

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

1. District: Chennai PS: EOB Chennai
Year: 2022
FIR No: RC0692022E0002 Date: 06/01/2022

2. Acts & Sections:

Acts	Sections	R/W Section
IPC	120B r/w 420	
Foreign Contribution (Regulation) Act, 2010	33,35, 39 r/w section 7, 8 and 13	

3. Suspected offences:

(a) Occurrence of offence:

Day:

From Date:

2010

Time Period:

To Date: 2014

(b) Information Received at PS:

Date:

(c) General Diary Reference:

Entry No.:

6

Date:

06/01/2022

Time:

18:09:11

4. Type of Information: Written

5. Place of Occurrence:

Madurai, Tamil Nadu and other places

(a) Direction & distance from PS:

Around 450 kms. South

Beat No.:

(b) Address:

Plot No.:

Centre for Promotion of Social Concerns

Area:

No.6, Vallabhai Road, Chokkikulam, Madurai, now f

City:

Madurai

Pin:

625002

State:

Tamil Nadu

District:

Madurai

(c) In case, outside the limit of this Police Station, then

Name of PS:

District:

6. Complainant / Informant:

Complainant 1

(a) Name:

Mr. A.K.Sinha

(b) Father's/Husband's Name:

(c) Date/Year of Birth:

(d) Nationality:

INDIAN

(e) Passport:

Passport No.	Date Of Issue	Place Of Issue
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(f) Occupation:

Director (MU&I), Govt of India, Ministry of Home Affairs, Foreigners Division FCRA Wing

(g) Address:

Plot No	Area	City	State	District	Pin
NDCC- II Building Jai Singh Road	New Delhi -1	New Delhi	NCT Of Delhi	New Delhi	110001

7. Details of known/suspected/unknown accused with full particulars:

M
06.01.2022
Supdt. of Police
CBI/EOW / CHENNAI

Accused 1**Name:** Centre for Promotion of Social Concerns (CPSC), a Trust represented by its Trustees(1)**Address:**

No 6 Vallabhai Chokkikulam, Madurai Tamil Nadu, Madurai, Madurai, Tamil Nadu

Accused 2**Name:** Peoples Watch Program Unit of CPSC represented by Executive Director(2)**Address:**

32 Besant Road, Chokkikulam, Madurai, Madurai, Tamil Nadu, 625002

Accused 3**Name:** Unknown Person(s)**Address:****8. Reasons for delay in reporting by the complainant/informant:****9. Particulars of properties stolen:**

Item Name	Age of Property	Estimated Value (in INR)
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10. Total value of property stolen:**11. Inquest Report/U.D. Case No., if any:****12. First information contents:**

Centre for Promotion of Social Concerns (CPSC), Madurai is a Trust formed through a Trust Deed dated 17.11.1981 registered as Document No. 506 of 1981 with Joint Sub-Registrar-II, Madurai dated 24.11.1981. The main objects of the Trust includes promoting interaction and all-around welfare of all the socially, educationally and economically downtrodden people of India. The said Trust was registered with Ministry of Home Affairs (MHA), Govt. of India, New Delhi under section 6(1) Foreign Contribution (Regulation) Act, 1976 (FCRA) vide Registration Number 075940138 dated 29.08.1985. The Trust was engaged in the objects and was in receipt of contribution, including foreign remittances and are subject to the FCRA and rules formed thereunder.

During 21st to 25th May, 2012, a team of officials from MHA, conducted inspection of the accounts and records of Centre for Promotion of Social Concern (CPSC), Madurai for the period from 2005-06 to 2010-11 and another team of Officials of MHA conducted inspection during 13th to 15th May, 2014 for the period from 2011-12 to 2012-13 and found that CPSC had violated the provisions of FCRA, 2010.

