

**NOTIFICATION**

New Delhi, the 24<sup>th</sup> August, 2018.

**G.S.R. 805(E).**—In exercise of the powers conferred by clause (a) of sub-section (2) of section 23 of the Fugitive Economic Offenders Act, 2018 (17 of 2018) and in supersession of the Fugitive Economic Offenders (Application for Declaration of Fugitive Economic Offender) Rules, 2018, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These Rules may be called the Declaration of Fugitive Economic Offenders (Forms and Manner of Filing Application) Rules, 2018.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.**—(1) In these rules, unless the context otherwise requires,—
  - (a) “authorised officer” means any officer not below the rank of Deputy Director authorised by the Director for the purposes of these rules;
  - (b) “Act” means the Fugitive Economic Offenders Act, 2018 (17 of 2018).
- (2) All other words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

**3. Form and manner of application for declaring an individual as a fugitive economic offender.**—(1) The Director or the authorised officer, as the case may be, shall prepare an index containing the following materials, namely:-

- (i) a copy of a warrant of arrest in relation to prosecution of a Scheduled Offence against the individual believed to be a fugitive economic offender issued by any Court in India;
- (ii) a statement of reasons to believe that an individual is a fugitive economic offender;
- (iii) a statement on any information available as to the whereabouts of the individual believed to be a fugitive economic offender;
- (iv) any proof of effort undertaken to bring the individual believed to be a fugitive economic offender back to India;
- (v) a list of properties or value of such properties believed to be the proceeds of crime, including any such property outside India for which confiscation is sought;
- (vi) a list of properties or benami property owned by the individual believed to be a fugitive economic offender in India or abroad for which confiscation is sought;
- (vii) a copy of a confiscation order issued by the Adjudicating Authority under the Prohibition of Benami Property Transactions Act, 1988, if any;
- (viii) a list of persons who may have an interest in any of the properties listed under clauses (v) and (vi).

(2) The index and material prepared under sub-rule (1) shall be signed on each page and forwarded to the Special Court in a sealed envelope, indicating a reference number and date of despatch.

(3) The Director or the authorised officer, as the case may be, shall maintain registers and other records such as acknowledgement slip register and dak register and shall ensure that necessary entries are made in the register immediately as soon as a copy of the application along with the materials are forwarded to the Special Court.

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Dr. SHASHANK SAKSENA, Adviser (FSRL)