

Namakku Naame – NRI Scheme – Formation of a Society for implementation of the Scheme – In Principle approval Accorded.

Rural Development and Panchayat Raj (SGS I) Department

G.O. (Ms) No. 10

Dated: 29.01.2009.

Read:

1. From the Commissioner of Rural Development and Panchayat Raj, Letter No.30526/08/NEDM, dated 22.7.2008.
2. Government D.O. Lr.No.9662/SGS 1/2008-8, dated 11.11.2008.
3. From the Commissioner of Rural Development and Panchayat Raj, Letter No.30526/08/NEDM-1 dated 29.12.2008.

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ORDER:

During the Tamil Nadu Budget Speech 2008-09, made on 20.3.2008, the Hon'ble Minister for Finance has made, among others, the following announcement. "Many people belonging to Tamil Nadu and living abroad wish to contribute to schemes that will benefit their place of birth and people living therein. On the lines of the Namakku Naame Thittam implemented with the participation of local people and with a view to facilitating Tamils / other NRIs/ Foreigners living abroad to make contributions, the Government will set up a Trust to implement various activities as desired by them. They can make substantial donations to this trust and can specify the works they wish to be taken up. These works will be executed with due recognition of the sponsor in these works. The donors will be enabled to know the progress of works sponsored by them through the internet". The Hon'ble Minister for Rural Development and Local Administration has announced on the floor of the Assembly that a Trust shall be established to implement the announcement.

2. The Commissioner of Rural Development and Panchayat Raj in his letter first read above has submitted proposal for creation of a fund on the lines of Chief Minister's Public Relief Fund, for this purpose. The Government have examined the proposal and considered that operating this scheme as a fund may not be feasible in view of difficulty in operating a public account. As such the Commissioner of Rural Development and Panchayat Raj has been requested to examine the possibility of formation of a Trust or a Society and also to get opinion of a chartered Accountant / Tax Practitioner as to the best legal entity which will comply with Foreign Contribution Regulation Act and exemption under Income Tax Act and also facilitate easy operations of the scheme. The Commissioner of Rural Development and Panchayat Raj in his letter 3rd read above has submitted revised proposal and stated that the Chartered Accountants firm, Venkatesh N and Associates, Chennai who was consulted regarding the establishment of a Trust or Society for implementation of 'Namakku Naame-NRI Scheme', have opined that, since there is involvement of public funds, transparency in accounting, maintaining of books of accounts as well as fixation of responsibility over handling of funds, a body structure in the form of incorporating and registering the 'Namakku Naame-NRI Scheme' as a Society under Tamil Nadu Societies Registration Act, 1975 would be the best course of action. The Government Pleader, High Court, Madras has opined that

registration can be considered either under Society or Trust. After considering all the aspects, the Commissioner of Rural Development and Panchayat Raj has recommended for formation of a body in the form of incorporating and registering the 'Namakku Naame - NRI Scheme' as a Society under Tamil Nadu Societies Registration Act 1975.

3. The Government have examined the proposal of Commissioner of Rural Development and Panchayat Raj and decided to accept it in Principle. Accordingly, the Government accord in-principle approval for formation of a body for incorporating and registering the 'Namakku Naame-NRI Scheme' as a Society under Tamil Nadu Societies Registration Act 1975. The Commissioner of Rural Development and Panchayat Raj is requested to take necessary followup action to prepare necessary draft byelaws, Memorandum and Articles of Association for registering the above Society and send them to Government for approval immediately.

4. This Order issues with concurrence of Finance department vide its U.O. No.02/SS(PK)/09 dated 12.1.2009.

(By Order of the Governor)

K.ASHOK VARDHAN SHETTY,
PRINCIPAL SECRETARY TO GOVERNMENT.