

New Delhi, dated 14 March 2019

ORDER

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

The Unlawful Activities (Prevention) Act, 1967 (UAPA) was amended and notified on 31.12.2008, which, inter-alia, inserted Section 51A to the Act. Section 51A reads as under:-

"51A. For the prevention of, and for coping with terrorist activities, the Central Government shall have power to —

- (a) freeze, seize or attach funds and other financial assets or economic resources held by, on behalf of or at the direction of the individuals or entities Listed in the Schedule to the Order, or any other person engaged in or suspected to be engaged in terrorism;
- (b) prohibit any individual or entity from making any funds, financial assets or economic resources or related services available for the benefit of the individuals or entities Listed in the Schedule to the Order or any other person engaged in or suspected to be engaged in terrorism;
- (c) prevent the entry into or the transit through India of individuals Listed in the Schedule to the Order or any other person engaged in or suspected to be engaged in terrorism".

The Unlawful Activities (Prevention) Act, 1967 defines "Order" as under:-

"Order" means the Prevention and Suppression of Terrorism (Implementation of Security Council Resolutions) Order, 2007, as may be amended from time to time.

In order to expeditiously and effectively implement the provisions of Section 51A, a procedure was outlined vide this Ministry Order No. 17015/10/2002-IS-VI dated 27.08.2009. After the reorganization of the Divisions in Ministry of Home Affairs, the administration of Unlawful Activities (Prevention) Act, 1967 and the work relating to countering of terror financing has been allocated to the CTCR Division. The order dated 27.8.2009 is accordingly modified as under:-

Appointment and communication of details of UAPA Nodal Officers

As regards appointment and communication of details of UAPA Nodal Officers-

- (i) The UAPA Nodal Officer for CTCR Division would be the Joint Secretary (CTCR), Ministry of Home Affairs. His contact details are 011-23092736 (Tel), 011-23092569 (Fax) and jector-mha@gov.in (e-mail id).
- (ii) The Ministry of External Affairs, Department of Economic Affairs, Foreigners Division of MHA, FIU-IND; and RBI, SEBI, IRDA (hereinafter referred to as Regulators) shall appoint a UAPA Nodal Officer and communicate the name and contact details to the CTCR Division in MHA.

(iii) The States and UTs should appoint a UAPA Nodal Officer preferably of the rank of the Principal Secretary/Secretary, Home Department and communicate the name and contact details to the CTCR Division in MHA.

(iv) The CTCR Division in MHA would maintain the consolidated list of all UAPA Nodal Officers and forward the list to all other UAPA Nodal Officers.

(v) The RBI, SEBI, IRDA should forward the consolidated list of UAPA Nodal Officers to the banks, stock exchanges/depositories, intermediaries regulated by SEBI and insurance companies respectively.

(vi) The consolidated list of the UAPA Nodal Officers should be circulated by the Nodal Officer of CTCR Division of MHA in July every year and on every change. Joint Secretary (CTCR) being the Nodal Officer of CTCR Division of MHA, shall cause the amended list of UAPA Nodal Officers to be circulated to the Nodal Officers of Ministry of External Affairs, Department of Economic Affairs, Foreigners Division of MHA, RBI, SEBI, IRDA and FIU-IND.

### **Communication of the list of designated individuals/entities**

3. As regards communication of the list of designated individuals/entities-

(i) The Ministry of External Affairs shall update the list of individuals and entities subject to UN sanction measures on a regular basis. On any revision, the Ministry of External Affairs would electronically forward this list to the Nodal Officers in Regulators, FIU-IND, CTCR Division and Foreigners Division in MHA,

(ii) The Regulators would forward the list mentioned in (i) above (referred to as designated lists) to the banks, stock exchanges/ depositories, intermediaries regulated by SEBI and insurance companies respectively.

(iii) The CTCR Division of MHA would forward the designated lists to the UAPA Nodal Officer of all States and UTs.

(iv) The Foreigners Division of MHA would forward the designated lists to the immigration authorities and security agencies.

