

LEGAL UPDATES

DELHI HC: DIRECTS THE FILLING OF AVAILABLE POSITIONS AT PMLA ADJUDICATORY AUTHORITY IN ORDER TO ENABLE PROPER FUNCTIONING

In a case filed in the Delhi High Court, the issue was regarding vacancies and appointments in the Adjudicatory Authority under the Prevention of Money Laundering Act (PMLA). The case came before the single-judge bench of Justice Pratibha M Singh. The counsel appearing for the respondent stated that there were vacancies in the positions of Member (Administrative) and Member (Legal). A selection committee meeting was to be held soon, and these positions were required to be filled. After taking into account that AA benches conduct hearings and that there were a large number of cases, the Delhi High Court observed that filling the vacancies was not enough, but Adjudicating Authority needed to have more members in order to function effectively. On analyzing the data filed by the Finance Ministry, HC found that the Administrative Officer, Registrar, and Court Master positions were all vacant and there was a severe shortage of staff. Chairperson selection was soon to come to an end. HC opined that the Ministry needed to take responsibility to fill up these vacancies within one month through alternative measures and, not as fresh recruitments. The court directed the central government to fill vacant posts in PMLA's Adjudicating Authority and to file a new status report within two months