A written complaint No.II/21022/58(119)2012-FCRA(MU) dated 22.07.2014 was received from Shri A.K. Sinha, Director (MU&I), Government of India, Ministry of Home Affairs (MHA), Foreigners Division (FCRA Wing), NDCC Building, Jai Singh Road, New Delhi, wherein it is alleged that, during the inspections conducted by officials of MHA on CPSC, it was found that (1) after suspension of FCRA registration, CPSC has withdrawn Rs.28,00,000/- on July 23, 2012 ; (2) The association withdrew Rs.1,69,91,500/- cash from 2008-09 to May, 2012 which did not tally with the available vouchers ; (3) the programme unit of the association namely, People's Watch, is functioning like a separate entity and communicating directly with the Foreign Contribution grantee organisations, most of the bills/receipts are in the name of the People's

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06.01.2022
Supdt of Police
CBI/EOW / CHENNAI

Watch and not in the name of CPSC; (4) the association has withdrawn foreign contribution of Rs.44,54,000/- in cash during 2011-12 and 2012-13 on 240 occasions ; (5) The association used foreign contributions for a purpose other than for which it was received and (6) The scrutiny of FC-6 return revealed that the association (CPSC) had transferred the amount of Rs.10,10,728/- (Foreign Contribution) to other associations against the claim of transfer of Rs.8,78,000 which amounts to false declaration U/s.33 of FCRA. Hence, the complainant requested to conduct an investigation into this case in terms of section 43 to 46 of FCRA, 2010.

The allegations mentioned in the complaint prima facie discloses that Centre for Promotion of Social Concerns (CPSC) represented by its Trustees and its Program Unit People's Watch represented by its Executive Director and other unknown persons have committed offences punishable under section 120-B r/w. 420 IPC, section 33,35, 39 r/w 7, 8 and 13 of FCRA 2010.

Government of Tamil Nadu vide Notification u/s 6 of DSPE Act, 1946 vide GO (2D) No. 309 dated 02.12.2020 conveyed consent u/s. 6 of DSPE Act for investigation of the matter by CBI. Department of Personnel & Training (DoPT), Government of India issued Notification No.228/35/2021-AVD-II dated 23.07.2021 u/s 5 r/w 6 of DSPE Act.

Complaint No.II/21022/58(119)2012-FCRA(MU) dated 22.07.2014 along with enclosures, copy of the notification dated 02.12.2020 of the Govt. of Tamil Nadu and copy of the notification dated 23.07.2021 of the DoPT, Govt. of India are enclosed, which may be treated as part and parcel of this FIR.

Hence this FIR.

13. Action taken : Since the above information reveals commission of offence(s) u/s as mentioned at Item No.2:

(1) Registered the case and took up the investigation: Yes

OR

(2) Directed

Name of IO:

Sridharan T

Rank:

DY. SUPDT. OF POLICE (EOB Chennai)

No:

61188

to take the investigation

OR

(3) Refused investigation due to:

OR

(4) Transferred To PS:

District:

on point of jurisdiction.

Attached documents:

Document name

Complaint dated 22.07.2014

Notification of Tamil Nadu Government

Notification of Government of India

FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant / informant, free of cost.

R.O.A.C.

14. Signature/Thumb Impression of the complainant/informant


Signature of Officer
in-charge Police
Station

Supdt. of Police
CBI/EOW / CHENNAI

7/06.01.2022
Supdt. of Poltca
CBI/EOW / CHENNAI

Name: Murali Rambha
Rank: SUPDT. OF POLICE (EOB
Chennai)

15. Date and time of dispatch to the Court: at 1845 hrs. on 06-01-2022

7/06.01.2022

Supdt. of Poltca
CBI/EOW / CHENNAI

To

The Hon'ble Chief Judicial Magistrate, Madurai

UTL MEDIA

Dy. No.
Dated : 24/7/14

(23)

F.NO.II/21022/58(119)2012-FCRA(MU).
GOVT. OF INDIA
MINISTRY OF HOME AFFAIRS
FOREIGNERS DIVISION (FCRA WING)

NDCC-II BUILDING
JAI SINGH ROAD, NEW DELHI-1

DATED- 22-07-2014



To

Shri O.P. Galhotra,
Head of Zone,
CBI/EO Zone,
10th Floor, CBI Hqrs.,
Plot No. 5-B, CGO Complex, Lodhi Road,
New Delhi-110003.

O/o JD & HOE/EO
Dy. No. 965
Dated 23/07/2014

23/07

HOE-II

SUB.: Contravention of provisions of Foreign Contribution (Regulation) Act, 2010 by Centre for Promotion of Social Concerns (CPSC), Madurai, Tamilnadu – reg.

