

OFFICE MEMORANDUM

Subject:- Procedure for designating/ listing of an individual or organisation under the Unlawful Activities (Prevention) Act, 1967 and on the basis of UNSCR 1267 and UNSCR 1373 and delisting thereof - regarding.

The Ministry of Home Affairs, Government of India designates/lists individual terrorist or organisation under the Unlawful Activities (Prevention) Act, 1967 on its own motion or pursuant to requests from other countries under the United Nations Security Council Resolution 1373 (2001).

2. An Individual/ organisation is designated as per criteria laid down in Section 35 of the Unlawful Activities (Prevention) Act, 1967 and only if it is believed to be involved in terrorism based on reasonable grounds and inputs received from the Law Enforcement Agencies and other Security Agencies and Intelligence Agencies.

2.1. The designation is subject to fulfillment of the conditions under Section 35 of the UAPA and is not contingent upon the existence of a criminal proceeding against the individual/ organisation.

2.2. The Ministry of Home Affairs, Government of India has power to issue ex-parte orders for designating such individual or organisation under the Unlawful Activities (Prevention) Act, 1967.

3. Further, in order to combat international terrorism, organisation identified as a terrorist organisation in a resolution adopted by the Security Council under Chapter VII of the Charter of United nations or an individual is also designated as per Section 35 (1) (b) of the UAPA.

4. The Ministry of Home Affairs, Government of India also processes requests received from other countries for designation under the UNSCR 1373 (2001), routed through the Ministry of External Affairs, Government of India as per the procedure laid down in Para 2 above to promptly determine whether the proposed designee meets criteria for designation in the UNSCR 1373.

5. The Ministry of Home Affairs, Government of India, based on inputs received from the Law Enforcement Agencies and other Security Agencies and Intelligence Agencies, also submits proposal under the UNSCR 1373 (2001) to other countries through the Ministry of External Affairs, Government of India for designation of individual/ organisation in the prescribed format (copy enclosed), providing as much relevant information supporting the designation as possible.

6. The request for delisting of individual/ organisation, designated under the UAPA and the UNSCR 1373 (2001), are dealt with as per Section 36 of the Unlawful Activities (Prevention) Act, 1967, and 'the Procedure for Admission and Disposal of Application Rule, 2004', as amended from time to time.

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

Encl.: As stated above.

Shinde

(Deepak Shinde)

Deputy Secretary to the Government of India

To,

1. Foreign Secretary, Ministry of External Affairs, New Delhi.
2. Revenue Secretary, Department of Revenue, Ministry of Finance, New Delhi.
3. Director, Intelligence Bureau, New Delhi.
4. Director General, National Investigation Agency, New Delhi.
5. Additional Secretary (Revenue), Department of Revenue, Ministry of Finance, New Delhi.
6. Director (FIU-IND), New Delhi.
7. Joint Secretary (CT), MEA, New Delhi.
8. Joint Secretary (UNP), MEA, New Delhi.

STANDARD FORM FOR LISTING OF INDIVIDUALS UNDER UNSCR 1373 (2001)

Member States are requested to provide the following information to allow for the accurate and positive identification of the individual. Please leave blank any fields for which information is not available.

For additional information or assistance please contact the UNP Division, Ministry of External Affairs, Government of India at: email: jsunp[at]mea[dot]gov[dot]in, telephone: 011-23088409, Fax 011-23098410.

