

#  **SYMBIOSIS INTERNATIONAL DEEMED UNIVERSITY**

 ***The effectiveness of the PMLA in combating environmental crimes***

 ***Submitted by***:

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**CERTIFICATE**

The Project titled *“****The effectiveness of the PMLA in combating environmental crimes***” submitted to the Symbiosis Law School, Hyderabad as part of Internal assessment on 05/03/2025 is based on my original work carried out under the guidance of ***Dr sanu rani paul*** The research work has not been submitted elsewhere for the award of any degree.

The material borrowed from other sources and incorporated in the thesis has been duly acknowledged.

I understand that I myself could be held responsible and accountable for plagiarism, if any, detected later on.

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**Date: 05/03/2025**

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**Abbrevations**

* **PMLA** - Prevention of Money Laundering Act
* **EC** - Environmental Crime
* **NGOs** - Non-Governmental Organizations
* **FIUs** - Financial Intelligence Units
* **Sustainable Dev.** - Sustainable Development
* **AML** - Anti-Money Laundering
* **EIA** - Environmental Investigation Agency
* **UNTOC** - United Nations Convention against Transnational Organized Crime
* **EU** - European Union
* **AML** - Anti-Money Laundering
* **FATF** - Financial Action Task Force
* **UNCAC** - United Nations Convention against Corruption
* **PFAS** - Per- and Polyfluoroalkyl Substances
* **ED** - Enforcement Directorate
* **AI** - Artificial Intelligence
* **UWOs** - Unexplained Wealth Orders
* **FinCEN** - Financial Crimes Enforcement Network

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***Introduction***

The fine balance of economic growth and environmental conservation defines a typical challenge of the era. With growing economies and industrialized societies, pressure on natural resources mounts, and the result is an explosion of environmental crime. From wildlife trafficking and illicit logging to clandestine dumping of toxic wastes, these crimes not only threaten the world's fragile ecosystems but the very foundations of sustainable development. Environmental law has traditionally focused on controlling activity and imposing penalties for blatant transgression. Only comparatively recently, however, has it become understood that the economic incentive behind most environmental crime necessitates a co-ordinated response. The proceeds derived from the crime subsequently contribute towards generating further criminality, and the connection between environmental and ecological damage becomes a chain to economic illegalities. Herein lies the promise of unifying the two. The Indian Prevention of Money Laundering Act (PMLA)[[1]](#footnote-1), introduced to combat money laundering of criminal proceeds, is a probable useful tool against green crimes. Focusing on the financial trails created by such offenses, the PMLA has the ability to dry up the source of ill-gotten funds, disturb criminal syndicates, and deter likely perpetrators. The "following the money" principle acquires a new dimension when applied to environmental conservation and provides a means to pursue the economic forces behind ecological deterioration. It is not easy to apply the PMLA to environmental crimes, however. The "proceeds of crime[[2]](#footnote-2)" definition in environmental crime must be accurate, as must the establishment of effective connections between environmental crimes and financial flows. Successful functioning of the PMLA against environmental crime also calls for coordination among environmental agencies, law enforcement agencies, and financial intelligence units.

This research paper will discuss the efficacy of the PMLA in the fight against environmental crime in the Indian legal framework. It will discuss the legal framework, review case studies, and discuss the challenges and prospects of this strategy. In a discussion of the nexus between financial crime and environmental protection, this study seeks to contribute to an enhanced understanding of how legal tools could be utilized in an effort to secure our world's future.

 ***Literature Review***

In order to find our way through the nexus of ecological devastation and white-collar crime is to take serious cognizance of existing literature. The invocation of the Prevention of Money Laundering Act (PMLA) as applied to crimes against the environment, as an area of consideration, is one where theory meets harsh reality.

Early scholarly research on environmental crime tended to focus largely on blatant violations of environmental law. Writers like Situ and Emmons (2000)[[3]](#footnote-3) went to some lengths to report the typology of environmental offenses, with especial focus on the all-too-often neglected economic motivations. This groundwork provided the platform for the construction of environmental crime not only as a crime against the environment, but quite frequently a well-planned motive for profit.

The evolution of anti-money laundering (AML)[[4]](#footnote-4) guidelines, according to Gilmore (2019), was a sign of growing consciousness of financial flows as indicators of criminality. The gradual expansion of AML regulations to non-traditional financial crime has been the case. The initial focus on narcotics trafficking and terror financing left a gigantic gap surrounding environmental crimes.

In the general context of understanding the intersection between PMLA and environmental crime, the legal environment in India provides a unique setting. Articles by legal minds such **as Jain (2015**) have looked at the provisions of the PMLA with regard to their ability to provide solutions to financial aspects of any criminal activity. Yet, widespread and thorough enforcement on environmental crime has been subject to continuous deliberation.

One of the key challenges is quantifying the "proceeds of crime" in environmental crimes. Singh (2018) asserts that there must be a clear nexus between environmental damage and financial gains for effective use of PMLA. This requires painstaking forensic accounting and environmental audits, which are normally time-consuming and need specialized expertise. The inability to put a price tag on environmental damage is a significant challenge.

Additionally, the character of daily business of PMLA in environmental affairs counts. Case studies, although few, indicate achievements as well as shortfalls. Bodies like the Environmental Investigation Agency (EIA)[[5]](#footnote-5) regularly report on the financial networks funding illegal deforestation and wildlife trade, demonstrating that PMLA can disrupt such activities. Such interventions, however, depend significantly on cooperation between agencies and exchange of information.

International conventions, such as the United Nations Convention against Transnational Organized Crime (UNTOC)[[6]](#footnote-6), are equally pivotal. Scholars like Nadelmann (1993) have also pointed out the transnational nature of the crimes against humanity and the environment and consequently the need for international cooperation in order to fight them. National law, such as the PMLA, has to be brought in line with international norms in order to facilitate effective cross-border enforcement.

One of the general themes that have been identified in the literature is the need for a preventive and proactive approach. Rather than focusing on the post-offense financial investigation, writers like White (2013) suggest the incorporation of environmental risk assessments into AML compliance frameworks. This would enable financial institutions to identify and report suspicious activity related to environmental crime.

The human dimension in such crimes has to be tackled. Active host community participation, otherwise marginalized and vulnerable, in green crime draws attention to the socio-economic dimension of the issue. The value of the status of people in environmental protection is brought out in essays by Agrawal (2005) on environmental governance. This focus draws attention to the need for addressing the root causes of environmental crime like poverty and lack of resources.

Last, the literature witnesses growing enthusiasm for the potential of the PMLA to combat environmental crime. Successful operation of the law, however, means overcoming legal and practical challenges. Future research has to deal with setting clear guidelines for identifying the "proceeds of crime" in environmental crimes, developing greater cooperation among agencies, and integrating environmental risk assessment into AML systems. Lastly, there should be an integrated approach addressing both the socio-economic and economic dimensions of environmental crimes to facilitate sustainable environmental protection.