### **Regarding funds, financial assets or economic resources or related services held in the form of bank accounts, stocks or Insurance policies etc.**

4. As regards funds, financial assets or economic resources or related services held in the form of bank accounts, stocks or Insurance policies etc., the Regulators would forward the designated lists to the banks, stock exchanges/depositories, intermediaries regulated by SEBI and insurance companies respectively. The RBI, SEBI and IRDA would issue necessary guidelines to banks, stock exchanges/depositories, intermediaries regulated by SEBI and insurance companies requiring them to-

(i) Maintain updated designated lists in electronic form and run a check on the given parameters on a regular basis to verify whether individuals or entities listed in the schedule to the Order, herein after, referred to as designated individuals/entities are holding any funds, financial assets or economic resources or related services held in the form of bank accounts, stocks or Insurance policies etc., with them.

(ii) In case, the particulars of any of their customers match with the particulars of designated individuals/entities, the banks, stock exchanges/depositories, intermediaries regulated by SEBI and insurance companies shall immediately, not later than 24 hours from the time of finding out such customer, inform full particulars of the funds, financial

assets or economic resources or related services held in the form of bank accounts, stocks or Insurance policies etc., held by such customer on their books to the Joint Secretary (CTCR), Ministry of Home Affairs, at Fax No.011-23092569 and also convey over telephone on 011-23092736. The particulars apart from being sent by post, should necessarily be conveyed on e-mail id: jsctcr-mha@gov.in.

(iii) The banks, stock exchanges/depositories, intermediaries regulated by SEBI and insurance companies shall also send a copy of the communication mentioned in (ii) above to the UAPA Nodal Officer of the State/UT where the account is held and Regulators and FIU-IND, as the case may be.

(iv) In case, the match of any of the customers with the particulars of designated individuals/entities is beyond doubt, the banks, stock exchanges/depositories, intermediaries regulated by SEBI and insurance companies would prevent designated persons from conducting financial transactions, under intimation to the Joint Secretary (CTCR), Ministry of Home Affairs, at Fax No.011-23092569 and also convey over telephone on 011-23092736. The particulars apart from being sent by post should necessarily be conveyed on e-mail id: jsctcr-mha@gov.in.

(v) The banks, stock exchanges /depositories, intermediaries regulated by SEBI and insurance companies, shall file a Suspicious Transaction Report (STR) with FIU-IND covering all transactions in the accounts covered by paragraph (ii) above, carried through or attempted as per the prescribed format.

5. On receipt of the particulars referred to in paragraph 4(ii) above, CTCR Division of MHA would cause a verification to be conducted by the State Police and/or the Central Agencies so as to ensure that the individuals / entities identified by the banks, stock exchanges/depositories, intermediaries regulated by SEBI and Insurance Companies are the ones listed as designated individuals/entities and the funds, financial assets or economic resources or related services, reported by banks, stock exchanges/depositories, intermediaries regulated by SEBI and insurance companies are held by the designated individuals/entities. This verification would be completed within a period not exceeding 5 working days from the date of receipt of such particulars.

6. In case, the results of the verification indicate that the properties are owned by or are held for the benefit of the designated individuals/entities, an order to freeze these assets under Section 51A of the UAPA would be issued by the UAPA Nodal Officer of CTCR Division of MHA and conveyed electronically to the concerned bank branch, depository, branch of insurance company branch under intimation to respective Regulators and FIU-IND. The UAPA Nodal Officer of CTCR Division of MHA shall also forward a copy thereof to all the Principal Secretary/Secretary, Home Department of the States or UTs, so that any individual or entity may be prohibited from making any funds, financial assets or economic resources or related services available for the benefit of the designated individuals/ entities or any other person engaged in or suspected to be engaged in terrorism. The UAPA Nodal Officer of CTCR Division of MHA shall also forward a copy of the order to all Directors General of Police/ Commissioners of Police of all States/UTs for initiating action under the provisions of the Unlawful Activities (Prevention) Act, 1967.