I.A. KEY IDENTIFYING INFORMATION	
Full name (in Latin script) (this is the main name under which the individual will be listed)	
Name components (Please write each part of the name on separate rows. If there are more than eight components, please describe in comments. The aim of this section is to ensure that each part of the full name is accurately identified regardless of national naming conventions, so that, for example, last names are not mistaken for first names and vice versa, which affects the accuracy of matching the names.)	Type of name component (Please describe each part of the name as, for example, first name, middle name, last name, family name, maiden name, geographical reference, religious title, name of father/grandfather/great-grandfather, name of mother, name of tribe or honorific pre- or postfix.)
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
Comments	
Full name in original script (if not Latin)	
Language/Type of original script (for example, Urdu, Hindi, Chinese, Cyrillic, Arabic, Pashtu etc.)	
Full name in other scripts (Not original script but found in official documents. Please indicate script in parenthesis after for each name.)	
Birth data	Place (street, city, state/province, country): Day: Month: Year: Calendar:
Alternative birth data (related to the primary name, not other aliases)	Place (street, city, state/province, country): Day: Month: Year: Calendar:
	Place street, city, state/province, country): Day: Month: Year: Calendar:
	Place (street, city, state/province, country): Day: Month: Year: Calendar:
	Place (street, city, state/province, country): Day: Month: Year: Calendar:
Nationality or citizenship(s) (For previous, or new, add date when granted, revoked, annulled, withdrawn, if known.)	Current: Dates:
	Previous: Dates:
State of residence	
Address (Please provide dates at address, if known)	Current (street, city, state/province, country): Dates:
	Previous (street, city, state/province, country): Dates:
Location (List operational areas or frequented locations, if different from address)	Current (street, city, state/province, country): Dates:
	Previous (street, city, state/province, country): Dates:

I.B. IDENTITY AND TRAVEL DOCUMENTS

Please leave blank any fields for which information is not available. Please provide copies of documents where possible. Please indicate whether documents were issued in the name specified in section I.A above or issued under a different identify/name specified on the next page in section I.C. Please make the linkage between the documents, the names and dates/places of birth as clear as possible.

Document type (for example, passport, birth certificate, national identification card, residency permit, social security card, driver's license)	
Document number	
Issued by (authority)	
Issued at (street, city, state/province, country))	
Issue date	Day: Month: Year: Calendar:
Expiry date	Day: Month: Year: Calendar:
Issued to (Name in same script as in document, Please indicate the script in parenthesis.)	
Place and date of birth as documented	Place (street, city, state/province, country): Day: Month: Year: Calendar:
Nationality in document	
Additional information or comments	

Document type (for example, passport, birth certificate, national identification card, residency permit, social security card, driver's license)	
Document number	
Issued by (authority)	
Issued at (street, city, state/province, country))	
Issue date	Day: Month: Year: Calendar:
Expiry date	Day: Month: Year: Calendar:
Issued to (Name in same script as in document, Please indicate the script in parenthesis.)	
Place and date of birth as documented	Place (street, city, state/province, country): Day: Month: Year: Calendar:
Nationality in document	
Additional information or comments	

Document type (for example, passport, birth certificate, national identification card, residency permit, social security card, driver's license)	
Document number	
Issued by (authority)	
Issued at (street, city, state/province, country))	
Issue date	Day: Month: Year: Calendar:
Expiry date	Day: Month: Year: Calendar:
Issued to (Name in same script as in document, Please indicate the script in parenthesis.)	
Place and date of birth as documented	Place (street, city, state/province, country): Day: Month: Year: Calendar:
Nationality in document	
Additional information or comments	

I.C. ALIASES/AKAS

Please make and fill in as many copies of this page as needed. Please use a separate sheet for each AKA. Please leave blank any fields for which information is not available.

Please indicate which documents (if any) were issued in the name specified in this section. Please make the linkage between the documents, the names and dates/places of birth as clear as possible.

