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30th July, 22

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With Shubham Singla



SC Verdict on Prevention of Money Laundering Act Core Provisions



Relevance: Prelims & GS Mains Paper II & III

PMLA, 2002

- The objective of the act is to prevent money laundering and provide for punishment and confiscation of property derived from money laundering.
- Money laundering is a process of concealing the source of money usually earned through illegal activities or is otherwise black money. In other words, illegal money is introduced into the financial system and made to appear as if it is earned from a legal source.

Salient Features of PMLA

1. The act provides punishment for indulging in money laundering or facilitating money laundering with rigorous imprisonment from 3 to 7 years and a fine without any upper limit.
2. The property acquired through money laundering shall be confiscated by the Government of India.
3. The order of the executive agency under the act can be challenged before an appellate tribunal and the order of appellate tribunal can further be challenged before a High Court.

SC Verdict on Prevention of Money Laundering Act Core Provisions



Relevance: Prelims & GS Mains Paper II & III

PMLA Provisions considered strict

1. Statement recorded by an officer is admissible as evidence in court. Such powers are not available to the police under the Criminal Procedure Code (CrPC).
2. The Director, ED, can pass orders to provisionally attach property belonging to an accused (not guilty) if she/he is convinced that this has been purchased with the proceeds of a crime under a scheduled offense.
3. Burden of proof is on the accused to explain the source of acquired money.

Enforcement Directorate

1. The Directorate General of Economic Enforcement is responsible for enforcing and fighting economic crime in India.
2. It is a part of the Department of Revenue, Ministry of Finance.
3. It comprises officers of the Indian Revenue Service, Indian Police Service, and the Indian Administrative Service.
4. It was set up in 1956 to deal with foreign exchange violations under the Foreign Exchange Regulation Act, 1947.
5. Presently, the prime objective of the Enforcement Directorate is the enforcement of two key acts of the Government of India: the Foreign Exchange Management Act (FEMA) 1999 and the Prevention of Money Laundering Act (PMLA) 2002.

SC Verdict on Prevention of Money Laundering Act Core Provisions



Relevance: Prelims & GS Mains Paper II & III

Supreme Court Judgement in 2017

1. The Supreme Court struck down a stringent provision of the Prevention of Money Laundering Act (PMLA), 2002 that **denied bail to an accused unless the court was convinced that he was not guilty.**

2. The apex court also ordered a fresh trial in all cases where bail under such provisions had been denied to the accused. Those accused under PMLA rarely got bail, practically serving the imprisonment without being proven guilty in courts.

Supreme Court Verdict in 2022

1. The Supreme Court **upheld the core provisions** made to the Prevention of Money Laundering Act (PMLA), which gives the government and the Enforcement Directorate (ED) virtually unbridled powers.

2. According to Supreme Court, **Money laundering is an offence against the sovereignty and integrity of the country. It is no less a heinous offence than the offence of terrorism.**

On ED's power **under PMLA**

An upshot of the judgment by the Supreme Court on the validity of certain provisions under the Prevention of Money Laundering Act

- The offence of money laundering is as heinous an offence as terrorism
- Section 3 (definition of money laundering), Section 24 (reverse burden of proof), and Section 5 (attachment of property) to stay
- Stringency in granting bail under the Act is legal and not arbitrary
- It is not mandatory to give an Enforcement Case Information Report (ECIR) in every case as it was not an FIR
- The statements made to ED are considered admissible
- Provision of attachment of property of accused as proceeds of crime 'balances' the interests of the accused and the State
- The question of enactment of PMLA amendments through the Money Bill route is to be decided by a larger Bench



Q. Which of the following are the Provisions of Prevention of Money Laundering Act?

1. Rigorous imprisonment of 7 to 10 years
2. Statement recorded by an officer is admissible as evidence in court
3. Burden of proof is on the accused to explain the source of acquired money
4. Power to pass orders to provisionally attach property belonging to an accused

Select the correct answer using the code given below:

- (a) 2 and 3 only
- (b) 1 and 3 only
- (c) 2, 3 and 4 only
- (d) 1, 2 and 3 only

Q. There is a need to fight economic crimes through strict laws but not at the cost of basic principles of criminal judicial system. Examine the statement in the light of provisions of PMLA, 2002?