The order shall be issued without prior notice to the designated individual/entity.

Regarding financial assets or economic resources of the nature of immovable properties

7. CTCR Division of MHA would electronically forward the designated lists to the UAPA Nodal Officer of all States and UTs with the request to have the names of the designated individuals/entities, on the given parameters, verified from the records of the office

of the Registrar performing the work of registration of immovable properties in their respective jurisdiction

8. In case, the designated individuals/entities are holding financial assets or economic resources of the nature of immovable property and if any match with the designated individuals/entities is found, the UAPA Nodal Officer of the State/UT would cause communication of the complete particulars of such individual/entity along with complete details of the financial assets or economic resources of the nature of immovable property to Joint Secretary (CTCR), Ministry of Home Affairs, immediately within 24 hours at Fax No.011-23092569 and also convey over telephone on 011-23092736. The particulars apart from being sent by post would necessarily be conveyed on e-mail id [jsctcr-mha@gov.in](mailto:jsctcr-mha@gov.in).

9. The UAPA Nodal Officer of the State/UT may cause such inquiry to be conducted by the State Police so as to ensure that the particulars sent by the Registrar performing the work of registering immovable properties are indeed of these designated individuals/entities. This verification would be completed within a maximum of 5 working days and should be conveyed within 24 hours of the verification, if it matches with the particulars of the designated individual/entity to Joint Secretary (CTCR), Ministry of Home Affairs at the Fax, telephone numbers and also on the e-mail id given below.

10. A copy of this reference should be sent to Joint Secretary (CTCR), Ministry of Home Affairs, at Fax No.011-23092569 and also conveyed over telephone on 01123092736. The particulars apart from being sent by post would necessarily be conveyed on e-mail id: [jsctcr-mha@gov.in](mailto:jsctcr-mha@gov.in). MHA may also have the verification conducted by the Central Agencies. This verification would be completed within a maximum of 5 working days

11. In case, the results of the verification indicate that the particulars match with those of designated individuals/entities, an order under section 51A of the UAPA would be issued by the UAPA Nodal Officer of CTCR Division of MHA and conveyed to the concerned Registrar performing the work of registering immovable properties and to FIU-IND under intimation to the concerned UAPA Nodal Officer of the State/UT.

The order shall be issued without prior notice to the designated individual/entity.

12. Further, the UAPA Nodal Officer of the State/UT shall cause to monitor the transactions/ accounts of the designated individual/entity so as to prohibit any individual or entity from making any funds, financial assets or economic resources or related services available for the benefit of the individuals or entities Listed in the Schedule to the Order or any other person engaged in or suspected to be engaged in terrorism. The UAPA Nodal Officer of the State/UT shall upon coming to his notice, transactions and attempts by third party immediately bring to the notice of the DGP/Commissioner of Police of the State/UT for also initiating action under the provisions of Unlawful Activities (Prevention) Act 1967.

#### **Implementation of requests received from foreign countries under U.N. Security Council Resolution 1373 of 2001.**

13. U.N. Security Council Resolution 1373 obligates countries to freeze without delay the funds or other assets of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds or other assets derived or generated from property owned or controlled, directly or indirectly, by such persons and associated persons and entities. Each individual country has the authority to designate the persons and entities that should have their funds or other assets frozen. Additionally, to ensure that effective cooperation is developed among countries, countries should examine and give effect to, if appropriate, the actions initiated under the freezing mechanisms of other countries.

14. To give effect to the requests of foreign countries under U.N. Security Council Resolution 1373, the Ministry of External Affairs shall examine the requests made by the foreign countries and forward it electronically, with their comments, to the UAPA Nodal Officer for CTCR Division for freezing of funds or other assets.

15. The UAPA Nodal Officer of CTCR Division of MHA, shall cause the request to be examined, within 5 working days, so as to satisfy itself that on the basis of applicable legal principles, the requested designation is supported by reasonable grounds, or a reasonable basis, to suspect or believe that the proposed designee is a terrorist, one who finances terrorism or a terrorist organization, and upon his satisfaction, request would be electronically forwarded to the Nodal Officers in Regulators, FIU-IND and to the Nodal Officers of the States/UTs. The proposed designee, as mentioned above would be treated as designated individuals/entities.