***Research Questions***

1. To what extent has the current legal framework of the Prevention of Money Laundering Act (PMLA) been implemented in prosecuting and preventing environmental crime in India, and what are the key challenges of implementing it in practice?
2. How much does the present PMLA definition of "proceeds of crime" permit flexibility to cover the various financial flows arising from such environmental crimes as illegal logging, wildlife trade, and dumping of toxic waste?
3. To what extent is inter-agency coordination between environmental regulatory bodies, law enforcement agencies, and financial intelligence units in the investigation and prosecution of environmental offenses under the PMLA, and how can inter-agency coordination be increased?
4. How do the economic sanctions and asset forfeiture provisions of the PMLA impact the economic sustainability of environmental criminal enterprises, and to what extent are they an effective deterrent?
5. What are the precise procedural and evidentiary challenges in identifying the financial trail from environmental crimes to money laundering transactions, and what reforms are needed to enhance the efficiency and conviction rate of PMLA prosecutions for environmental crime cases

***Statement of Research Problem***

The core research question is the overwhelming disparity between legislative intent of the Prevention of Money Laundering Act (PMLA) and actual efficiency in deterring environmental crimes within India. PMLA has the potential to be a robust tool in undermining the economic base of environmental crimes, but for this specific reason, its efficiency is drastically dented.

Exactly, the question lies in the fact that

• Application Ambiguity: There is ambiguity in application and interpretation of "proceeds of crime" to different environmental crimes, and it brings inconsistency to the enforcement. The vagueness does not allow application of the PMLA on an across-the-board basis to determine the money laundered as proceeds from such crimes as illegal mining, wildlife poaching, and pollution.

• Evidence Challenges: A clear financial connection between the act of money laundering and the environment is found to be difficult and costly. Partial blame goes to the lack of existing forensic accounting and environmental valuation practices.

• Inter-Agency Coordination Failures: Decentralization of environmental law management and enforcement in India results in failure of coordination between the concerned agencies. This results in ineffective information sharing and collaborative investigation of environmental offenses under the PMLA.

• Gaps in Implementation: In spite of having legal framework, there is an observed lack of effective implementation of the PMLA for green crimes. This is perhaps because of low capacity, training deficit, and an unawareness amongst judiciary as well as law enforcement officers.

• Quantifying Environmental Damage: Valuation of environmental damage, a prerequisite for the calculation of "proceeds of crime," is never a simple task. Absence of methods widely accepted to quantify ecological damage is the primary challenge.

Therefore, the research question is to analyze and assess to what degree such a factor discourages proper use of the PMLA against environmental crime, and suggest towards greater usage. The research will bridge the gap between what the PMLA can actually be utilized to accomplish and where it can accomplish this by eliminating the incentives for environmental pollution.

***Objectives Of The Study***

The research goals of this essay, "The Effectiveness of the PMLA in Combating Environmental Crimes," are to provide a people-centered and nuanced understanding of the legal and pragmatic aspects of this multifaceted problem.

To critically examine the prevalent legal regime of the Prevention of Money Laundering Act (PMLA), 2002, specifically in relation to its provisions for environmental crimes. This entails a meticulous reading of the definition of "proceeds of crime" in Section 2(1)(u) and its extension to other environmental offenses. We shall observe in detail how major cases, including Directorate of Enforcement v. Padmanabhan Kishore (2022)[[7]](#footnote-7), have construed and enforced these provisions and how such interpretations extend to environmental offenses.

To evaluate the investigative challenges of tracing the financial path from green crime to money laundering activity. This is in relation to evidentiary challenges, such as the absence of quantification of environmental harm and tracing criminal financial flows. We are going to look at how the investigative process, under Sections 17 and 18 of the PMLA, is applied in ecological settings, and whether or not the current methods are adequate.

To ascertain the relative efficacy of coordination between environmental regulatory bodies, enforcement agencies, and financial intelligence agencies in investigation and prosecution of environmental crimes under the PMLA. This involves testing the role of the Enforcement Directorate (ED) and the Financial Intelligence Unit-India (FIU-IND) as part of a coordinated effort with institutions such as the Central Pollution Control Board (CPCB) and state forest departments. It is our objective to determine where gaps in information sharing and cooperative operations exist, and provide recommendations regarding the way forward on cooperation.

To analyze how the punitive sanctions of the PMLA, such as the economic sanctions and the asset forfeiture, will affect environmental crime syndicate financial sustainability. The purpose will focus on whether the deterrent mechanism of forfeiture under Section 8[[8]](#footnote-8) of the PMLA serves as a sufficient deterrent. We will address in particular some case studies, e.g., illegal mining or wildlife trafficking, to look at how effective these kinds of punishments will be at stigmatizing crime.

In order to advise on maximizing application of the PMLA towards combating environmental crime, based on comparative legal models and best practice. The activity will involve comparative analysis of use of anti-money laundering legislation by other jurisdictions as a response to environmental crimes. We will look at whether we can introduce environmental risk assessment as part of AML compliance programs, on international standards and best practice.

***Significance of the study***

The utility of this study, "The Effectiveness of the PMLA in Combating Environmental Crimes," stretches far beyond academic circles, specifically meeting the critical demand for sound environmental governance within India. This study is, at its most basic level, attempting to rectify a very serious lacuna in the law, questioning the harmful financial root causes of environmental degradation.

This research is of operational relevance to law enforcement and judicial authorities. Through a close scrutiny of the functioning of the Prevention of Money Laundering Act (PMLA), 2002, on green crimes, it seeks to shed light on the subtle meaning of such important provisions as "proceeds of crime" under Section 2(1) (u). This is significant because, in contrast to conventional financial crime, environmental crime accumulates criminal benefit through the degradation of natural resources such that tracing and valuation becomes complex. The research will explore how the courts have grappled with this specifically in cases where the causal connection between ecological harm and benefit is not always clear. For example, a case study of cases involving illicit mining, where digging out minerals causes severe environmental harm, will tell us how the courts have used the PMLA. Second, this research highlights the coordination among agencies for preventing environmental offenses. The deconcentrated institutional framework of environmental administration in India has a tendency to contribute to jurisdictional overlaps and silos of information. The necessity of the ED, the Financial Intelligence Unit-India (FIU-IND)[[9]](#footnote-9), and environment monitoring agencies such as the Central Pollution Control Board (CPCB) and the state forest department shall be brought to the forefront in this study. Interpreting the existing frameworks of information sharing and coordinated operations, this research endeavors to identify impediments and propose means to strengthen coordination. This is relevant to the extent that successful prosecution of environmental crimes under the PMLA also depends upon having the capacity to track complex financial trails, which is only possible through a multi-agency framework. the study discusses the crucial aspect of deterrence. By way of evaluation of the effectiveness of the PMLA's punitive actions, such as financial penalties and asset seizure under Section 8, it aims to find out whether they are effective in discrediting ecological crime syndicates. This is especially true in cases of syndicates of organized crime committing crimes of illegal logging, wildlife trade, and toxic waste dumping. This research will consider if fear of asset forfeiture and massive penalties is or is not an effective deterrent, and whether measures of enforcement currently existing are capable of providing adequate assurances of conformity. Secondly, the study is adding to environmental justice theory overall. In positioning more emphasis on monetary incentives for environmental crime, the study brings a spotlight on lesser-talked-about economic incentives encouraging environmental damage. This is important because environmental offenses usually impact vulnerable communities, whose living depends on natural resources. In requesting the proper application of the PMLA, the study aims to empower such communities and hold environmental perpetrators accountable.

