

**Resolution adopted in
the National Workshop
on Forging a Public
Movement for
Recovery of India's
Stolen Assets from
Foreign Countries**

India International Centre, New Delhi

September 14, 2009

Resolution

Research undertaken by various agencies over the years have conclusively established that after independence there has been considerable outflow of public money from India and vast sums estimated to be between Rs.30-70 lakh crore are stashed away in secret accounts of Indian nationals in foreign banks which is perhaps more than the GDP of India. It is estimated that illegal money of India is parked in various tax havens like Antigua, Switzerland, Bahamas, Liechtenstein, Isle of Man, St. Kitts etc.

After day long deliberations the first National Workshop of its kind, organized by India Rejuvenation Initiative (IRI), resolves that a vibrant public movement should be built to focus public attention on the systematic loot of public funds over the years (which unfortunately still continues) and the urgent need to recover stolen assets. At the same time there is need to take steps to control the illicit flow of funds from India to foreign countries.

Towards this end, it was resolved that Government of India ought to take the following steps:

- i. **Strengthen the provisions under FEMA on the lines of those provided in the Prevention of Money Laundering Act and make offences under FEMA 'criminal offence'.**
- ii. **Renegotiation of the existing "Double Taxation Avoidance Agreement"**
- iii. To enter into Agreements and Treaties such as **Tax Information Exchange Agreements (TIEAs)**
- iv. **Immediately ratify the UN Convention against Corruption (UNCAC)**
- v. **Permissions to foreign financial institutions for setting up branches to operate in India should only be given subject to their firm commitment to cooperate in any of their global branches in the course of an investigation of fiscal offences in India.**
- vi. **Take the leadership of the group of Developing Countries in demanding transparency in financial transactions in foreign countries, in the course of investigation of domestic fiscal offences.**
- vii. **Enact Corrupt Public Servants (Forfeiture of Property) Act**

- viii. **Prescribe procedure for confiscation of benami property under Section 8 of the Benami Transaction Prohibition Act (BTPA), 1988.**
- ix. **Immediately pass The Public Interest Disclosure (Protection of Informers) Bill -2009 after replacing the word 'Informer' with 'Whistleblower'**
- x. **Withdraw such Income Tax exemptions under Sec.10A and 10B currently available to IT exports and other exports from EEZs which lead to siphoning of funds to foreign destinations.**
- xi. **Insistence on transparency in the beneficial ownership while allowing transactions in Promissory Notes (PNs)**
- xii. **Take steps to check use of 'black money' in the electoral process.**
- xiii. **The Law Enforcement Agencies viz. CBI, Enforcement Directorate, Investigative wing of CBDT, Directorate of Revenue Intelligence, should perform their 'dharma' without any fear and take the cases whether it is Bofors or the one relating to Hasan Ali Khan, the big time Hawala dealer, to its logical conclusion and stop forthwith the practice of intentionally taking the investigation in a direction which is a dead end.**
- xiv. **Publish the names of individuals holding bank accounts in Leichtenstein sent by German Authorities**

Since recovery of stolen assets is important to our national pride, in case there is no visible 'forward' movement in this regard, steps will be taken to raise public awareness to the next level so that public pressure is brought to bear on both Government of India and foreign countries and particularly Swiss Government so that the country is able to recover its stolen assets and also control illicit flow of funds from India.