16. Upon receipt of the requests by these Nodal Officers from the UAPA nodal officer of CTCR Division, the procedure as enumerated at paragraphs 4 to 12 above shall be followed.

The freezing orders shall be issued without prior notice to the designated persons involved.

**Procedure for unfreezing of funds, financial assets or economic resources or related services of individuals/entities inadvertently affected by the freezing mechanism upon verification that the person or entity is not a designated person**

17. Any individual or entity, if it has evidence to prove that the freezing of funds, financial assets or economic resources or related services, owned/held by them has been inadvertently frozen, they shall move an application giving the requisite evidence, in writing, to the concerned bank, stock exchanges/ depositories, intermediaries regulated by SEBI, insurance companies, Registrar of Immovable Properties and the State/UT Nodal Officers.

18. The banks, stock exchanges/depositories, intermediaries regulated by SEBI, insurance companies, Registrar of Immovable Properties and the State/ UT Nodal Officers shall inform and forward a copy of the application together with full details of the asset frozen given by any individual or entity informing of the funds, financial assets or economic resources or related services have been frozen inadvertently, to the Nodal Officer of CTCR Division of MHA as per the contact details given in paragraph 4 (ii) above, within two working days.

19. The Joint Secretary (CTCR), MHA being the UAPA Nodal Officer for CTCR Division of MHA shall cause such verification, as may be required on the basis of the evidence furnished by the individual/entity, and, if satisfied, he shall pass an order, within 15 working days, unfreezing the funds, financial assets or economic resources or related services, owned/held by such applicant, under intimation to the concerned bank, stock exchanges/depositories, intermediaries regulated by SEBI, insurance company and the Nodal Officers of States/UTs. However, if it is not possible for any reason to pass an Order unfreezing the assets within 15 working days, the UAPA Nodal Officer of CTCR Division shall inform the applicant.

**Communication of Orders under section 51A of Unlawful Activities (Prevention) Act, 1967.**

20. All Orders under section 51A of Unlawful Activities (Prevention) Act, 1967 relating to funds, financial assets or economic resources or related services, would be

communicated to all the banks, depositories/stock exchanges, intermediaries regulated by SEBI, insurance companies through respective Regulators, and to all Registrars performing the work of registering immovable properties, through the State/UT Nodal Officer by CTCR Division of MHA. 64

**Regarding prevention of entry into or transit through India**

21. As regards prevention of entry into or transit through India of the designated individuals, the Foreigners Division of MHA, shall forward the designated lists to the immigration authorities and security agencies with a request to prevent the entry into or the transit through India. The order shall take place without prior notice to the designated individuals/entities.

22. The immigration authorities shall ensure strict compliance of the Orders and also communicate the details of entry or transit through India of the designated individuals as prevented by them to the Foreigners' Division of MHA.

**Procedure for communication of compliance of action taken under section 51A**

23. The Nodal Officers of CTCR Division and Foreigners Division of MHA shall furnish the details of funds, financial assets or economic resources or related services of designated individuals/entities frozen by an order, and details of the individuals whose entry into India or transit through India was prevented, respectively, to the Ministry of External Affairs for onward communication to the United Nations.

24. All concerned are requested to ensure strict compliance of this order.

  
(Piyush Goyal)  
Joint 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. Director, Intelligence Bureau, New Delhi.
8. Additional Secretary, Department of Financial Services, Ministry of Finance, New Delhi.
9. Chief Secretaries of all States/Union Territories
10. Principal Secretary (Home)/Secretary (Home) of all States/ Union Territories
11. Directors General of Police of all States & Union Territories
12. Director General of Police, National Investigation Agency, New Delhi.
13. Commissioner of Police, Delhi.
14. Joint Secretary (Foreigners), Ministry of Home Affairs, New Delhi.
15. Joint Secretary (Capital Markets), Department of Economic Affairs, Ministry of Finance, New Delhi.
16. Joint Secretary (Revenue), Department of Revenue, Ministry of Finance, New Delhi.
17. Director (FIU-IND), New Delhi.