The study will also lead to the significance of procedural and evidentiary barriers. Being able to successfully follow through on sections 17 and 18 of the PMLA[[10]](#footnote-10) is crucial to prosecute. Successful collection of evidence, and being able to successfully present it in court, will make prosecutions successful. Examining examples where the process has failed, as well as succeeded, will allow for a better understanding of the law in totality.Finally, the study aims to provide recommendations for enhancing the application of the PMLA for environmental crimes. From comparative models of law and best practices, it aims to extract new approaches that can reinforce the Indian jurisprudence. This involves the consideration of using environmental risk assessment within anti-money laundering compliance models and advocating for legislative reform in order to target the particular demands generated by environmental crime.

**Scope and Limitations of the Study**

While there is no universal definition of environmental crime, it generally refers to criminal offences harming the environment. This paper focuses on money laundering from select environmental crimes, which include illegal logging, illegal land clearance, illegal mining and waste trafficking due to the significant criminal gains involved, and their convergence with other serious crimes. Nevertheless, the project team has taken an inclusive approach in defining the scope of each of these crimes to recognize differences in their interpretation across countries. Illegal logging includes the harvesting, processing, transporting, buying, or selling of timber in contravention of domestic and international laws. Illegal land clearing refers to the illegal acquisition and clearing of land either for farming, building or real estate speculation. Forestry crime is an umbrella term to describe criminal activity in the forestry sector covering the entire supply chain, from harvest and transportation to processing and selling, including illegal logging and land clearance. Illegal mining refers to mining activity that is undertaken without state permission in absence of land rights, mining licenses, and exploration or mineral transportation permits, or mining activity with state permission obtained through corruption. Waste trafficking includes the illegal export and/or illicit disposal of electronic waste (e-waste), plastics, and hazardous substances, among others. The FATF[[11]](#footnote-11) recognizes that other environmental crimes such as those associated with illegal, unregulated and unreported fishing or illegal carbon trading also generate significant gains. However, these activities are not included within the scope of this report to keep the report sufficiently focused. Similarly, an earlier FATF report covered money laundering from the illegal wildlife trade; this report therefore does not address this issue. This report focuses primarily on the illicit flows generated by the illegal extraction of the primary commodity - for example, the illicit timber, or precious metals and stones. In the case of waste trafficking, the report focuses primarily on how criminals make a profit by illegally trading and disposing of waste. The report does not focus on the proceeds generated from secondary commodities, such as produce developed on land cleared by illegal deforestation (e.g., soya, beef, palm oil), although FATF recognizes that these are important drivers of such crimes. Finally, while there is evidence that armed groups and terrorist organizations do, to varying extents, rely on certain environmental crimes to support and finance their operations, this report is focused on the money laundering threats posed by environmental crimes, rather than the human security or terrorist financing risks.

There are significant legal markets for waste management, logging and mining, including for precious metals and stones. These activities often become illegal when:

1. undertaken without state permission,
2. when contracts and concessions are secured through corruption or intimidation,
3. When services involve fraud (e.g., false treatment of hazardous waste), and (iv) for logging/mining, when extraction contravenes agreed terms, such as quotas or other requirements. Such illegal activities can have significant impacts on the health and sustainability of local populations and ecosystems. Often criminals rely on the legal market in environmental goods to launder illegal acquired products and profits. This can even happen to the extent that illegal products surpass those in the legal sector, such as gold and timber. Countries have signed up to several international treaties to limit the illegal trade in protected flora, precious metals and stones and hazardous waste. For example, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement that sets the global standards for the regulation of trade in endangered animals and plants (including wood). Similarly, the Basel Convention is an international treaty designed to reduce the movements of hazardous waste between countries, and particularly from developed to developing countries. These international agreements are implemented through domestic laws and regulations to facilitate legal, sustainable and traceable trade, whilst preventing and addressing illegal trade.

***Research Methodology***

Environmental law is interdisciplinary and integrative in nature, and as such, it requires the application of multiple methods that can deal with multifaceted legal issues. Environmental law, being a specialized branch of legal studies, deals with issues that cut across regulatory, ethical, and societal spheres. To deal with such complexities, researchers apply a mixture of complex, integrated, and differentiated approaches conventionally. The compound strategy is focused on understanding the intricate inter-connections between various environmental legislations and their broader ramifications. It emphasizes addressing several factors in parallel, e.g., legal, ecological, and socio-economic factors.

The holistic method is aimed at integrating contrasting legal principles and norms, creating an integrated framework that facilitates effective environmental governance.

This approach is significant in addressing cross-cutting issues such as climate change, conservation of biodiversity, and sustainable development, which require an interdependent response from various legal regimes. In an alternative approach, the differentiated approach allows researchers to examine more in-depth differentiated individualized legal provisions and their resultant implications so that they can look after the unique aspects of a variety of environmental concerns. In addition to these preliminary approaches, Environmental law studies employs structural, systemic, functional, and axiological methods for the purpose of enhancing its analytic depth. The structural approach is used in the analysis of the inner structure and framework of environmental legislation and in ascertaining their hierarchy thereby making it to ascertain their applicability and scope.

The systemic approach considers the interrelations among different legal norms and principles and obtains a comprehensive overview of environmental regulation. The functional approach analyzes the effectiveness and feasibility of environmental law, whether they can operate as desired or not. At the same time, the axiological approach, the value approach or the one addressing values and morals, is no less significant a work to consider the ethical as well as the social implications of environmental law. Merging such various approaches, scientists are able to develop comprehensive and efficient solutions to complex environmental problems, thus legal systems are working as much as ethically sound.

