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COMMUNIQUÉ TO DEPOSITORY PARTICIPANTS

CDSL/PMLA/DP/POLCY/2023/356

Jun 19, 2023

ORDERS REGARDING THE UNSC RESOLUTIONS 1718 & 2231

DPs are advised to refer the earlier communique CDSL/OPS/DP/POLCY/2023/268 dated May 2, 2023 - Procedure for Implementation of sec 12A weapons of mass destruction.

SEBI vide its mail dated June 16, 2023, has informed the depository that in furtherance of order P-12011/11/14/2022-ES dated January 30, 2023, the following order is issued on March 22, 2023.

1. Competent Authority for identifying and proposing names of persons / individuals or entities to the United Nations Security Council or its Committees related to UNSC Resolution 1718/2231, or its successor resolutions, Order dated March 22, 2023.
2. Competent Authority and procedure for submitting de-listing requests to relevant Sanctions Committee under UNSC Resolution 1730 or its successor resolutions, listed in pursuance to UNSC resolution 1718/2231 or its successor resolutions, and mechanism for exemptions to be granted to designated persons / individuals or entities in accordance with UNSC resolution 1718/2231 or its successor resolutions Order dated March 22, 2023.

Depository Participants are advised to kindly take note and ensure compliance.

Queries regarding this communiqué may be addressed to: CDSL – Helpdesk. Emails may be sent to: helpdesk@cdslindia.com and telephone numbers (022) 2305-8624, 2305-8639, 2305-8642, 2305-8663, 2305-8640, 2300-2041, 2300-2033 or 08069144800.

sd/-
Abhishek Mohanty
Manager – Surveillance

P-12011/14/2022-ES Cell-DOR
Government of India
Ministry of Finance
Department of Revenue

New Delhi, the 22nd March, 2023

ORDER

Subject: - Competent Authority for identifying and proposing names of persons / individuals or entities to the United Nations Security Council or its Committees related to UNSC Resolution 1718/2231 or its successor resolutions

India is committed to the country specific efforts under United Nation Security Council(UNSC) resolution 1718 (2006) and 2231 (2015), and their successor resolutions, as mandated under section 2 of United Nations (Security Council) Act, 1947. As per order F.No.P-12011/14/2022-ES Cell-DOR dated 30th January, 2023, Director, Financial Intelligence Unit (FIU)-India, is the Central Nodal Authority for the purpose of the order under Section 12A of Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005, in furtherance of which, the following order is being issued.

1. The competent authority for the purpose of identifying and proposing names of persons / individuals or entities to be designated by the United Nations Security Council or its Committees related to UNSC Resolution 1718/2231, or its successor resolutions, shall be the Director, FIU-India, Government of India.
2. The Competent Authority shall examine if reasonable grounds or basis exists for designation of a target on the basis of criteria set out in the UNSC Resolution 1718/2231 or its successor Resolutions.
3. The Competent Authority shall have the power to ex-parte propose designation of a person/ individual or entity. The proposal shall not be contingent on any existing criminal proceedings against such person / individual or entity.
4. Once it is decided to propose a target for designation to the United Nations Security Council or its Committees related to UNSC Resolution 1718/2231 and successor Resolutions, the Competent Authority shall make a request in the form(s) prescribed by the United Nations Security Council or its Committees related to UNSC Resolution 1718/2231 and its successor Resolutions. The Competent Authority shall provide as much information as possible in the prescribed form along with the detailed basis for listing.

5. The designation request dossier in the prescribed format shall be submitted to the UNP division (with a copy to D&ISA Division) of Ministry of External Affairs specifying if India's status as a designating state may be made known to other member states of the United Nations Security Council.