F.No.14014/01/2019/CFT  
Government of India  
Ministry of Home affairs  
CTCR Division/CFT Cell)

North Block, New Delhi  
Dated, the 14<sup>th</sup> March, 2019

To,  
The Principal Secretary (Home)  
All States/UTs

Subject: Procedure for Implementation of Section-51A of the Unlawful Activities  
(Prevention) Act, 1967.

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Sir,

Please refer to this Ministry's letter No. 17011/35/2009-IS-VI dated 22.02.2010 (copy enclosed) on the above mentioned subject. Ministry of Home Affairs has issued a revised order (copy enclosed) regarding the procedure for implementation of Section 51A of the Unlawful Activities Prevention Act, 1967. The particulars of the designated individuals/entities may now be sent to Joint Secretary (CTCR), Ministry of Home Affairs at Fax No. 011-23092569 and also conveyed over telephone on 011-23092736. The particulars, apart from being sent by post, should necessarily be conveyed on email id: jsctcr-mha@gov.in

Encl:-As above

  
(Piyush Goyal)  
Joint Secretary to the Government of India

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F. No.17011/35/2009-IS.VI  
Government of India  
Ministry of Home Affairs  
(IS-I Division)  
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Dated: the 22 February, 2010.

To,

The Principal Secretary (Home)  
All States/UTs

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

Sir,

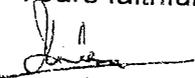
As you may recall that the Ministry of Home Affairs had issued an order of even number dated 27<sup>th</sup> August, 2009 on the above mentioned subject. In this context it is requested that the dealers of precious metals and precious stones may be advised that if any designated individual or entity approaches them for sale or purchase of precious metals and/or precious stones or attempts to undertake such transactions the dealer should not carry out such transaction and immediately inform the Principal Secretary (Home), who shall in turn follow the procedure laid down in paragraphs 7 to 10 of the above mentioned Order.

2. Similarly, the Registrar of Societies/Firms/non-profit organisations should be advised that if any designated individual/entity is a shareholder/member/partner/director/settler/trustee/beneficiary/beneficial owner of any society/partnership firm/trust/non-profit organization, then the Registrar should immediately inform the Principal Secretary (Home), who shall in turn follow the procedure laid down in paragraphs 7 to 10 of the above mentioned Order. The Registrar should also be advised that no societies/firms/non-profit organisations should be allowed to be registered, if any of the designated individual/entity is a Director/partner/office bearer/trustee/settler/beneficiary or beneficial owner of such juridical person and in case such request is received, then the Registrar should immediately inform the Principal Secretary (Home), who shall in turn follow the procedure laid down in paragraphs 7 to 10 of the above mentioned Order.

3. The list of the designated entities/individuals is enclosed with the request to have the same circulated to all dealers of precious metals and/or precious stones, through the commercial/sales tax department.

Encl: As above.

  
Yours faithfully,

  
(D. Diptivilasa)  
Joint Secretary to the Government of India

F.No.14014/01/2019/CFT  
Government of India  
Ministry of Home affairs  
CTCR Division/CFT Cell)

North Block, New Delhi  
Dated, the 14<sup>th</sup> March, 2019

To,  
The Chief Secretary  
Government of Goa,  
Panaji.