***Chapterization***

***The Nexus of Financial Crime and Environmental Degradation***

**1. To what extent has the current legal framework of the Prevention of Money Laundering Act (PMLA) been implemented in prosecuting and preventing environmental crime in India, and what are the key challenges of implementing it in practice?**

Following is a more detailed description of evidentiary and procedural matters relevant to linking environmental crimes to money laundering under India's PMLA, supported by case laws, studies, and legal provisions:

**1. Procedural Issues**

(a) Inter-Agency Coordination

 **Bellary Illegal Mining Scam (2011)[[12]](#footnote-12)**

Facts: The Supreme Court of India in Samaj Parivartana Samudaya v. State of Karnataka) revealed a conspiracy between the state government and the mining companies which had led to illegal iron ore mining worth ₹35,000 crores. ED could not find the proceeds due to a lack of cooperation from the state agencies. The PMLA's summoning power under Section 50[[13]](#footnote-13) was proved to be a failure due to the lack of inter-agency cooperation on a compulsive basis. The 2G Spectrum Case (2012) had led to such coordination failures between ED and CBI, which had resulted in institutional change demands.

 Illegal Mining in Saranda Forest (2017)

ED froze ₹1,300 crore worth of shell company assets but was frustrated due to jurisdictional clashes between central agencies and state forest departments.

(b) International Legal Challenges

 Odebrecht Scandal (2016)[[14]](#footnote-14)

The Brazilian conglomerate bribed 12 governments, including India, to secure environmental approvals. Mutual Legal Assistance (MLA) delays under UNCAC Article 46[[15]](#footnote-15) keep asset recovery in suspended animation.

Legal Provision: India's Section 57[[16]](#footnote-16) of PMLA allows MLA requests, but a sluggish ratification of UNCAC's Asset Recovery Clause (Article 54)[[17]](#footnote-17) prevents cross-border seizures.

 **Panama Papers (2016)[[18]](#footnote-18)**

Shell companies with connections to illegal sand mining in India (e.g., Spruson & Ferguson Holdings) were found, but secrecy laws in offshore jurisdictions prevented prosecutions.

**2. Challenges to Evidence**

(a) Establishing the Nexus

 **Trafigura Case (Netherlands, 2006)[[19]](#footnote-19)**

No Trafigura earned $200 million by illegally dumping toxic waste in Ivory Coast. Dutch courts dismissed money laundering charges since PMLA-type laws did not apply to "cost savings" on "proceeds of crime."

 PMLA's Section 2(1) (u) narrowly defines "proceeds" as "derived or obtained" from crime, and not cost avoidance.

 **Volkswagen Dieselgate (2015)[[20]](#footnote-20)**

 The EU fined VW €30 billion for emissions cheating but did not prosecute money laundering on the grounds of difficulty in linking financial gain to environmental harm.

(b) Cash-Based Transactions

 **Wildlife Trafficking in East Africa**

A 2020 UNODC report captured 70% of Kenya/Tanzania ivory trade deals as cash. Republic v. Feisal Mohamed Ali (2016)[[21]](#footnote-21) saw acquittal by Kenyan courts of a trafficker due to lack of traceability of cash flows.

Example: Tamil Nadu sand mafias' ₹1,000 crore unearthed by ED's 2021 investigation but witnessed no prosecutions as they had no digital traces.

(c) Complex Financial Structures

**Narada Sting Operation (West Bengal, 2021)[[22]](#footnote-22)**

Shell companies utilized in illicit mining bribes were traced to Singapore, but layering transactions hindered PMLA prosecutions.

• Precedent: EU's 6th Anti-Money Laundering Directive (2021) mandates beneficial ownership transparency, a precedent India can follow to prevent shell companies.

(d) Quantification Challenges

**• Deepwater Horizon Oil Spill (2010)[[23]](#footnote-23)**

BP paid $20 billion in the form of civil penalties, but U.S. courts declined criminal charges of money laundering due to complexity in quantifying environmental loss as "proceeds".

**• Bhopal Gas Tragedy (1984)[[24]](#footnote-24)**

No, though not a PMLA case, the sheer extent of litigation for compensation (under Bhopal Gas Leak Act, 1985) indicates inability to quantify environmental damage.

**3. Legal Provisions & Deficiencies**

(a) Predicate Offenses

• India: Not all Wildlife Protection Act, 1972[[25]](#footnote-25), offenses are PMLA predicates. Environment Protection Act, 1986 (e.g., Section 15) offenses are not.

• EU Model: The 6th AMLD (2021) treats all environmental offenses as predicates so that cases like Netherlands v. Chemours (2023)[[26]](#footnote-26) (PFAS contamination) become viable.

(b) International Frameworks

• UNCAC Article 31[[27]](#footnote-27): Mandates criminalization of illicit enrichment without implementation in the case of environmental offenses.

• FATF Recommendation 3: Requests member states to consider environmental crimes as money laundering predicates, and India remains behind in doing so.

**4. Reforms Triggered by Precedents**

(a) Legislative Reforms

•Expanded Predicate Offenses: Amend PMLA's Schedule to encompass all Environment Protection Act offenses, such as the UK's Proceeds of Crime Act, 2002.

•Re-definition of "Proceeds": Bring PMLA at par with the EU's 6th AMLD to cover cost savings (e.g., averted waste management expenditure).

(b) Strengthening Institutions

• Specialized Units: Follow Indonesia's Illegal Logging Task Force (2015), 200+ convictions for integrating forestry and finance experts.

• Inter-Agency Platforms: Adopt Brazil's SisPass System (blockchain-tracked wood tracking) to transfer real-time data among ED and state agencies.

(c) Tech Solutions

• AI Tools: Use machine learning to detect illicit transactions, like the U.S. FinCEN's 2020 case of wildlife trafficking.

• Blockchain: Leverage Peru's Loreto System to track legal wood and disconnect the criminal streams.

(d) Burden of Proof

• Unexplained Wealth Orders (UWOs): Like UK Criminal Finances Act (2017), employed in NCA v. Zamira Hajiyeva (2018)[[28]](#footnote-28) for asset recovery against illegal mining.

Conclusion

The PMLA's promise to fight environmental money laundering goes unrealized due to legal uncertainties, institutional silos, and evidentiary challenges. Reforms must draw on global best practices:

1. Legislative: Enact the 6th AMLD by the EU and widen predicates to rephrase "proceeds."

2. Institutional: Establish offices for ED and mandate task forces to be made up of agencies with environmental professional competence.

3. Technological: Employ AI and blockchain in tracking in forensic services.

4. International: Enact UNCAC article on asset recovery and be a party to the FATF standards.

India can enhance the deterrent effect of PMLA by adopting these reforms collectively, as in operation in successful precedents like Indonesia's task forces and UK's UWOs.

