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19/07/2018

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The Fugitive economic offenders Bill 2018 may deter fraudsters fleeing the Country, but its draconian provisions might also be misused. Discuss Critically.

The Fugitive economic offender bill, 2018 is applicable only to those cases where the offence is more than 100 cr. In order to declare a person an economic offender an application will be filed under Special Court formed by Prevention of Money Laundering act and a time of 6 week would be given to the accused to face Prosecution.

The bill also empowers the administrative authority to Confiscate the assets, even benami property which is located both domestically and Internationally even before the case has been adjudicated and trial is pending. It also empowers the authority to auction their asset which were kept as security to recover the amount lent by the lender.

The bill doesnot allow the offender to appeal in any court or file a civil suit. This provision of the bill is against the fundamental right of Indian Constitution, of Right to Justice. The provision to Confiscate the property before their trial Seems to work

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on the principle of "guilty until proved Innocent". There is no Safeguards against harassment and planting of false evidence as authorities do not require a Search warrant or presence of witness before Search.

Thus by providing faster and Speedy trial to big offender will deter the Small offenders. And provision like house arrest of offenders under Investigation must be done to prevent them from fleeing the Country. The bill will deter those who Commit economic offence and to ~~sustain~~ will help to Sustain the economy.

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