**Subject: Procedure for Implementation of Section-51A of the Unlawful Activities  
(Prevention) Act, 1967.**

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Sir,

Please refer to this Ministry's letter No. 17011/35/2009-IS-VI dated 22.02.2010 (copy enclosed) on the above mentioned subject. Ministry of Home Affairs has issued a revised order (copy enclosed) regarding the procedure for implementation of Section 51A of the Unlawful Activities Prevention Act, 1967. The particulars of the designated individuals/entities may now be sent to Joint Secretary (CTCR), Ministry of Home Affairs at Fax No. 011-23092569 and also conveyed over telephone on 011-23092736. The particulars, apart from being sent by post, should necessarily be conveyed on email id: jsctcr-mha@gov.in

Encl:-As above

  
(Piyush Goyal)  
Joint Secretary to the Government of India

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Issued

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F. No.17011/35/2009-IS-VI  
Government of India  
Ministry of Home Affairs  
(IS-I Division)  
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Dated, the 22 February, 2010.

To,

The Chief Secretary  
Government of Goa,  
Panaji

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

Sir,

As you may recall that the Ministry of Home Affairs had issued an order of even number dated 27<sup>th</sup> August, 2009 on the above mentioned subject. In this context it is requested that the appropriate department of the State Government of Goa, administering the operations relating to Casinos, may be advised to ensure that the designated individuals/entities should not be allowed to own or have beneficial ownership in any Casino operation. Further any designated individual/entity visits or participates in any game in the Casino and/or if any assets of such designated individual/entity is with the Casino operator, and if the particulars of any client matches with the particulars of designated individuals/entities, the Casino shall immediately, not later than 24 hours from the time of finding out such client, inform full particulars to the Joint (Secretary-I), Ministry of Home Affairs at Fax No. 011-23092569 and also convey over telephone on 011-23092736. The particulars apart from being sent by post should necessarily be conveyed on e-mail id: [jsis@nic.in](mailto:jsis@nic.in).

2. The list of the designated entities/individuals is enclosed.

Encl: As above.

Yours faithfully,

*(Signature)*

(D. Diptivilasa)

Joint Secretary to the Government of India

Tel. 23092736

F.No.14014/01/2019/CFT  
Government of India  
Ministry of Home affairs  
CTCR Division/CFT Cell)

North Block, New Delhi  
Dated, the 14<sup>th</sup> March, 2019

Office Memorandum

Subject: Procedure for Implementation of Section-51A of the Unlawful Activities  
(Prevention) Act, 1967.

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Sir,

Ministry of Corporate Affairs may refer to the Ministry of Home Affairs letter No. 17011/35/2009-IS-VI dated 22.02.2010 (copy enclosed) on the above mentioned subject. Ministry of Home Affairs has issued a revised order (copy enclosed) regarding the procedure for implementation of Section 51A of the Unlawful Activities Prevention Act, 1967. The particulars of the designated individuals/entities may now be sent to Joint Secretary (CTCR), Ministry of Home Affairs at Fax No. 011-23092569 and also conveyed over telephone on 011-23092736. The particulars, apart from being sent by post, should necessarily be conveyed on email id: jsctcr-mha@gov.in

Encl:-As above

  
(Piyush Goyal)  
Joint Secretary to the Government of India

To,

Secretary  
Ministry of Corporate Affairs  
Shastri Bhawan, New Delhi.

C/C  
Issued

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F. No.17011/35/2009-IS.VI  
Government of India  
Ministry of Home Affairs  
(IS-I Division)  
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Dated, the 22 February, 2010.

Office Memorandum

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

The undersigned is directed to recall the provisions of the Unlawful Activities (Prevention) Act (UAPA) which were amended and notified on 31.12.2008, which inter-alia, amended and inserted provisions to specifically combat financing of terrorism. Section 51A was inserted in the Act, which reads as under:-

*"51A. For the prevention of, and for coping with terrorist activities, the Central Government shall have power to –*

*(a) freeze, seize or attach funds and other financial assets or economic resources held by, on behalf of or at the direction of the individuals or entities Listed in the Schedule to the Order, or any other person engaged in or suspected to be engaged in terrorism;*

*(b) prohibit any individual or entity from making any funds, financial assets or economic resources or related services available for the benefit of the individuals or entities Listed in the Schedule to the Order or any other person engaged in or suspected to be engaged in terrorism;*

*(c) prevent the entry into or the transit through India of individuals Listed in the Schedule to the Order or any other person engaged in or suspected to be engaged in terrorism".*

The Unlawful Activities (Prevention) Act defines "Order" as under:-

*"Order" means the Prevention and Suppression of Terrorism (Implementation of Security Council Resolutions) Order, 2007, as may be amended from time to time.*

2. A copy of the Prevention and Suppression of Terrorism (Implementation of Security Council Resolutions) Order dated 8<sup>th</sup> July, 2009 containing the list of designated individuals and entities is enclosed.

