

## Challenges in Resolving PNB Case

### Why in news?

\n\n

Interpol has issued a Red notice against the fugitive who had involved in the PNB Scam in India.

\n\n

### What is PNB Scam?

\n\n

\n

- PNB has alleged that two of its employees had “fraudulently” issued LoUs and transmitted SWIFT instructions to the overseas branches of Indian Banks.

\n

- This was done to raise buyer’s credit for the firm of a diamond merchant without making entries in the bank system.

\n

- The bank has alleged that one such fraudulent LoU issuance took place on January 2018, the trail of which revealed the entire design.

\n

- These LoUs were mostly issued to two Hong Kong branches of Indian Banks and was for the aforesaid diamond merchant.

\n

- The details on whether LoUs were backed by collateral or the quantum of liability that the bank faces against these LoUs aren’t out yet. Click [here](#) to know about PNB scam

\n

\n\n

### What is a Red notice?

\n\n

\n

- **Red Notice** - A Red Notice is a request to locate and provisionally arrest an individual pending extradition.

\n

- It is issued by the General Secretariat at the request of a member country or an international tribunal based on a valid national arrest warrant and it is not an international arrest warrant.  
\n
- INTERPOL cannot compel any member country to arrest an individual who is the subject of a Red Notice.  
\n
- Each member country decides for itself what legal value to give a Red Notice within their borders.  
\n

\n\n

### **What are the provisions of Red notice?**

\n\n

- \n
- A Red Notice in itself does not confirm that the wanted individual will actually be arrested.  
\n
- When Interpol publishes a Red Notice, its purpose is simply to inform all member countries that the person is wanted based on an arrest warrant or equivalent judicial decision issued by a country or an international tribunal.  
\n
- Thus the success of a Red Notice depends on the diplomatic heft of the requesting country.  
\n
- For example, Red Notices against fugitives wanted by India in Pakistan, such Dawood Ibrahim, have not led to their arrest.  
\n

\n\n

### **What is the recent action of Interpol?**

\n\n

- \n
- Interpol issued a Red Notice recently against fugitive jeweller Nirav Modi's sister Purvi Modi.  
\n
- This is the third such notice issued against members of the family including Nirav Modi himself, but excluding his uncle Mehul Choksi, who is a co-accused with him in the Rs 13,500-crore fraud in Punjab National Bank.  
\n
- With Interpol having so far held out on India's requests for a Red Notice

against Choksi, who is now a citizen of Antigua and Barbuda.

\n

\n\n

### **What are the challenges in resolving the case?**

\n\n

\n

- CBI has been arguing that it does not require a Red Notice against Choksi, as it would only help locate Choksi which has already been done.
- With the Antigua and Barbuda government having confirmed that Choksi is now a citizen and living there.
- The Antiguan government has stressed it would not detain Choksi until a Red Notice is issued.
- Interpol also gives an individual the right to contest a Red Notice published against him.
- An accused can challenge a Red Notice in the Commission for the Control of Interpol's Files.
- Interpol has been allowing accused individuals to intervene on Red Notice requests, too.
- Various accused have raised objections and queries on Red Notice requests against them.
- In this case Indian agencies believe that Interpol must allow accused to challenge a Red Notice only after it is published.

\n

\n\n

**Source: Indian Express**

\n\n

### **Quick Fact**

\n\n

### **INTERPOL**

\n\n

\n

- INTERPOL is the world's largest international police organization, with 192 member countries.

\n

- It aims to facilitate international police cooperation even where diplomatic relations do not exist between particular countries.

\n

- Action is taken within the limits of existing laws in different countries and in the spirit of the Universal Declaration of Human Rights.

\n

- Its constitution prohibits 'any intervention or activities of a political, military, religious or racial character'.

\n

\n\n

\n