Alias/Also-Known-As (AKA) Name (in Latin script)	
AKA components (Please write each part of the AKA on separate rows. If there are more than eight components, please describe in comments. The aim of this section is to ensure that each part of the AKA is accurately identified regardless of national naming conventions, so that, for example, last names are not mistaken for first names and vice versa.)	Type of component (Please describe each part of the AKA as, for example, first name, middle name, last name, family name, maiden name, geographical reference, religious title, name of father/grandfather/great-grandfather, name of mother, name of tribe or honorific pre- or postfix.)
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
Comments:	
AKA in original script (if not Latin)	
Language/Type of original script (for example, Urdu, Hindi, Chinese, Cyrillic, Arabic, Pashtu etc.)	
AKA in other scripts (Not original script but found in official documents. Please indicate script in parenthesis after for each name.)	
Type of AKA	<input type="checkbox"/> A separate identity <input type="checkbox"/> Name variation <input type="checkbox"/> Spelling variation <input type="checkbox"/> Nickname <input type="checkbox"/> Nom-de-guerre <input type="checkbox"/> Former legal name <input type="checkbox"/> Other, explain:
Is this AKA sufficient in itself for accurate and positive identification, i.e., a "good quality" also-known-as name found in official documents (a <i>nom de guerre</i>, nickname or other informal pseudonym generally would not be sufficient in itself to allow for positive identification but may still be useful to help determine if a possible match triggered by other identifier information is accurate and will be included on the UNSCR 1373 (2001) Sanctions List as a "low quality" aka)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Please include any Birth data, nationality, address and travel or identification documents linked to this AKA, if available. For example, an individual may have several passports under different names and including varying identifying data.	
Birth data (related to this name)	Place (street, city, state/province, country): Day: Month: Year: Calendar:
Nationality, citizenship(s) (related to this name)	Dates (current and previous):
States of residence (related to this name)	
Address (related to this name)	Dates (current and previous):
Identity and travel documents (Related to this name.)	Document types, numbers, issuing authorities, comments:
Any additional information	

I.D. - OTHER INFORMATION

Title(s) (for example, honorary, professional, religious, academic or other title or hereditary status)		
Employment / Occupation (please provide dates and nature of employment, in particular regarding positions held in listed groups, undertakings or entities)		
Marital status		
Status	Wanted / Subject to arrest warrant/Indicted	Yes <input type="checkbox"/> No <input type="checkbox"/>Not Known <input type="checkbox"/> If yes, please explain:
	Detained (please indicate whether individual is in detention, custody, or prison - if possible, please provide the date, location and circumstances of detention, and the date of likely release)	Yes <input type="checkbox"/> No <input type="checkbox"/>Not Known <input type="checkbox"/> If yes, please explain:
	Convicted / Sentenced (please indicate whether the individual has been convicted, sentenced or has any other relevant legal status and provide explanation, including details on sentence, type of offense and the date of conviction/sentence and of likely release or other foreseeable consequences such as deportation or extradition proceedings)	Yes <input type="checkbox"/> No <input type="checkbox"/>Not Known <input type="checkbox"/> If yes, please explain:
	Other (please provide information on any other legal action taken by or against the individual concerned including previous incarcerations and/or deportations or release from prison or if the individual is at large or a fugitive)	Yes <input type="checkbox"/> No <input type="checkbox"/>Not Known <input type="checkbox"/> If yes, please explain:
Existing INTERPOL Notices (please indicate if there are any INTERPOL notices issued for the individual at the request of your authorities)		Yes <input type="checkbox"/> No <input type="checkbox"/>Not Known <input type="checkbox"/> If yes, please explain: Can this information be released publicly or provided to a Member State(s) upon request? <input type="checkbox"/> No <input type="checkbox"/> Can be released publicly <input type="checkbox"/> Can be provided to Member State upon request
Other supplementary information		
Names of parents	Father's name	
	Mother's name	

I.E. - PHYSICAL DESCRIPTION (these details may be used for an INTERPOL-UNSC Special Notice)

Height (cm)		Eye colour	
Weight (kg)		Hair colour	
Build (for example, heavy build)		Complexion	
Male/Female			
Photograph, sketch, computer image attached? (a picture may be included in an INTERPOL-UNSC Special Notice)		Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, type(s):	
Other biometric identifiers attached? (for example, fingerprints, DNA code, iris scan or digital facial image - these details may be used for an INTERPOL-UNSC Special Notice)		Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, type(s):	
Distinguishing marks and other physical characteristics (for example, scars, tattoos, missing fingers)			
Tribal / ethnic background			
Languages spoken (languages in which the individual is known to converse - please indicate whether native, fully competent or limited skills)			

I.F. - OTHER IDENTIFYING INFORMATION NOT SPECIFIED ABOVE

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II. BASIS FOR LISTING

(a) Participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of _____.

