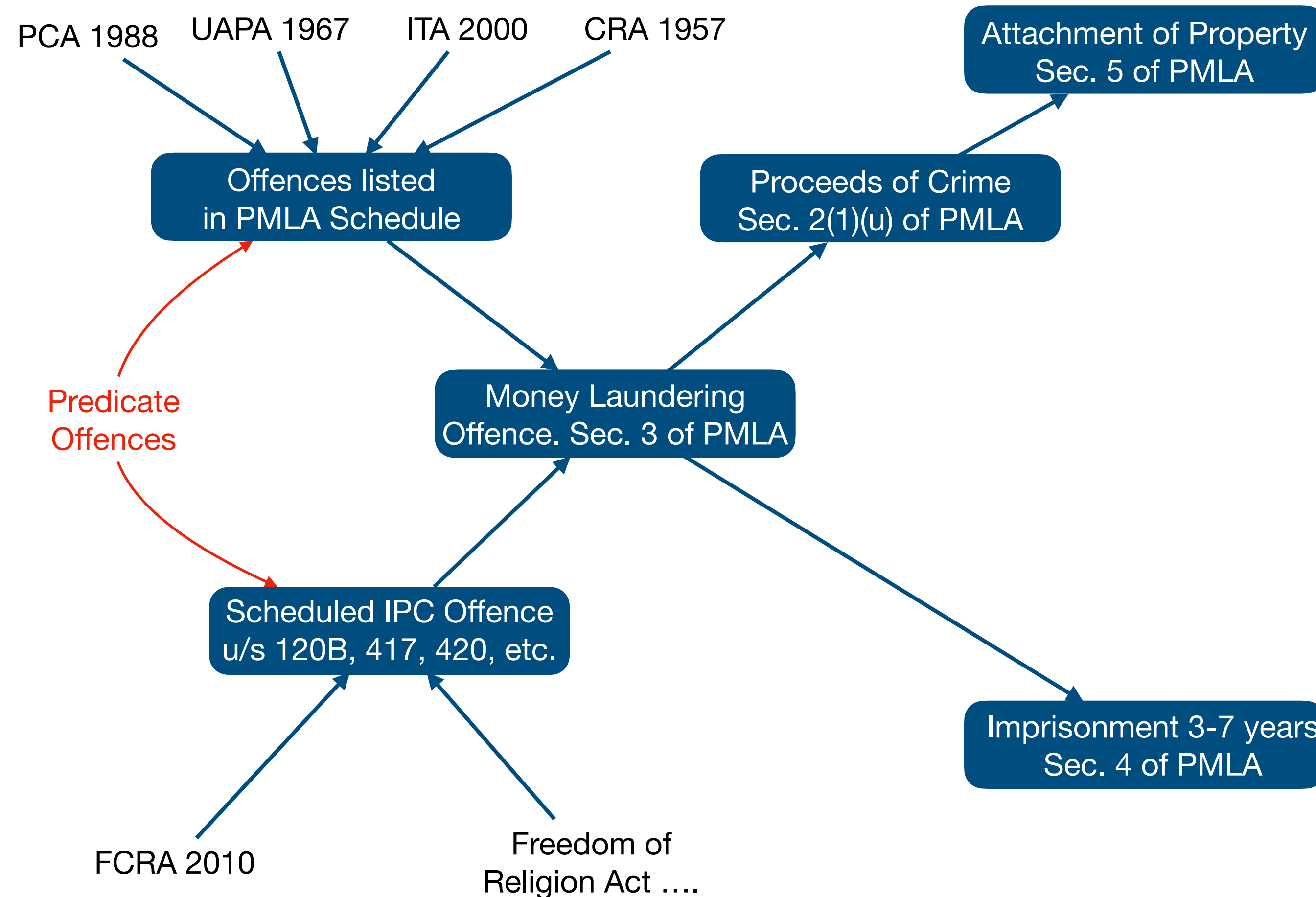


Linking PMLA with Other Laws

Linking of PMLA with FCRA has already become a reality for many NGOs such as Greenpeace, Amnesty, Lawyers' Collective, Rajiv Gandhi Charitable Trust, Rajiv Gandhi Foundation, and Indira Gandhi Memorial Trust, among others.

One problematic aspect of PMLA is that the defendant is presumed guilty until he/she proves their innocence. Another catch is that almost any property linked with the 'crime' can be attached.

In some cases, lending banks have found that lodging a case against a borrower can lead to more problems. Often the ED attaches the properties mortgaged to the bank by the borrower, creating more trouble for the bank.



References:

1. PCA: Prevention of Corruption Act, 1988
2. ITA: Information Technology Act, 2000
3. UAPA: Unlawful Activities Prevention Act, 1967
4. CRA: Copyright Act, 1957
5. PMLA: Prevention of Money Laundering Act, 2002
6. FCRA: Foreign Contribution (Regulation) Act, 2010
7. FRA: Freedom of Religion Act in some states
8. Capsule 566, dated 5-Nov-2021