold using their rectum is shown in table 11.

Table 8: Mode of Hide - No. of Cases caught used Human Body (Rectum) for Transnational Gold Smuggling; Month Wise distribution from October 2018 to March 2020			
Months	Year		
	2018	2019	2020
January	-	-	13
February	-	-	10
March	-	1	1
April	-	9	-
May	-	13	-
June	-	1	-
July	-	8	-
August	-	8	-
September	-	10	-
October	-	8	-
November	2	2	-
December	2	12	-
Total	4	72	24

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

Table 9: Gold Seized in kg using Body (Rectum) as Modus Operandi for Transnational Gold Smuggling; Month Wise distribution from October 2018 to March 2020			
Months	Year		
	2018	2019	2020
January	-	-	11.415
February	-	-	12.680
March	-	1.258	1032
April	-	10.632	-
May	-	8.340	-
June	-	1.870	-
July	-	8.461	-
August	-	5.579	-
September	-	4.626	-

October	-	7.068	-
November	2.698	1.064	-
December	751	8.627	-
Total	3.499kg	57.525kg	25.127kg

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

Table 10: No. of Men & Women who used their Body (Rectum) as Hide – Modus Operandi for Transnational Gold Smuggling; Gender wise distribution from October 2018 to March 2020			
Gender	Year		
	2018	2019	2020
Men	19	159	43
Women	2	29	4
Total	21	188	47

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

Table 11: Gold Seized in kg for Transnational Gold Smuggling from foreigners (Both Men & Women) using Human Body (Rectum) as Modus Operandi; Year wise distribution from October 2018 to March 2020			
Countries	Year		
	2018	2019	2020
Malaysia	-	3	
Sri Lanka	-	9	10
Total	-	3	10

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

Foreigners: The New Gold Smugglers

The study of the customs seizure data brings out that during the preceding 5 years and the number of foreigners (both men and women) involved in gold smuggling are increasing. The number of Indians who were hitherto involved in gold smuggling have slightly decreased as the corresponding number of foreign smugglers have increased two-fold in the year 2018-19. The arrested foreigners are mostly from UK, China, Thailand, Hong Kong, Korea and Sudan (Times of India, 19 May 2019, p.6). The Indian origin foreign smugglers mainly hail from Singapore, Malaysia and Sri Lanka. The source countries are Dubai, Abu Dhabi, Saudi Arabia, Kuwait, Myanmar, Doha, Colombo, Thailand, Singapore, and Malaysia.

Table 12: Gold Seized in kg for Transnational Gold Smuggling by foreigners (Both Men & Women); Year wise distribution from October 2018 to March 2020			
Countries	Year		
	2018	2019	2020
Ethiopia	-	1	-
Malaysia	-	7	2
South Korea	-	2	-
Sri Lanka	5	17	23
Sudan	-	1	-
Total	5	28	25

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily from October 2018 to March 2020

Current Scenario

There are incidences that evident even during the covid-19 emergency lockdown both in Rajasthan and Kerala that the pandemic is not an impediment to smuggling. In Jaipur (Rajasthan) airport on 3, July 2020 14 passengers were arrested for smuggling in gold bars hidden inside the emergency battery compartment from UAE and Saudi Arabia. The total seizure amounted to 32kg which had a market value of Rs.15.67 lakh, and this apparently is the biggest seizure in the past 20 years (Times of India, 05 July 2020, p.9). Sometimes gold is melted into seed-shaped chips and hidden in dates (dry fruit) from Dubai, or ground into granules and mixed with other metals to look like ore.

After the enforcement of the covid-19 emergency lockdown, from 17 March 2020 there was a lull in gold smuggling due to non-operation of flights. The first case post covid-19 lockdown was observed in Chennai international airport and on 4 August 2020, 1.46kg gold worth Rs.82.3lakhs was seized by the air intelligence unit (AIU) and apprehended 2 persons waiting outside the airport who during interrogation confessed that the gold packets were handed over by 5 passengers who had arrived from Sharjah to Chennai (Times of India, 04 Aug 2020, p.2). The state continues to be staggeringly vulnerable with the smugglers adopting an endless bag of ideas and the latest of used a 'Covid' mask came to light by the alert DRI officials. This trend in smuggling during corona has bought a new element to smugglers innovations (Times of India, 11 November, 2020, p.5).

A Simple Analysis

These smugglers get caught by the vigilance officials (who are vigilant) on the exit of the immigration hall. In most of the cases they tend to get caught as they behave out of the ordinary and immediately come into the crosshairs of the waiting officials. The other observations include nervousness, evasive replies, exhibiting difficulty while walking, the statistics reveal that 20 cases were caught based on tip offs and the others through a series of informer networks, and 10 cases through sheer suspicion. The list also covers both first time and repeated offenders. They fall under the suspicious passenger, when their passports are scrutinized to observe a pattern of their multiple entry and exit from countries like Thailand, UAE, Singapore for frequent travelling. Though the couriers preferred to

remain under the radar by wearing incognito clothes they are invariably caught by alert officials (Prabhakar, 2019).