Sir,

I am directed to state that an inspection under Section 20 and 23 of Foreign Contribution (Regulation) Act, 2010 of the accounts and records of the association namely, "Centre for promotion of Social Concerns", No. 6, Vallabhai, Chokkikulam, Madurai, Tamilnadu was carried out from 21st to 25th May, 2012 for the period 2005-06 to 2010-11 and from 13.05.2014 to 16.05.2014 for the period 2011-12 and 2012-13 by a team of officials from Ministry of Home Affairs, New Delhi. During the course of inspection, it was found that the association has violated the provisions of FCRA, 2010, some of which are given below. A copy of the inspection report is enclosed.

Some of the instances of violations of FCRA, 2010 as revealed during Inspection are:-

1. After the suspension of FCRA registration, the association in collusion with the Indian Overseas Bank (Madurai) has withdrawn Rs. 28,00,000/- on July 23, 2012.
2. The association has withdrawn an amount of Rs. 1,69,91,500/- as Cash withdrawal during the period 2008-09 to May 2012 and the same did not tally with the available vouchers.
3. The programme unit of the association namely, People's Watch, is functioning like a separate entity and communicating directly with the Foreign Contribution grantee organizations. However, People's Watch is using the CPSC because they have an FCRA registration number. Most of the bills/receipts are in the name of the People's Watch and not in the name of association i.e CPSC.

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file pl
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4. The association has withdrawn foreign contribution amounting to Rs. 44,54,000 in cash during the period 2011-12 and 2012-13 on as many as 240 occasions, purpose of which could not be ascertained during Inspection.
5. The association has submitted to this Ministry in its reply to the Standard Questionnaire that they have transferred funds (Foreign Contribution) to the tune of Rs. 8,78,000 whereas the scrutiny of FC-6 returns revealed that association has transferred FC to other associations amounting to Rs. 10,10,728/-. It may be mentioned that Sec. 33 of FCRA, 2010 stipulates that making of false statement, declaration or delivering of false accounts by fraud, false representation or concealment of material fact, shall, on conviction by a Court, be liable to imprisonment for a term which may extend to three years or with fine or with both.
6. The association used Foreign Contribution for a purpose other than for which it was received, the details of which are given below:-

Sl. No.	Vr. No. and Date	Amount	Purpose for which FC received	Purpose for which utilised
1.	JV414 dated 26.03.2010	5515.00	One day review meeting, travel and HRE Co-ordination expenses under the Head HRE in Tamilnadu school	Expenses for dinner, travel and gift for wedding of Mr. Perumal Swamy's daughter.
2.	C-261 dated 24.03.2010	2686.00	-do-	-do-
3.	138 dated 02.09.2009	1380.00	HRE in Tamilnadu School	To purchase bags for school children.

Considering the gravity and complexity of the case and that the amount involved is more than Rs. One Crore, it has been decided, with the approval of the competent authority, to get this matter investigated more thoroughly. The CBI is, therefore, requested to conduct an investigation into this case in terms of Section 43 to 46 of FCRA, 2010.

The investigation report may please be submitted to this Ministry at the earliest. Further, in terms of Rule 22 of FCRR, 2011, the CBI or any other Government Investigation Agency that conducts any investigation under the Act is required to furnish reports to the Central Government, on a quarterly basis, indicating the status of each case that was entrusted to it, including information regarding the case number, date of registration, date of filing charge-sheet etc. Accordingly, the progress report in the case may also be please submitted to this Ministry on a quarterly basis.

Yours faithfully,

A.K. Sinha
22.07.2014

(A.K. Sinha)
Director(MU&I)
Tel.:011-23438176.

