

File No. 14014/01/2019/CFT-83
Government of India
Ministry of Home Affairs
(CFT Cell/CTCR Division)

North Block, New Delhi.
Dated: the 15th March, 2023.

CORRIGENDUM

Subject: - Procedure for implementation of Section 51A of the Unlawful Activities (Prevention) Act, 1967 – modification - regarding.

The Order of even number dated 2nd February 2021 be stand modified to the following extent:

- (i) Procedure for implementation of Section 51A of the Unlawful Activities (Prevention) Act, 1967 is also applicable to the Department of Posts, International Financial Services Centres Authority (IFSCA) and Pension Fund Regulatory & Development Authority (PFRDA) and Reporting Organisations regulated by them.
- (ii) Procedure for implementation of Section 51A as mentioned at Para 5, 6, 7 and 12 in aforesaid order dated 02.02.2021, is also applicable to the individuals and organisations designated by the Ministry of Home Affairs under Section 35 [First Schedule and Fourth Schedule] of the Unlawful Activities (Prevention) Act, 1967. The Central [Designated] Nodal Officer shall electronically communicate any changes in the list of designated individuals/organisations as modified in the First Schedule and the Fourth Schedule of the UAPA to the designated Nodal Officers in the Ministry of Corporate Affairs, CBIC, Financial Regulators, FIU-India, Foreigners Division of MHA and the UAPA Nodal officers of all States/UTs without delay, who shall, in turn take further necessary action for communicating the same as per Para 4.2, 4.4 and 4.5 of the MHA's Order dated 02.02.2021.
- (iii) Para 10 of the MHA's order dated 02.02.2021 is modified by inserting Para 10.3 as under:
 - (a) The designated individual or organisation may submit a request to the Central [Designated] Nodal Officer for UAPA under the provisions of Para 10.1 above. The Central [Designated] Nodal Officer for UAPA may be approached by post at "Additional Secretary (CTCR), North Block, New Delhi - 110001" or through email to jsector-mha@gov.in.
 - (b) The Central [Designated] Nodal Officer for UAPA shall examine such requests, in consultation with the Law Enforcement Agencies and other Security Agencies and Intelligence Agencies and, if accepted, communicate the same, if applicable, to the Ministry of External Affairs, Government of India for notifying the Committee established pursuant to UNSC Resolution 1267 (1999) of the intention to authorize, access to such funds, assets or resources in terms of Para 10.1 above."

- (iv) Below Para 11 of the MHA's order dated 02.02.2021, Para 11A is inserted as under:

"11A. Regarding procedure for unfreezing of funds, financial assets or economic resources or related services of individuals/organisations in the event of delisting by the UNSCR 1267 (1999), 1988 (2011) and 1989 (2011) Committee

Upon making an application in writing by the concerned individual/organisation, to the concerned bank, stock exchanges/ depositories, intermediaries regulated by SEBI, insurance companies, Registrar of Immovable Properties, RoC, Regulators of DNFBPs, Department of Posts and the UAPA Nodal Officers of all States/UTs., who in turn shall forward the application along with the full details of the assets frozen to the Central [Designated] Nodal Officer for UAPA within two working days. The Central [Designated] Nodal Officer for UAPA shall examine the request in consultation with the Law Enforcement Agencies and other Security Agencies and Intelligence Agencies and cause such verification as may be required and if satisfied, shall pass an order, without delay, unfreezing the funds, financial assets or economic resources or related services owned or held by the applicant under intimation to concerned bank, stock exchanges/ depositories, intermediaries regulated by SEBI, insurance companies, Registrar of Immovable Properties, RoC, Regulators of DNFBPs, Department of Posts and the UAPA Nodal Officers of all States/UTs."

2. This is for information and necessary action by all concerned Departments/ Agencies.



(Deepak Shinde)

Deputy Secretary to the Government of India

To,

1. Governor, Reserve Bank of India, Mumbai.
2. Chairman, Securities & Exchange Board of India, Mumbai.
3. Chairman, Insurance Regulatory and Development Authority, Hyderabad.
4. Foreign Secretary, Ministry of External Affairs, New Delhi.
5. Finance Secretary, Ministry of Finance, New Delhi.
6. Revenue Secretary, Department of Revenue, Ministry of Finance, New Delhi.
7. Secretary, Ministry of Corporate Affairs, New Delhi.
8. Secretary, Department of Post, New Delhi.
9. Chairman, Central Board of Indirect Taxes & Customs, New Delhi.
10. Director, Intelligence Bureau, New Delhi.
11. Director General, National Investigation Agency, New Delhi.
12. Chairperson, Pension Fund Regulatory and Development Authority, B-14/A, Chatrapati Shivaji Bhawan, Qutub Institutional Area, Katwaria Sarai, New Delhi-110016.
13. The Chairperson, IFSCA, 2nd & 3rd Floor, PRAGYA Tower, Block 15, Zone 1, Road 1C, GIFT SEZ, GIFT City, Gandhinagar, Gujarat - 382 355.
14. Director (FIU-IND), New Delhi.
15. Additional Secretary, Department of Financial Services, Ministry of Finance, New Delhi.
16. Chief Secretaries of all States/Union Territories.

17. Principal Secretary (Home)/Secretary (Home) of all States/ Union Territories
18. Directors General of Police of all States & Union Territories.
19. Commissioner of Police, Delhi, New Delhi.
20. Joint Secretary (Foreigners), Ministry of Home Affairs, New Delhi.
21. Joint Secretary (Capital Markets), Department of Economic Affairs, Ministry of Finance, New Delhi.
22. Joint Secretary (Revenue), Department of Revenue, Ministry of Finance, New Delhi.

Copy for information to: -

1. Sr. PPS to HS
2. Sr. PPS to SS (IS)
3. Sr. PPS to AS (CTCR)