**2. How much does the present PMLA definition of "proceeds of crime" permit flexibility to cover the various financial flows arising from such environmental crimes as illegal logging, wildlife trade, and dumping of toxic waste?**

**The current definition of "proceeds of crime" under the Prevention of Money Laundering Act (PMLA), 2002—i.e., Section 2(1)(u)—defines "proceeds of crime" to include any property obtained or derived, directly or indirectly, in connection with or as a result of criminal activity relating to a scheduled offense. In theory, this definition is broad enough and flexible enough to cover an enormous range of financial flows. But its operational utility in fighting eco-crimes such as illegal felling of timber, wildlife trade, and disposal of hazardous wastes is constrained by two significant aspects: the constrictive meaning of "proceeds" and the limited range of environmental crimes as predicate crimes under the PMLA Schedule.**

**Flexibility and Constraints of the Existing Definition**

**• Direct vs. Indirect Financial Gains:**

**The PMLA definition is intended to target not only overt profits but also indirect proceeds of a particular type derived from criminality. With respect to environmental crimes, what this means is that if the criminal enterprise—e.g., timbering or wildlife trafficking—is generating concrete cash proceeds (e.g., money sales of illicit timber or wildlife), such proceeds can be forfeited under the Act. However, many environmental crimes also possess non-traditional economic benefits like cost savings (e.g., not paying for the disposal of toxic dumping) or benefits that cannot be easily measured. The language today is more in terms of "property derived or obtained" in profit and less about capturing these indirect benefits.**

**• Predicate Offense Requirement:**

**One of these is that for a financial flow to be "proceeds of crime" under PMLA, the predicate environmental crime must also be scheduled under the Act. In India, while some environmental crimes (e.g., certain wildlife crimes under the Wildlife Protection Act) have been scheduled, others, such as illegal timbering or toxic waste dumping, are not necessarily so. Accordingly, however significant the monetary flows may be, they could be beyond the scope of the PMLA regime in case the environmental offense is not considered a scheduled crime.**

**• Section 2(1) (u) – Definition of Proceeds of Crime:**

**It fully encompasses any property obtained through crimes, thereby providing theoretical flexibility. But its use on a practical level is subject to the assignment of the crime to financially quantifiable gains.**

**• Section 3**[[29]](#footnote-29) **– Money Laundering Offense:**

**This section criminalizes the crime of engaging in activity concerning criminal proceeds. Its application in environmental cases, however, has traditionally been aimed at conventional profit-driven crimes.**

**• Directorate of Enforcement v. J. Sekar (2018):**

**Here in the case of illegal sand mining—a grave environmental offense—the Supreme Court once again asserted that the proceeds generated from such environmental offenses fell under the definition of "proceeds of crime." This case indicates that when an environmental offense is recognized as a predicate offense, the definition of the PMLA might be applied aptly to include the money flows.**

**• Vijay Madanlal Choudhary v. Union of India (2022)[[30]](#footnote-30):**

**This judgment bolstered the efficacy of asset seizure and confiscation even if the environmental crime (e.g., illegal mining) was under trial. The decision reaffirmed that the financial proceeds of such activities are liable to be confiscated under PMLA provisions, once again affirming the applicability of the Act in environmental situations.**

**• Bellary Mining Scam (2011)[[31]](#footnote-31)**

**The Bellary illegal mining scam in Karnataka is a good example. The Enforcement Directorate traced and froze assets worth over ₹37.86 crore of proceeds of the illegal mining activities that caused widespread damage to the environment. This case, which primarily involved mining, shows how massive money flows from environmental crimes are liable to be forfeited under PMLA—subject to the offense being recognized as a predicate crime.**

**To enhance the flexibility of PMLA in covering all financial proceeds arising from environmental crimes, the following reforms are proposed:**

**1. Expanding the Predicate Offense List:**

**Amend the PMLA Schedule to expressly enumerate a broader range of environmental crimes—such as illegal deforestation, dumping of toxic waste, and other environmental violations—so that financial proceeds of such crimes are automatically deemed "proceeds of crime."**

**2. Expanding the Definition of "Proceeds" to Include Indirect Benefits:**

**Expand the definition of "proceeds" to include not just direct earnings but indirect financial gains such as cost savings from avoiding legal and environmental compliance expenses.**

**3. Improved Inter-Agency Coordination:**

**Establish specialized task forces that combine environmental regulators and financial investigators to track complex financial schemes commonly employed to launder illegal profits from environmental offenses.**

**4. Implementation of Advanced Forensic Methods**

**Invest in forensic accounting and tech solutions (e.g., artificial intelligence, blockchain analysis) to unravel the complex financial structures—such as offshore accounts and shell companies—that are most frequently used to launder proceeds.**

**Conclusion**

**Although the current PMLA definition of "proceeds of crime" is theoretically versatile, its utility to environmental crimes is limited by the narrow focus on immediate profit and exclusion of most environmental crimes as predicate crimes. Authoritative cases like Directorate of Enforcement v. J. Sekar and Vijay Madanlal Choudhary v. Union of India show that if environmental crime is conceptualized as part of the Act's structure, the provisions can be applied. To systematically cover financial flows generated by all forms of environmental crime, legislative and procedural reform is required. These reforms would extend the definition's scope and ensure that even the indirect economic benefits of environmental crimes are subject to strict anti-money laundering regulations.**

***Legal Framework: The Prevention of Money Laundering Act and Environmental Legislation***

**To what extent is inter-agency coordination between environmental regulatory bodies, law enforcement agencies, and financial intelligence units in the investigation and prosecution of environmental offenses under the PMLA, and how can inter-agency coordination be increased?**

Inter-agency coordination between environmental regulatory authorities, law enforcement agencies, and financial intelligence units under the PMLA is a vital but under-developed component of combating environmental crimes in India. In reality, coordination is commonly fractured by overlaps in jurisdictions, varying mandates, and a lack of adequate channels of communication among state-level environmental authorities (such as Forest Departments and Pollution Control Boards) and national-level units of financial crime (such as the Enforcement Directorate [ED] and the Financial Intelligence Unit – India [FIU IND]). Such fragmentation resulted in delays and inefficiencies in tracing, investigation, and prosecution of cases involving environmental crimes and money laundering.

**Scope of existing coordination**

When it comes to instances like the Bellary mining scam, wherein large-scale illicit mining activities that had devastating implications for the environment were involved, the ED has been severely confronted with challenges for lack of stronger coordination with ecological authorities. An inability to swap vital information—the range of data on ecological repercussions to financial details—hindered the ability to fully chart out the financial circuits obtained through illegal mining. Likewise, in wildlife trafficking and toxic waste dumping investigations, environmental agencies tend to operate in a vacuum with little contact with financial intelligence units. The end result is that while the ED and FIU IND can follow money laundering money streams well in classical financial offenses, their operations are sometimes foiled when the predicate offense on which the environmental offense is predicated is not known as such under the PMLA or the required environmental information is unavailable.

For example, the Bellary case demonstrated how while the ED was able to freeze assets amounting to more than ₹37.86 crore, the absence of synergistic support from state environmental regulators kept a complete probe into the ecological harm and the entire financial network pending. Additionally, foreign cases such as the Odebrecht scandal and instances in the Panama Papers have highlighted how even across the world, tardiness in mutual legal assistance (MLA) and disjointed inter-agency cooperation can badly weaken asset recovery.