Reviving BSNL in a competitive telecom market



Saptarno Ghosh

JULY 28, 2022 23:42 IST

UPDATED: JULY 29, 2022 17:00 IST

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PRINT



Will the infusion of fresh capital in Bharat Sanchar Nigam Limited be enough to lift its sagging fortunes?

The story so far: To spur Bharat Sanchar Nigam Limited's (BSNL) overall competitiveness in the steep domestic telecom market and de-stress its balance sheet, the Union Cabinet on Wednesday approved yet another **revival package worth ₹1.64 lakh crore**. The second reform package after 2019 is meant to be

Reviving BSNL in a competitive telecom market



Relevant for GS Prelims & Mains Paper III; Economics

What has happened?

- The Union Cabinet approved BSNL revival package worth ₹1.64 lakh crore.
- The second reform package after 2019 is meant to be utilised over the next four years.
- It is expected that the package could help with a turnaround in such a manner that BSNL starts earning profits in FY2026-27.

Details of Package

- **3 Components**
- BSNL would be allocated spectrum in 900/1800 MHz band administratively at the cost of ₹44,993 crore via equity infusion. Spectrum can be defined as invisible radio frequencies on which wireless signals travel, facilitating phone calls and internet usage. The Spectrum would enable BSNL to provide high speed data utilising a vaster network presence, more importantly, in rural areas.
- In order to pursue its social objectives, the Government would provision ₹13,789 crore to the company to fund its operational viability gap in the commercially unviable rural wireline operations that it had undertaken between 2014-15 and 2019-20.
- The Government would also be increasing the authorised capital from ₹40,000 crore to ₹1.50 lakh crore in lieu of its adjusted gross revenue (AGR) dues, provision of capital expenditure and allotment of spectrum. The AGR refers to the fee-sharing mechanism that computes the share in revenues that the telecom service providers (TSPs) are required to pay the government as annual licence fee and spectrum usage charges.

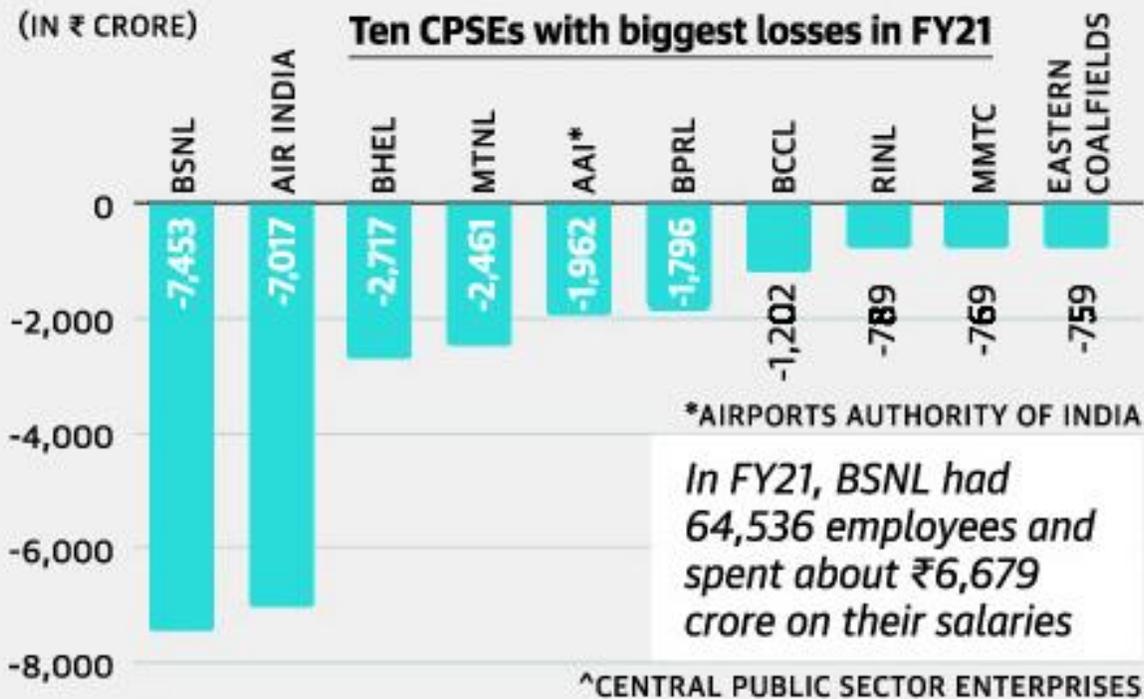
Reviving BSNL in a competitive telecom market