F.No. CA (H)/IAW/2012-13/01
Government of India
Ministry of Home Affairs
Internal Audit Wing

C-1 Hutments, Dalhousie Road, New Delhi – 110 001

Dated : 12th June, 2012-06-12

To

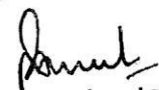
Mr. Rais Ahmad
Director (FC)
Ministry of Home Affairs
Foreigners Division
FCRA (MU) Section
NDCC Part II Building
Palika Kendra, Jai Singh Road
New Delhi – 110 003

Sub : FORWARDING OF INSPECTION REPORT OF FOREIGN CONTRIBUTION RECEIVED BY
CENTRE FOR PROMOTION OF SOCIAL CONCERNS, 6-A, VALLABHAI ROAD,
CHOKKIKULAM, MADURAI – 625 002 (TAMIL NADU)

Sir,

With reference to your letter No.II/21022/52(119)/2012-FC(MU) dated 28th March, 2012, please find enclosed a copy of the Inspection Report of Foreign Contribution received by Centre for Promotion of Social Concerns, 6-4, Vallabhai Road, Chokkikulam, Madurai – 625 002. (Tamil Nadu) conducted by the undersigned on 21st to 25th May, 2012 at the registered office of the trust in Madurai (Tamil Nadu) for further necessary action at your end.

Yours faithfully,


(Nalin Kr. Srivastava)
Controller of Accounts (Home)

Enclosure : As stated above.

Rais Ahmad

M. Srinivas

26/7

AD-V (Sh. Kanoye)

On Release for leave

S. P. Ramani
18/6/12

INSPECTION REPORT OF FOREIGN CONTRIBUTION RECEIVED BY CENTRE FOR PROMOTION OF SOCIAL CONCERNS, 6-A, VALLABHAI ROAD, CHOKKIKULAM, MADURAI – 625 002 (TAMIL NADU)

PART – I

OBJECTIVE: The objective of the FC(R) Act, 2010 is to regulate the acceptance and utilization of foreign contribution or foreign hospitality by certain individuals or associations or companies and to prohibit acceptance and utilization of foreign contribution or foreign hospitality for any activities detrimental to the national interest and for matters concerned therewith or incidental thereto.

MANDATE OF INSPECTION: As per the instruction of the competent authority, an Inspection of the said trust was undertaken to ascertain whether the provisions of the Foreign Contribution (Regulation) Act, 2010 has been violated by the Trust or not? The order relating to Authorization under Section 23 is placed at Annexure – 1.

DURATION OF INSPECTION: Inspection of the said trust was undertaken by the authorized officer, Shri Nalin Kumar Srivastava, ICAS, Controller of Accounts, MHA (Assisted by Shri A.K.Dixit, Assistant Director (CRPF), Shri R.K.Deswal, Assistant Director (FCRA), Shri Murli Mohan, AAO (NSG) and Shri Janardan, Accountant, FCRA, MHA, New Delhi) on 21st to 25th May, 2012 at the registered office of the trust in Madurai (Tamil Nadu).

SCOPE OF INSPECTION: The INSPECTION was undertaken under the provisions of FC(R) Act, 2010 and FC(R) Rules, 2011, a copy of the same is placed at Annexure – 2. During the course of Inspection, in addition to records available at the registered office of the trust and the statements of bank accounts of trust, bank statement of various stakeholders, involved in a particular suspicious transaction relating to Foreign Contribution were evaluated.

A BRIEF INTRODUCTION OF CPSC TRUST: The trust was formed on 17.11.1981 between Mr. I. Paulraj, Dindigul, Madurai and Mr.A.Xavier, the Executive Trustee. The donor at that time had shown interest in training, research and publications relating to the social, economic, educational and cultural conditions of the downtrodden people of India. It is mentioned that the Trust Deed should not be formed on the request of donor. As per the Bombay

Trust Act, 1950 and Indian Trust Act, 1882 – a trust is created when the author of the trust indicates with reasonable certainty by any words or act (a) an intention on his part to create thereby a trust, (b) the purpose of the trust, (c) the beneficiary, and (d) the trust-property, and (unless the trust is declared by will or the author of the trust is himself to be trustee) transfers the trust-property to the trustee. In the instant case, the trust was formed at the behest of a donor. Therefore, the formation of the trust itself has issues as mentioned above. The trust deed was amended on 13th October, 2004. This trust was got an FCRA registration in the name of Centre for Promotion of Social Concerns, Dindigul, Madurai on 29th August, 1995.