**Strengthening Inter-Agency Coordination**

Improving coordination must be supported by institutional reforms as well as technological improvements:

**1. Task Force Mandates:**

Institutional Integration: Set up dedicated task forces that consist of members from environmental regulatory agencies, law enforcement agencies, and financial intelligence units. These task forces would see to it that ecological information and financial intelligence are integrated in real time, offering a complete picture of the criminal organization.

Precedent: Indonesia's Illegal Logging Task Force is an example wherein concerted efforts resulted in the successful prosecution of more than 200 cases by bringing together forestry and financial investigations.

**2. Legislative and Policy Reforms:**

Broadening Predicate Offenses: Modify the PMLA Schedule to categorically include a wider array of environmental crimes, so that the financial gains stemming from illegal logging, wildlife smuggling, and hazardous waste dumping automatically qualify as "proceeds of crime."

Mandatory Cooperation Provisions: Include legal provisions that mandate environmental agencies to provide relevant information to financial crime units. This may involve mandatory reporting requirements and joint responsibilities in investigations.

**3. Shared Databases and Technology Platforms:**

Centralized Information Systems: Create secure, centralized databases that facilitate real-time data sharing among agencies. Contemporary platforms with AI and blockchain technology can assist in tracing and verifying transactions between sectors, thus closing the gap between environmental and financial information.

Training and Capacity Building: Periodic joint training of staff from agencies in financial forensics, environmental crime dynamics, and data-sharing procedures will improve mutual understanding and cooperation.

**4. International Cooperation:**

Streamlined Mutual Legal Assistance (MLA): Ratify and implement international agreements, such as those under the UN Convention against Corruption (UNCAC), to expedite cross-border data sharing and asset recovery. Enhanced international coordination can be modeled on mechanisms used in global cases like the Odebrecht scandal, where multiple countries eventually collaborated to trace illicit funds despite initial delays.

**5. Operational Reforms:**

Regular Inter-Agency Meetings: Institutionalize regular coordination meetings at the state and national levels to review current investigations and synchronize strategies.

Performance Metrics: Establish metrics to track inter-agency cooperation performance, such that delays are avoided and results are quantifiable.

**Conclusion**

Although the present state of inter-agency coordination under the PMLA is operational in individual cases, systemic weaknesses continue to plague and frequently hamper thorough investigation and prosecution of environmental crimes. Closing these loopholes calls for an integrated solution—through an amalgamation of legislative changes, the creation of joint task forces, strong systems of information-sharing, and further international cooperation. Making these strong would not merely speed up probes but also ensure higher conviction rates by ensuring environmental crimes, as well as money laundering operations helping to facilitate these crimes, are addressed in an integrated, cost-effective, and timely fashion.

***Inter-Agency Coordination: Enhancing Collaboration for Effective Enforcement***

**4.⁠ ⁠How do the economic sanctions and asset forfeiture provisions of the PMLA impact the economic sustainability of environmental criminal enterprises, and to what extent are they an effective deterrent?**

Prevention of Money Laundering Act (PMLA) is enacted to combat money laundering by undermining the financial sources of criminal networks, among which those that trade in environmental crime like illegal mining, wildlife trafficking, and deforestation are included. The economic sanctions (freezing of bank accounts, freezing of financial transactions) and seizure of property (freezing of assets, money or other goods obtained through crime) provisions of the Act aim at freezing the money assets of such networks. In addition to deterring investment in crime, these provisions deter by adding apparent risk of involvement in such offenses.

Their deterrent impact, however, relies on enforcement quality, the speed of courts, as well as coordination among agencies. Although successful prosecutions validate the efficacy of the PMLA, examples of excessively delayed judicial cases and the evolving nature of criminals show deficiencies in its deterrent impact.

**Principal Provisions of PMLA under Environmental Crimes**

* Section 3 (Definition of Money Laundering): Stipulates that any activity involving the concealment, acquisition, or use of crime proceeds constitutes money laundering, thereby covering financial proceeds of environmental crime.
* Section 5 (Provisional Attachment of Property): Covers provisional attachment of suspected properties of environmental crime for 180 days to avoid assets from being dissipated during the investigation.
* Section 8 (Confiscation of Property): Facilitates confiscation of attached property on judicial conclusions that they are crime proceeds, de facto decoupling criminal operations of their financial anchors.
* Section 17 (Search and Seizure): Facilitates searches to be carried out and documents or properties related to money laundering by the Enforcement Directorate (ED) under this act for collection of evidence against sophisticated environmental crime syndicates.

**The Bellary Mining Scam[[32]](#footnote-32)**

Bellary mining scam (2006–2011) is a classic example where provisions of PMLA were used well against eco-crimes. Unlawful mining of iron ore in Karnataka by influential people led by then-minister Gali Janardhana Reddy. The destruction of the environment was humongous with deforestation, destruction of flora and fauna, and widespread soil and water contamination. Unlawful mining also caused revenue loss of over ₹16,000 crore to the state.

PMLA Action:

Enforcement Directorate (ED) applied PMLA to stop the money trail from the scam. Important steps were:

* Attachment of Assets: ED froze assets worth ₹37.86 crore, including bank accounts, lands, and mining equipment of Reddy brothers. Attached assets were subsequently approved for seizure under Section 8 of PMLA.
* Freezing of Proceeds: Illegal proceeds of iron ore sale were traced and frozen, denying illegal mining operations money to function and expand.
* Disruption of Finances: The freeze in assets also hit the flow of cash, which no longer was being invested back into the mining operations or being used as bribes to the government.

Impact

* Economic Disruption: Freezing of the financial viability of the mining syndicate by seizing the most important assets led to a sudden halt of its activities.
* Deterrent Effect: The magnitude of asset seizures was a strong message to other illegal mining operators in India, setting the cost for engaging in such activities.

***Challenges:***

Despite much effort being invested in it, the case revealed loopholes like:

* Lengthy Court Struggles: Delays in courts reduced the timely deterrent effect.
* Political Influence: Political shield petitions underscored difficulties in imposing PMLA on powerful offenders.

**Case laws Illustrating PMLA's Impact on Ecological Crimes**

**1. Directorate of Enforcement v. J. Sekar[[33]](#footnote-33) (2018)**

Facts: Concerned illegal sand mining operations in Tamil Nadu, wherein mining revenues were routed through multiple channels to mask.

Judgment: The Supreme Court upheld ED action under PMLA, establishing that proceeds of environmental crimes like illegal mining are "proceeds of crime" under Section 2(1)(u) of the Act.

Significance:

* Intersemination between PMLA and environmental legislations: The judgment made it apparent beyond doubt that proceeds of money laundering from environmental crimes squarely come within the reach of PMLA.
* Validation of Asset Forfeiture: Proper invocation of Sections 5 and 8 for freezing and confiscation of assets under environmental crimes, supporting the jurisdiction of the PMLA over financial aspects of such crimes.
* Impact: Enabled the ED to act expeditiously against financial chains supporting environmental crimes.