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2019 Package

- The most important feature was the proposed merger of Mahanagar Telecom Nigam Ltd (MTNL) and BSNL.
- BSNL reaches out to populations in rural areas and MTNL is based in the metro cities of Mumbai and Delhi.
- Merger had been delayed owing to financial reasons, including the high debt of MTNL.

Good call | The government on Wednesday approved a package for the revival of state-owned telecom firm BSNL which recorded the biggest loss among CPSEs[^] in FY21



Q. Which of the following provisions have been part of BSNL revival package announced in year 2022?

1. 5G Spectrum allocation
2. Expenditure to undertake operations in rural areas
3. Capital infusion for AGR dues

Select the correct answer using the code given below:

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

Explained: India's role in UN Peacekeeping Missions over the years

Two BSF personnel who were part of the UN Peacekeeping Mission in the Democratic Republic of the Congo were among five people killed during a protest. What do UN peacekeepers do? How has India contributed to UN Peacekeeping?

By: [Explained Desk](#) | New Delhi |
Updated: July 28, 2022 9:12:49 am



HC Shishupal Singh and HC Sanwala Ram Vishnoi were among five people killed during an anti-UN protest. (Source: [Twitter/@BSF_India](#))

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MORE EXPLAINED

India's role in UN Peacekeeping Missions over the years

Relevance: Prelims & GS Mains Paper II; International Org

Why in News?

- Two BSF personnel who were part of the UN Peacekeeping Mission in the Democratic Republic of the Congo (DRC), were among five people killed during a protest in an eastern town.
- A total 175 Indian peacekeepers have so far died while serving with the United Nations. India has lost more peacekeepers than any other UN Member State.
- They were part of MONUSCO. The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo or MONUSCO, an acronym based on its French name, which was established by the United Nations Security Council.

United Nations Peacekeeping

- ▶ Since 1948, UN Peacekeepers have undertaken 71 Field Missions.
- ▶ There are approximately 81,820 personnel serving on 13 peace operations.
- ▶ A total of 119 countries have contributed military and police personnel to UN peacekeeping.

India's role in UN Peacekeeping Missions over the years

Relevance: Prelims & GS Mains Paper II; International Org

India's contribution to UN Peacekeeping

- India has a long history of service in UN Peacekeeping, having **contributed more personnel than any other country**.
- India's contribution to UN Peacekeeping began with its participation in the UN operation in **Korea in the 1950s**.
- To date, more than **2,53,000 Indians** have served in **49 of the 71 UN** Peacekeeping missions established around the world since 1948.
- Currently, there are around **5,500 troops** and police from India who have been deployed to UN Peacekeeping missions, the **fifth highest** amongst troop-contributing countries.

Role of women in Indian Peacekeeping

- ▶ India has been sending **women personnel** on UN Peacekeeping Missions.
- ▶ In 2007, **India became the first country to deploy an all-women contingent to a UN Peacekeeping Mission in Liberia**.
- ▶ The Formed Police Unit in Liberia provided **24-hour guard duty and conducted night patrols** in the capital Monrovia, and helped to build the capacity of the Liberian police.

Q. Consider the following statements regarding India's Contribution to UN Peacekeeping operations:

1. India has contributed more personnel than any other country.
2. India became the first country to deploy an all-women contingent to a UN Peacekeeping Mission.
3. More than 2,00,000 Indians have served in these operations.
4. Presently, India is the largest contributor of troops to UN Peacekeeping operations.

Select the correct answer using the code given below:

- (a) 2 and 3 only
- (b) 3 only
- (c) 1, 2 and 3 only
- (d) 2, 3 and 4 only

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