

FAQs

Regarding delisting of Individuals/ Entities under UNSCR 1267 & UAPA and unfreezing of assets

1. Where should the individual/ entity listed under UNSCR 1267 apply for delisting?

Ans. The requests for delisting can be made by the listed individual/ entity under UNSCR 1267 directly to the office of the Ombudsperson established under the UNSCR 1904 (2009). The link for the de-listing procedure and application is available at <https://www.un.org/securitycouncil/ombudsperson>.

2. Where should the individual/ entity listed under Unlawful Activities (Prevention) Act apply for delisting?

Ans. Delisting of an individual or entity under Unlawful Activities (Prevention) Act, 1967 is dealt with as per Section 36 of the Unlawful Activities Prevention Act, 1967 and the 'Procedure for Admission and Disposal of Application Rules, 2004', as amended from time to time. An application under Section 36 (1) of UAPA for delisting, setting forth concisely the grounds for delisting, can be made by the listed individual/ entity to the Ministry of Home Affairs, Government of India.

Where application under Section 36(1) has been rejected, the listed individual/organization may apply for review to the Review Committee constituted by Central Government under Section 37 (1) of UAPA within 1 month of date of receipt of order of refusal.

3. Who is the Competent Authority for the purpose of unfreezing of funds/assets attached/ frozen under Section 51A of the UAPA?

Ans. Additional Secretary (CTCR), Ministry of Home Affairs, Government of India. The detailed procedure has been provided in the MHA's order No. 14014/01/2019/CFT dated 02.02.2021 and subsequent corrigendum dated 15.03.2023.

4. What is the mechanism for exemptions to be granted to designated individuals or entities for basic expenses in accordance with UNSCR 1452?

Ans. The designated individuals or entities affected by the above sanctions can make a request to the Ministry of Home Affairs. The detailed procedure mechanism has been mentioned in the MHA's order No. 14014/01/2019/CFT dated 02.02.2021 and subsequent corrigendum dated 15.03.2023.