• Name(s) and permanent reference number(s) on the ISIL (Da'esh) and Al-Qaida Sanctions List or any of the UNSC Sanctions List (if applicable)/ Schedule to the Unlawful Activities (Prevention) Act, 1967 (if applicable) of India : _____

(b) Specific information on supplying, selling or transferring arms and related material: _____

• Name(s) and permanent reference number(s) on the ISIL (Da'esh) and Al-Qaida Sanctions List or any of the UNSC Sanctions List (if applicable)/ Schedule to the Unlawful Activities (Prevention) Act, 1967 (if applicable) of India : _____

(c) Recruiting for the terrorist group namely _____

• Name(s) and permanent reference number(s) on the ISIL (Da'esh) and Al-Qaida Sanctions List or any of the UNSC Sanctions List (if applicable)/ Schedule to the Unlawful Activities (Prevention) Act, 1967 (if applicable) of India : _____

(d) Otherwise supporting acts or activities of _____

• Name(s) and permanent reference number(s) on the ISIL (Da'esh) and Al-Qaida Sanctions List or any of the UNSC Sanctions List (if applicable)/ Schedule to the Unlawful Activities (Prevention) Act, 1967 (if applicable) of India : _____

(e) Other acts or activities: _____

• Name and permanent reference number(s) on the ISIL (Da'esh) and Al-Qaida Sanctions List or any of the UNSC Sanctions List (if applicable)/ Schedule to the Unlawful Activities (Prevention) Act, 1967 (if applicable) of India : _____

• Nature of such acts or activities: _____

III. STATEMENT OF CASE

III.A. STATEMENT OF CASE (RELEASABLE UPON REQUEST)

The statement of case includes as much detail as possible on the basis(es) for listing, including: (i) specific information supporting a determination that the individual meets the criteria above; (ii) the nature of the information, for example, intelligence, law enforcement, judicial, media, and admissions by subject; and (iii) additional information or documents provided with the submission. States should include details of any connection between the individual proposed for listing and any currently listed individual or entity.

III.B. PARTS OF STATEMENT OF CASE IDENTIFIED AS BEING CONFIDENTIAL

IV. IDENTITY OF DESIGNATING STATE

Specify if the Committee or the Ombudsperson:

- May make known the Member State's status as a designating State
- May not make known the Member State's status as a designating State

V. INTERPOL COOPERATION

Pursuant to paragraph 45 of resolution 2253 (2015), Member States shall provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue an INTERPOL-UNSC Special Notice.

INTERPOL may for implementation purposes wish to contact the relevant authorities in your country, with a view to obtaining additional information on the individual proposed for designation herewith. For this purpose, please indicate below if the Committee may inform INTERPOL, upon INTERPOL's request, that your country is a **designating State** of the above-mentioned individual (INTERPOL would then contact your country's permanent mission to the United Nations in New York with the relevant inquiries).

- Yes
- No

In addition, please indicate below if the Committee may convey to INTERPOL, upon INTERPOL's request, the details of the point of contact below within your Government (INTERPOL may then contact directly the contact point below with the relevant inquiries).

- Yes
- No

VI. POINT OF CONTACT

The individual(s) below may serve as a point-of-contact for further questions on this submission.
(THIS INFORMATION SHALL REMAIN CONFIDENTIAL)

<i>Name:</i>	<i>Position/Title:</i>
<i>Contact details:</i>	
<i>Office:</i>	
<i>Address:</i>	
<i>Telephone number:</i>	
<i>Fax number:</i>	
<i>E-mail address:</i>	