(Sandeep Gahlot)

Under Secretary to the Govt. of India

Tel.No. 2309-3277

To,

1. Foreign Secretary, Ministry of External Affairs, New Delhi.
2. Finance Secretary, Ministry of Finance, New Delhi.
3. Revenue Secretary, Department of Revenue, Ministry of Finance, New Delhi.
4. Director, Intelligence Bureau, New Delhi.
5. Additional Secretary, Department of Revenue
6. Director, FIU-India
7. Additional Secretary, Ministry of Home Affairs
8. Chief Secretaries of all States/Union Territories
9. Principal Secretary (Home)/Secretary (Home) of all States/ Union Territories
10. Directors General of Police of all States & Union Territories
11. Director General of Police, National Investigation Agency, New Delhi.
12. Joint Secretary (Foreigners), Ministry of Home Affairs, New Delhi.
13. Joint Secretary (Revenue), Department of Revenue, Ministry of Finance, New Delhi.

P-12011/14/2022-ES Cell-DOR
Government of India
Ministry of Finance
Department of Revenue

New Delhi, the 22nd March, 2023

ORDER

Subject: - Competent Authority and procedure for submitting de-listing requests to relevant Sanctions Committee under UNSC Resolution 1730 or its successor resolutions, listed in pursuance to UNSC resolution 1718/2231 or its successor resolutions, and mechanism for exemptions to be granted to designated persons / individuals or entities in accordance with UNSC resolution 1718/2231 or its successor resolutions.

India is committed to the country specific efforts under United Nation Security Council (UNSC) resolution 1718 (2006) and 2231 (2015), and their successor resolutions, as mandated under section 2 of United Nations (Security Council) Act, 1947. As per order F.No.P-12011/14/2022-ES Cell-DOR dated 30th January, 2023, Director, Financial Intelligence Unit (FIU)-India, is the Central Nodal Authority for the purpose of the order under Section 12A of Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005, in furtherance of which, the following order is being issued.

1. The Director, FIU-India, Government of India, shall be the competent authority for receiving requests for de-listing a person / individual or entity for whom information in the UNSC resolution 1718/2231, or its successor resolutions, sanctions list contains the keyword "India".
2. The Competent Authority shall also publish the mechanism for other persons / individuals or entities on its website, indicating that persons / individuals or entities other than those for whom information in the UNSC resolution 1718/2231 or its successor resolutions sanctions list contains the keyword "India" shall approach the Focal Point in the UN directly for de-listing.
3. The mechanism for exemptions to be granted to designated persons / individuals or entities in accordance with UNSC resolution 1718/2231 or its successor resolutions is as follows:

The designated persons / individuals or entities affected by the above sanctions can make a request to the Central Nodal Officer for the purpose of Section 12A of The Weapons of Mass Destruction and Their Delivery Systems (Prohibition Of Unlawful Activities) Act, 2005 vide paragraph 6.1 of the Department of Revenue Order F. No P-12011/14/2022-ES Cell-DOR dated 30 January 2023. They shall submit a written request to the Central

Nodal Officer by post to the Director, Financial Intelligence Unit – India, 6th Floor, Tower-2, Jeevan Bharati Building, Connaught Place, New Delhi-110001, Telephone : 91-11-23314429, 23314459” or through email to dir@fiuindia.gov.in who shall adjudicate on the said request and if accepted, shall communicate to the other nodal officers for release of funds for basic expenses after following the procedure and conditions laid out in UNSC resolution 1718/2231 and its successor resolutions.



(Sandeep Gahlot)

Under Secretary to the Govt. of India
Tel.No. 2309-3277

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1. Foreign Secretary, Ministry of External Affairs, New Delhi.
2. Finance Secretary, Ministry of Finance, New Delhi.
3. Revenue Secretary, Department of Revenue, Ministry of Finance, New Delhi.
4. Director, Intelligence Bureau, New Delhi.
5. Additional Secretary, Department of Revenue
6. Director, FIU-India
7. Additional Secretary, Ministry of Home Affairs
8. Chief Secretaries of all States/Union Territories
9. Principal Secretary (Home)/Secretary (Home) of all States/ Union Territories
10. Directors General of Police of all States & Union Territories
11. Director General of Police, National Investigation Agency, New Delhi.
12. Joint Secretary (Foreigners), Ministry of Home Affairs, New Delhi.
13. Joint Secretary (Revenue), Department of Revenue, Ministry of Finance, New Delhi.