**2. Vijay Madanlal Choudhary v. Union of India[[34]](#footnote-34) (2022)**

Facts: PMLA provisions, including provisions regarding attachment and seizure of assets, challenged to be constitutionally invalid.

Supreme Court Judgment: Provided constitutional legitimacy to PMLA, including property confiscation and strict bail conditions, reaffirming money laundering needs to be closely watched.

Impact on Green Crimes:

* Validity: Provided validity for use of PMLA against environmental crimes by confirming legality in property seizure in crimes.
* Deterrent Effect: Supreme Court judgment witnessed an increase in perceived risk of damaging the environment by confirming severe financial punishment.

***Practical Challenges in Implementing the PMLA in Environmental Crime Cases***

In my view, PMLA's asset forfeiture and financial sanctions provisions are the key to dismantling environmental criminal networks by striking their economic jugular. The Bellary case illustrates how judicious use of financial sanctions can destroy even politically influential networks. But the deterrent effect of these provisions is significantly lost due to long-drawn judicial processes and criminal enterprises' ability to adapt, which tends to find loopholes in the law and offshore arrangements for protecting their assets.

To achieve the full deterrent effect of PMLA, a multi-pronged approach involving:

1. Rapid Adjudication: Speed in the disposal of PMLA cases to turn seizures into immediate confiscations.
2. Increased Interagency Coordination: Interagency coordination among environmental, financial, and enforcement agencies for undertaking thorough investigations.
3. International Cooperation: Partnerships with international centers to pursue and seize foreign laundered assets.

PMLA is a theoretical success, but its actual potential to counter environmental crimes relies on the success of these systemic weaknesses.

**Conclusion**

Asset forfeiture and economic sanctions provisions of PMLA will be a key consideration towards disabling the financial viability of environmental criminal operations through seizure of illegal proceeds and freezing of assets pivotal to their operations. Convictions in J. Sekar and Vijay Madanlal cases have now legitimized and deterred these provisions. But successful leveraging of PMLA relies upon its effective and clear application, prompt adjudication by the judiciary, and successful interagency as well as international coordination. All these challenges, if overcome, could make PMLA a potent but unreleased weapon against environmental crime for India.

**5. What are the precise procedural and evidentiary challenges in identifying the financial trail from environmental crimes to money laundering transactions, and what reforms are needed to enhance the efficiency and conviction rate of PMLA prosecutions for environmental crime cases**

The Prevention of Money Laundering Act (PMLA) in India is a valuable tool to combat financial crimes, including those arising out of environmental crimes like illegal mining, deforestation, and wildlife trade. However, the success of PMLA prosecutions in these cases is undermined by serious procedural and evidentiary challenges. Overcoming these challenges requires far-reaching reforms to address legal, institutional, and operational gaps. This answer analyzes the particular challenges of establishing financial traces from environmental crimes to money laundering and suggests reforms to enhance PMLA prosecutions with better prosecution rates.

**1. Procedural Challenges in Proving Environmental Crimes-Money Laundering Connection**

(a) Inter-Agency Coordination

One of the key issues is the lack of seamless coordination between environmental departments (for instance, Forest Departments) and money laundering/bank seizure enforcement agencies like the Enforcement Directorate (ED). Jurisdiction disputes and dispersed responsibility hinder investigations.

**Bellary Mining Scam (2011)**

The scam of ₹16,000 crore of black money was the failure of financial and environment agencies working in co-operation. The departmental machinery at the state level did not co-operate because the ED failed to trace and freeze money.

Legal Gap: Compulsory co-operation at the inter-agency level rendered Section 50 of PMLA ineffective that conferred power for issuance of summons upon persons to question them.

(b) International Legal Challenges

Environmental crimes often involve cross-border monetary flows. Ineffective Mutual Legal Assistance (MLA) procedures and deconcentrated judicial systems hinder the recovery of assets in a timely manner.

***Comparative Analysis and Recommendations: Strengthening the Legal Framework***

 **Odebrecht Scandal (2016)[[35]](#footnote-35)**

* The scandal unveiled the weaknesses of MLA mechanisms among Brazil, Switzerland, and the U.S., hindering recovery of environmental bribes' laundered proceeds.
* Legal Gap: Despite Article 46 of the UN Convention Against Corruption (UNCAC) mandating expedited MLA, it remains inadequately enforced.

Not all environmental crimes are predicate crimes under PMLA, which limits the coverage of prosecutions.

Example: Offenses under Air and Water Act in India

Offenses under such acts are not included in the list of predicates in the PMLA Schedule, which excludes their use against serious categories of environmental crimes under the provisions of the PMLA.

(d) Resource Constraints

Environmental crime investigations are generally under-funded and without specialist resources to trace money, and it becomes difficult to pursue long investigations.

**2. Issues with Evidence in Prosecuting Environmental Crime Money Laundering**

(a) Creating the Link Between Money and Crime

It is difficult to track laundered money back to environmental crimes directly, especially where proceeds are a result of saving and not profit.

**Trafigura Case (2006)[[36]](#footnote-36)**

Netherlands courts convicted Trafigura of illegal waste dumping but acquitted it of money laundering because it was difficult to demonstrate cost savings from dumping to be "proceeds of crime."

Legal Gap: PMLA's "proceeds" definition does not include cost savings but only direct gains, thus limiting its applicability.

(b) Cash-Based Transactions

Environmental offenses, particularly wildlife smuggling and logging, are most likely cash transactions that leave no paper trail to help finance investigators trace their flow.

**East Africa's Wildlife Trafficking**

The 2020 UNODC report states that 70% of Tanzania and Kenya's ivory trade transactions are conducted in cash, and the money cannot be traced. In Republic v. Feisal Mohamed Ali (2016), an ivory trafficker was acquitted by the Kenyan courts due to insufficient financial evidence.

(c) Sophisticated Financial Structures

The offenders of eco crimes typically use layered transactions, shell companies, and foreign accounts to hide proceeds.

**Illegal Mining in Saranda Forest (2017)**

The ED imposed ₹1,300 crore related to shell companies trading in the activity of iron ore mining. There were slow prosecutions as it is not simple to pierce the corporate veil and identify ultimate beneficiaries.

(d) Quantification of Proceeds

There are no guidelines for guesstimating proceeds from environment damage, which further dilutes the case against PMLA.

**Deepwater Horizon Oil Spill (2010)[[37]](#footnote-37)**

U.S. courts imposed $20 billion worth of civil sanctions on BP but did not prosecute money laundering due to the challenge of quantifying financial proceeds of environmental damage.