3. In order to expeditiously and effectively implement the provisions of Section 51A, the Ministry of Home Affairs has issued an Order dated 27<sup>th</sup> August, 2009 to the regulators of the financial sectors, and to all the State Governments and UT Administrations, with regards to immovable property. A copy of the Order is enclosed.

4. In order to effectively combat financing of terrorism, it is requested that the Ministry of Corporate Affairs issues an appropriate order to the Institute of Chartered Accountants of India, Institute of Cost and Works Accountants of India and Institute of Company Secretaries of India requesting them to sensitize their respective members to the provisions of Section 51A of UAPA, so that any designated individual or entity, which may approach them for entering/investing in the financial sector and/or immovable property, the member shall convey the complete details of such designated individual/entity, as per the procedure mentioned in para 10 below.

5. It is further requested that the members of these Institutes should also be sensitized that in case they are holding or managing any assets/resources of Designated individuals/entities, then such member should immediately convey the complete details of such designated individual/entity, as per the procedure mentioned in para 10 below.

6. The members of these Institutes should also be sensitized that if they have arranged for incorporation, formation/registration of any company, limited liability firm, society, trust, and association where any of Designated individual/entity is a Director, Shareholder/member of company/society/ association or partner in a firm or settler/trustee or beneficiary of trust or beneficial owner of such juridical person in such cases the member of the institute should convey the complete details of such designated individual/entity, as per the procedure mentioned in para 10 below.

7. The members of these Institutes should further be sensitized that if any designated individual/entity approaches any of its member for incorporation, formation/registration of any company, limited liability firm, partnership firm, society, trust, association where any of designated individual/entity is a Director, Shareholder/member of a Company/society/association or partner in a firm or settler/trustee/beneficiary of a trust/beneficial owner of a juridical person, in such cases the member of the institute should not incorporate/form/register such juridical person and should convey the complete details of such designated individual/entity, as per the procedure mentioned in para 10 below.

8. In addition, the members of ICSI be sensitized that if their Secretary or holding any managerial position where any of designated individual/entity is a Director and/or Shareholder or having beneficial ownership in any such juridical person then the member should convey the complete details of such designated individual/entity, as per the procedure mentioned in para 10 below.

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9. Further the Registrar of Companies (ROC) may be advised that in case any designated individual/entity is a shareholder /director/whole time director in any company registered with ROC or beneficial owner of such company, then the ROC should convey the complete details of such designated individual/entity, as per the procedure mentioned in para 10 below. This procedure also to be followed in case of any designated individual/entity being a partner of limited liabilities Partnership firms registered with ROC or beneficial owner of such firms. Further the ROC may be advised that no company or limited liability Partnership firm shall be allowed to be registered is any of the designated individual/entity is the Director/Promoter/Partner or beneficial owner of such company or firm and in case such a request received the ROC shall follow the procedure as laid down in para 10 below.

10. In case, the particulars of any of their client match with the particulars of designated individuals/entities, the members shall immediately, not later than 24 hours from the time of finding out such client, inform full particulars to the Joint Secretary (S.I), Ministry of Home Affairs, at Fax No.011-23092569 and also convey over telephone on 011-23092736. The particulars apart from being sent by post should necessarily be conveyed on e-mail id: [jsis@nic.in](mailto:jsis@nic.in).

Encl: As above.

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(D. Diptivilasa)

Joint Secretary to the Government of India

To,

The Secretary,  
Ministry of Corporate Affairs,  
Shastri Bhawan,  
New Delhi.

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