

Sixteenth Loksabha

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Title: Combined discussion on Statutory Resolution regarding Disapproval of The Fugitive Economic Offenders Ordinance and The Fugitive Economic Offenders Bill, 2018.

HON. DEPUTY SPEAKER: Now, Item Nos. 13 and 14 to be taken up together. Shri Adhir Ranjan Chowdhury – not present.

Shri N.K. Premachandran.

SHRI N.K. PREMACHANDRAN (KOLLAM): I beg to move the following resolution: -

“That this House disapproves of the Fugitive Economic Offenders Ordinance, 2018 (No. 1 of 2018) promulgated by the President on 21<sup>st</sup> April, 2018.”

THE MINISTER OF RAILWAYS, MINISTER OF COAL, MINISTER OF FINANCE AND MINISTER OF COPORATE AFFAIRS (SHRI PIYUSH GOYAL): I beg to move:

“That the Bill to provide for measures to deter fugitive economic offenders from evading the process of law in India by staying outside the jurisdiction of Indian Courts, to preserve the sanctity of the rule of law in India and for matters connected thereto or incidental thereto, be taken into consideration.”

Sir, in the Budget 2017-18, the hon. Finance Minister had announced that the Government was considering to introduce legislative changes or probably even a new law to confiscate the assets of absconders who do not submit to the rule of law in India but actually go abroad leaving the country. There have been many instances of such economic offenders fleeing the jurisdiction of Indian courts anticipating the commencement or during the pendency of such criminal proceedings. When these economic offenders leave the Indian jurisdiction, it causes several problems. On the one hand, the existing civil and criminal provisions of law are not entirely adequate to deal

with the severity of the problem and, on the other hand, there is no effective, expeditious and Constitutionally valid deterrent to ensure such people do not run away from the law.

This Bill makes provisions, after 70 years of Independence, for a Special Court where such fugitive economic offenders will be declared as such and against whom an arrest warrant can be issued. They can be brought back to India and they can be tried for the criminal prosecution, whatever offences they have committed in India. Such people who do not submit to the rule of law, all the properties of such people, whether they are proceeds of crime or even otherwise, they can all be confiscated by the Government so that we do not overburden the courts. We have initially brought it for all such cases where the amount involved is more than Rs. 100 crore. This Bill also provides attachment of property of these fugitive economic offenders, confiscation and disentitlement of such fugitive economic offenders from defending any civil claims for this property.

I believe, this is the first time a Government has brought in a law to effectively bring back to India such economic fugitives who are evading the process of law. I do hope the hon. Members and this House will support the efforts of this Government to bring about not only deterrence but also the highest level of punishment to such economic offenders.

In view of the above, I commend this august House to consider and pass this Bill.

HON. DEPUTY SPEAKER: Motions moved:

“That this House disapproves of the Fugitive Economic Offenders Ordinance, 2018 (No. 1 of 2018) promulgated by the President on 21<sup>st</sup> April, 2018.”

“That the Bill to provide for measures to deter fugitive economic offenders from evading the process of law in India by staying outside the jurisdiction of Indian Courts, to preserve the sanctity of the rule of law in India and for matters connected thereto or incidental thereto, be taken into consideration.”

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): Yesterday, in all-Party meeting, we had requested the Minister of Parliamentary Affairs to refer the Bills which are coming before the House to the Standing Committees. He said, every Bill is going to the Standing Committee and without sending them to the Standing Committees we have not passed them. That is what he openly told.

Today, you are introducing and you are not keeping your own words. What is this?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI ANANTHKUMAR): Sir, this is an Ordinance. He very well knows, he is a very seasoned Parliamentarian, that all the Ordinances will directly come to the House and they will not go to the Standing Committees. ... (*Interruptions*)

SHRI MOHAMMAD SALIM (RAIGANJ): Ordinances are there to bypass the Parliament. ... (*Interruptions*)

SHRI MALLIKARJUN KHARGE : Just to avoid all these things, you are doing it. You have brought all the six Ordinances in our absence just not to discuss here, not to send to the Standing Committees, not to send to the Joint Committees. ... (*Interruptions*)

SHRI N.K. PREMACHANDRAN(KOLLAM): As Leader Shri Mallikarjun Kharge has rightly stated, during this gap of three months, you have issued six ordinances. The second half of the Budget session was washed out. The session was washed out not because of the Opposition. Most of the Oppositions parties were ready to have debate and discussion in the

House but unfortunately those political parties which are supporting either directly or indirectly this NDA Government, were disturbing the House. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Shri Premachandran, you can continue tomorrow.

The House stands adjourned to meet on Thursday, the 19<sup>th</sup> July, 2018 at 11.a.m.

*The Lok Sabha then adjourned till Eleven of the Clock*

*on Thursday, July 19, 2018/ Ashadha 28, 1940(Saka).*

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\* The sign + marked above the name of a Member indicates that the Question was actually asked on the floor of the House by that Member.

\* Not recorded

\* Not recorded

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\* Not recorded

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