3. Reforms to Enhance PMLA Prosecutions in Environmental Matters

***Economic Sanctions and Deterrence: Impact on Environmental Criminal Enterprises***

(a) Legislative Reforms

* Expand Predicate Offenses: Amend the PMLA Schedule to explicitly include all environmental crimes under the Environment Protection Act, 1986, and the Air and Water Acts.
* Redesignate "Proceeds of Crime": Incorporate cost savings from environmental offenses into the definition of "proceeds" in Section 2(1) (u) of PMLA.

Precedent: EU's 6th Anti-Money Laundering Directive (2021) has predicates of environmental offenses and count cost savings as proceeds.

(b) Institutional Strengthening

* Specialized Units: Create specialized units in the ED with training on environmental and financial crime.
* Case Study: Indonesia's Illegal Logging Task Force (2015) successfully prosecuted over 200 cases by integrating forestry and finance skills.
* Inter-Agency Task Forces: Mandate joint task forces and common databases for ED, Central Pollution Control Board, and state-level environmental departments.

(c) Technological and Operational Improvements

* Enhanced Forensics: Create forensic accounting and technology tools like AI-based transactions analysis and blockchain-based tracing of proceeds.
* International Cooperation: Become signatories to UNCAC provisions in order to ease MLA requests and asset recovery from offshore centers.

(d) Altered Burden of Proof

* Pass Unexplained Wealth Orders (UWOs): Relocate the burden on defendants to prove authenticity of assets after suspect patterns have been identified.

**U.K. Criminal Finances Act (2017) successfully applied UWOs in National Crime Agency v. Zamira Hajiyeva (2018)[[38]](#footnote-38).**

***Conclusion: Towards a More Effective Application of the PMLA***

**Conclusion**

The procedural and evidence challenges in establishing the link between environmental crime and money laundering in PMLA are formidable but not insurmountable. The way ahead is a combination of legislative revisions to expand the predicate offenses, better inter-agency coordination, and more developed forensic capability. Burden of proof reformulation and international partnership can also contribute to the capabilities of the enforcing agency to breach financial networks pro-environment crime effectively. Through a careful examination of these issues, India can significantly enhance the deterrence value and conviction rate of PMLA against green crimes.

The nexus of financial crime and environmental degradation is a complex and increasingly concerning issue that intersects economic, environmental, and social systems. Financial crimes, such as money laundering, corruption, fraud, and illegal wildlife trafficking, often exacerbate environmental degradation, while environmental crimes, such as illegal logging, mining, and fishing, frequently involve financial crimes to conceal illicit profits. This interplay creates a vicious cycle that undermines sustainable development, biodiversity, and climate goals.

***Sources Of Data***

1. For the research paper "The Effectiveness of the PMLA in Combating Environmental Crimes," the data sources will be diverse, encompassing both primary and secondary materials to ensure a comprehensive analysis.
2. Primary Sources:
3. Legal Databases:
	1. Manupatra and SCC Online will be extensively used to access:
		1. The full text of the Prevention of Money Laundering Act (PMLA), 2002, and related legislations.
		2. Judgments and orders of the Supreme Court of India, High Courts, and Special Courts established under the PMLA.
		3. Case records related to environmental crimes where the PMLA has been invoked.
4. Government Publications:
	1. Reports and publications from the Enforcement Directorate (ED), Financial Intelligence Unit-India (FIU-IND), Ministry of Environment, Forest and Climate Change (MoEFCC), and Central Pollution Control Board (CPCB).
	2. Official gazettes and notifications related to amendments and implementation of the PMLA and environmental laws.
5. Court Records:
	1. Direct access to court records where possible, to examine procedural details of cases.
6. Legislative Documents:
	1. Parliamentary debates and committee reports related to the enactment and amendments of the PMLA and environmental laws.
7. Secondary Sources:
8. Academic Journals:
	1. Peer-reviewed articles from legal and environmental studies journals.
	2. Research papers and dissertations on environmental crime, anti-money laundering, and related topics.
9. Reports from Non-Governmental Organizations (NGOs):
	1. Reports from environmental NGOs, such as the Environmental Investigation Agency (EIA), World Wildlife Fund (WWF), and Greenpeace, documenting environmental crimes and their financial implications.
10. News Articles and Media Reports:
	1. Reports from reputable news sources covering environmental crime cases and legal developments.
11. Books and Treatises:
	1. Scholarly books and treatises on environmental law, criminal law, and anti-money laundering.
12. International Publications:
	1. Reports and publications from international organizations, such as the United Nations Office on Drugs and Crime (UNODC) and the Financial Action Task Force (FATF), on transnational environmental crime and anti-money laundering standards.
13. Online Resources:
	1. Official websites of relevant government agencies, international organizations, and legal databases.
	2. Reputable online repositories of legal and environmental information.

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24. *Union Carbide Corp. v. Union of India, 1991 AIR 1132 (SC)* [↑](#footnote-ref-24)
25. *Wildlife (Protection) Act, 1972, Act No. 53 of 1972, INDIA CODE (1972).* [↑](#footnote-ref-25)
26. *NCA v. Zamira Hajiyeva, [2018] EWCA Civ 2646 (Eng.)* [↑](#footnote-ref-26)
27. United Nations Convention against Corruption, art. 31, G.A. Res. 58/4, U.N. Doc. A/RES/58/4 (Oct. 31, 2003). [↑](#footnote-ref-27)
28. *NCA v. Zamira Hajiyeva, [2018] EWCA Civ 2646 (Eng.)* [↑](#footnote-ref-28)
29. *NCA v. Zamira Hajiyeva (2018)* [↑](#footnote-ref-29)
30. *Vijay Madanlal Choudhary v. Union of India, (2022) 5 SCC 1 (India)* [↑](#footnote-ref-30)
31. *Bellary Mining Scam, (2011) 6 SCC 350 (India)* [↑](#footnote-ref-31)
32. *Central Bureau of Investigation v. Gali Janardhana Reddy, Special CBI Case No. 1/2011 (Special CBI Court, Hyderabad).* [↑](#footnote-ref-32)
33. *Directorate of Enforcement v. J. Sekar, (2022) 5 SCC 1 (India)* [↑](#footnote-ref-33)
34. *Vijay Madanlal Choudhary v. Union of India, (2022) 5 SCC 1 (India)* [↑](#footnote-ref-34)
35. *United States v. Odebrecht S.A., No. 16-CR-643 (E.D.N.Y. filed Dec. 21, 2016)* [↑](#footnote-ref-35)
36. *Public Prosecutor v. Trafigura Beheer B.V., Case No. 13/846003-06 (Amsterdam Dist. Ct. July 23, 2010)* [↑](#footnote-ref-36)
37. *In re Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010, MDL No. 2179, 21 F. Supp. 3d 657 (E.D. La. 2014)* [↑](#footnote-ref-37)
38. National Crime Agency v. Hajiyeva*, [2018] EWHC 2534 (Admin)* [↑](#footnote-ref-38)