The experienced field officers would be able to find out just by observing the face of the carriers as the face would reveal signs of pain and the carriers who have stuffed the gold inside the rectum will tend to look very exhausted and their eyes would exhibit a deep reddishness. The gold in a capsule form would be inserted inside the rectum just a few minutes before the carriers he/she board the flight and the prolonged presence of the package inside the rectum would induce a lot of pain making it difficult to bear. These suspects once singled out, would be made to squat for few minutes which will make them confess the crime since they wouldn't be able to tolerate the pain (Times of India, 19 May 2020, p.6). These racketeers had even bought over law enforcement officials and there have been incidences where customs and airport officials are arrested for helping smugglers to escape from the immigration hall without checking in Chennai airport which is detailed in table 7.

The transnational gold smuggling continues to remain rampant due to the significant difference between international and domestic price of gold and other compelling factors like high import duty, purity and quality of gold compared to India. Immediately after the tax break in 2013 for gold ore (unrefined gold) the import of gold increased from 23 tons in 2012 to 229 tonnes in 2015 a staggering amount to say the least (Deol, 2019). This also encouraged the gold refinery sector in India. The propensity to smuggle now is very high because every time you increase the tax rate, incentives to smugglers shall increase proportionately.

End buyer of smuggled gold will be a big fish'

Similarly, the National Investigation Agency's (NIA) assumption is that a small financier cannot procure such a large quantity of gold. "A small gold smuggling racket cannot afford to procure 30kg of gold worth more than Rs. 14crore at a time. Likewise, the end buyer for whom the gold was brought will be a big fish. It is clear that there is a large syndicate behind it. The ministry of finance in parliament said Rs. 858 crores worth gold weighing 2,629 kg had been seized in this fiscal year (Prabhakar, 2020). Data shows Chennai airport topping the country in the list of seizures of smuggled gold by accounting for 15% of all the incidents involving gold smuggling in India. Chennai customs data shows 375 kg of gold worth Rs. 134 crores seized in 2019-20 in Chennai international airport which is an increase by 65% compared to year 2018-19 which is about Rs. 87crores worth of gold seized. As per an information sort through a Right to Information (RTI) response published by web portal the lede.in, in July 444kg of gold were seized from Kochi, Kozhikode, Kannur and Trivandrum airports in 2019-20; which has seen an increase by 69% compared to the gold seized in Chennai airport alone. As shown in table 13 the smuggled gold seized in all India airports versus Chennai international shows the Chennai as highly prone and a hotspot of transnational gold smuggling; thereby posing a direct threat to national security by damaging India's economic (Prabhakar, 2020).

Table 13: Comparison of Smuggled Gold Seized in All India Airports Vs Chennai Airport for the Year 2018-19 & 2019-20			
Year		Quantum of Gold in kg	Value in Crores
2018-19	All Indian Airports	2946	833.5
	Chennai Airport	271	87
2019-20	All Indian Airports	2629.5	858
	Chennai Airport	375	134

Source: Secondary Data Collected from Times of India, Chennai Edition News Daily, 15 September 2020

Smuggling syndicates have started exploiting the Covid-19 emergency situation where security tends to be lax as frisking physically may cause the examining person to contract Covid-19.

Conclusion

This paper tries to bring out the modus operandi adopted by the transnational gold smugglers who resort to smuggling gold using the human body as a medium through the airline travel. This fact is well known both to the media and the officials involved in its prevention but largely remains unknown to the general public. A short profiling method was adopted to understand the smugglers modus operandi in international airports where gold smuggling is rampant and the process involves using the human body as a front investment for their illegal activities. This paper also provides the basics of transnational gold smuggling and its modus operandi. The data related to it, which was taken from the newspapers can be studied, analyzed and researched in various dimensions and perspectives like socio demographic factor of the smugglers, destination, flight name and numbers, airlines, day, dates, hall markings and the source country from where gold is being smuggled into India by foreign national carriers and Indian, which would kindle researchers' interest and give policy makers a key suggestions and recommendations.

From the data presented earlier in this paper, we could infer that transnational gold smuggling is rampantly occurring in Chennai city international airport. Chennai airport incidentally happens to be the most vulnerable airport (hotspot) for gold smuggling. It has to be understood, the seriousness of this transnational smuggling poses a big security threat and is a cause for concern for the international society. The transnational gold smuggling has a direct bearing and impact on India's economy as crores of rupees of taxes are evaded thus opening the gate for unaccounted money, cases of money laundering and corruption that shall remain as fueling factors of transnational crime.

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