

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the Tamil Nadu on 24th March, 2022 is published together with Statement of Objects and Reasons for general information:-

L.A Bill No. 20 of 2022

A Bill to amend the Tamil Nadu Non-Resident Tamils' Welfare Act, 2011.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-third Year of the Republic of India as follows:—

1. This Act may be called the Tamil Nadu Non-Resident Tamils' Welfare (Amendment) Act, 2022.

Short title.

2. In section 2 of the Tamil Nadu Non-Resident Tamils' Welfare Act, 2011(hereinafter referred to as the principal Act),—

Amendment of section 2.

(1) for clause (b), the following clauses shall be substituted, namely:—

“(aa) “Chairman” means the Chairman of the Board;

(b) “company” means a company as defined in clause (20) of section 2 of the Companies Act, 2013 (Central Act 18 of 2013);”;

(2) in clause (e), for the expression “under the proviso to sub-section (6) of section 5”, the expression “under sub-section (6) of section 5” shall be substituted;

(3) clauses (g) and (k) shall be omitted;

(4) after clause (l), the following clauses shall be inserted, namely:—

“(la) “Member of the Board” includes the Chairman of the Board;”

(lb) “Member-Secretary” means the Member Secretary of the Board;”.

3. In section 5 of the principal Act, in sub-section (2), for the expression “one of them being the Managing Director”, the expression “one of them being the Member-Secretary” shall be substituted.

Amendment of section 5.

4. In section 10 of the principal Act,—

Amendment of section 10.

(1) for sub-sections (3), (4) and (5), the following sub-sections shall be substituted, namely:—

“(3) The Board shall consist of fifteen members, from time to time, nominated by the Government, as hereinafter provided, namely:—

(a) a Chairman, being a person of eminence involved in the Welfare of Non – Resident Tamils’;

(b) five members representing the Non-Resident Tamils (abroad);

(c) two members representing the Non-Resident Tamils (India);

(d) five members representing the Government;

(e) one member representing the Overseas Manpower Corporation Limited or any other recruitment agency, registered under the Emigration Act, 1983 (Central Act 31 of 1983);

(f) one member representing the Commissionerate of Rehabilitation and Welfare of Non-Resident Tamils.

(4) The Commissioner of Rehabilitation and Welfare of Non-Resident Tamils shall be the Member-Secretary of the Board, *ex-officio*.

(5) After nomination of all the members of the Board, the Government shall, by notification, publish their names.”.

(2) in sub-section (7), for the expression “the Managing Director or to any director of the Board, ”, expression “the Chairman or the Member-Secretary or to any member of the Board” shall be substituted.

Amendment of section 11.

5. In section 11 of the principal Act,—

(1) for the marginal heading, the following marginal heading shall be substituted, namely:-

“Term of office of members of Board”;

(2) in sub-section (1), for the expression “the directors other than ex-officio directors”, the expression “the members of the Board” shall be substituted;

(3) in sub-section (2), for the expression “any director other than an ex-officio director”, the expression “any member” shall be substituted.

Amendment of section 13.

6. In section 13 of the principal Act,—

(1) in sub-section (1), for the expression “director”, the expression “member” shall be substituted;

(2) in sub-section (2), for the expression “director”, the expression “member of the Board,” shall be substituted;

(3) for sub-sections (3) and (4), the following sub-sections shall be substituted, namely:—

“(3) A member of the Board removed under clause (a) of sub-section (2) shall be disqualified for re-nomination as a member of the Board for a period of three years from the date of his removal, unless otherwise ordered by the Government.

(4) A member of the Board removed under clause (b) of sub-section (2) shall not be eligible for re-nomination until he is declared by an order of the Government to be no longer ineligible.”.

Amendment of section 14.

7. In section 14 of the principal Act,—

(i) for the marginal heading, the following marginal heading shall be substituted, namely:-

“Resignation by Members of Board”;

(ii) for the expression “Any director other than an ex-officio director”, the expression “Any member” shall be substituted.

Amendment of section 15.

8. In section 15 of the principal Act including the proviso thereto, for the expressions “director” and “directors”, the expressions “Member of the Board” and “Members of the Board” shall, respectively, be substituted.

Amendment of section 18.

9. In section 18 of the principal Act, for the expression “the Companies Act, 1956 (Central Act 1 of 1956)”, the expression “the Companies Act, 2013 (Central Act 18 of 2013)” shall be substituted.

Amendment of section 20.

10. In section 20 of the principal Act, in sub-section (1), for the expression “Managing Director”, the expression “Member-Secretary” shall be substituted.

11. In section 21 of the principal Act,—
- (i) in the marginal heading, for the expression “Directors of Board”, the expression “Members of Board” shall be substituted;
- (ii) for the expression “Every director of the Board including the Managing Director”, the expression “Every member of the Board including the Member-Secretary” shall be substituted.
12. In section 22 of the principal Act, —
- (1) in sub-section (2), for the expression “in a Court of First Class Judicial Magistrate”, the expression “in a Court of Judicial Magistrate” shall be substituted;
- (2) in sub-section (3), for the expression “Managing Director”, the expression “Chairman of the Board” shall be substituted.
13. In section 24 of the principal Act, for the expression “Managing Director”, the expression “Chairman or Member-Secretary” shall be substituted.
14. In section 26 of the principal Act,—
- (1) in sub-section (1), for the expression “section 22”, the expression “section 25” shall be substituted;
- (2) in sub-section (3), in clause (a), for the expression “Directors of the Board”, the expression “Members of the Board” shall be substituted.
15. In section 28 of the principal Act, for the expression “the Managing Director”, the expression “the Chairman or Member-Secretary” shall be substituted.
16. In the Schedule to the principal Act, in item (4), for the expression “the Managing Director and the Directors”, the expression “the Chairman, the Member Secretary and the Members of the Board” shall be substituted.
- Amendment of section 21.
- Amendment of section 22.
- Amendment of section 24.
- Amendment of section 26.
- Amendment of section 28.
- Amendment of Schedule.

STATEMENT OF OBJECTS AND REASONS.

The Tamil Nadu Non-Resident Tamils' Welfare Act, 2011 (Tamil Nadu Act 4 of 2011) provides for the constitution of a Welfare Fund to grant relief to ensure the welfare of and to pay pension and other benefits to the Non-Resident Tamils and to promote companies or co-operative societies or societies or other institutions of Non-Resident Tamils for their welfare. The Government have proposed to alter the composition of the Tamil Nadu Non-Resident Tamils' Welfare Board with 'the Chairman and Members' instead of 'the Managing Director and Directors' and also to increase the strength of the Board from thirteen to fifteen. It is also proposed to make the Commissioner of Rehabilitation and Welfare of Non-Resident Tamils as the Member-Secretary *ex-officio* of the Board.

2. The Government have, therefore, decided to amend the Tamil Nadu Non-Resident Tamils' Welfare Act, 2011 (Tamil Nadu Act 4 of 2011) suitably for the purpose.

GINGEE K.S. MASTHAN,
*Minister for Minorities Welfare and
Non-Resident Tamils Welfare.*

FINANCIAL MEMORANDUM

The Bill when enacted would involve expenditure from the consolidated fund of the State. It is, however, not possible at this stage to estimate with any degree of accuracy, the expenditure to be incurred as a result of the proposed legislation.

GINGEE K.S. MASTHAN,
*Minister for Minorities Welfare and
Non-Resident Tamils Welfare.*

Secretariat,
Chennai-600 009,
24th March 2022.

K. SRINIVASAN,
Secretary.