Observation # 1:-

The Centre for Promotion of Social Concerns, Madurai (Tamil Nadu) (hereinafter referred as CPSC) is running a parallel association namely **The People's Watch – Tamil Nadu** (now People's Watch only). It is claimed by the Trustees of the association that People's Watch is an umbrella program of the association under which all other programs are being executed. The audit noted a number of instances in the record where Mr. Henri Tiphagne, Executive Director of People's Watch did direct correspondences with donors regarding submission of proposal and accepting of the same (Copy of letter dated 24, 2001 signed by Mr. Henri Tiphagne, Executive Director – People's Watch – Tamil Nadu to CORDAID is enclosed as **Annexure – 3**). (Page # 27-28)

To illustrate a specific instance, BILANCE, the Netherland based donor had confirmed vide its Notice of Transfer dated 24.09.1998 they had transferred the NLG 165599.00 into SB A/c No.5349 of Indian Overseas Bank, Main Branch, Kovu Street, Dindigul into the Bank account of Centre for Promotion of Social Concerns, Tamil Nadu. The copy was forwarded to i) People's Watch, Tamil Nadu and ii) CEDA Trust, Tamil Nadu (Copy enclosed as **Annexure – 4**). (Page # 29-30)

It clearly implies that the donor has treated the both the organizations as separate entity. However, it is added that neither the People's Watch has any registration under Trust Act, Society Act or Section 25 Company under Company's Act nor it has any bank account. (As per the certificate given by the CPSC – Copy enclosed as **Annexure – 5**). People's Watch and Central for Social Concerns have been operating interchangeably with most of the activities

being carried out in the name of People's Watch while funds are received in the name of CPSC.

Observation # 2:-

BILANCE, the Netherland donor had supported CEDA Trust, 98-A, Kooturavu Nagar, Opp. Beschi College, Dindigul – 624 005 (Tamil Nadu) to make available the sum of NLG 1234496.00 for Tamil Nadu Social Action Groups : Mixed Cluster Program vide its letter No.1998/AZI-C4546/NE dated 09.09.1998. When Mr.Henri Tiphagne, Director, People's Watch – Tamil Nadu, Madurai got this information, he wrote a letter on dated 16.09.1998 to BILANCE to add People's Watch as its sub-contract for entire Mixed Cluster Programme. Accordingly, the CEDA Trust had written to People's Watch, Tamil Nadu to sign a separate contract form and submit to BILANCE for speedy money transfer. The sanctioned budget for People's Watch is Rs.1,07,33,063/- as per the CEDA Trust's communiqué. But, the amount was remitted into the account of CPSC as only CPSC has FCRA Registration, which proves that People's Watch, Tamil Nadu has used CPSC as *via-media tool* for remittance of foreign contribution (Copy of BILANCE to CEDA Trust dt.09.09.1998 and correspondence of Mr.Henri Tiphagne, People's Watch dt.16.09.1998 is enclosed as **Annexure – 6**). (page # 15-16)

Observation # 3 :-

The association namely, CSPC, Madurai has withdrawn the following amount as cash withdrawal from the bank on different occasions:-

Sl.No	Financial Year	Amount	Reasons
1.	2008-2009	4958500.00	The amount was withdrawn from the bank to meet its day to day need. But, the withdrawal amount could not be tallied with the available vouchers due to issues with its opening balance/closing balance.
2.	2009-2010	4828000.00	
3.	2010-2011	3228000.00	
4.	2011-2012	3504000.00	
5.	2012- 15.05.2012	473000.00	

The detail of cash-withdrawal is annexed as **Annexure –7**. (page # 15-16)

Observation # 4:-

The Ministry of Home Affairs had sent a letter No.II/21022/52(I)/2012-FCRA(MU) signed by Mr.N.R.Singh, Under Secretary to the Government of India requiring response to a questionnaire with 32 questions. The association in its reply dt.24.02.2012 had furnished that it has maintained the following four bank accounts:-

Sl.No.	Full Name & Address of Bank Account Holder	Account Number	Bank Name and Branch	Purpose
1.	Centre for Promotion of Social Concerns, 6 th Vallabhai Road, Chokkikulam, Madurai – 625 002	001801000020368	Indian Overseas Bank, Chokkikulam, Madurai	FCRA
2.	-do-	001801000003031	Indian Overseas Bank, Chokkikulam, Madurai	Local Fund
3.	-do-	001801000022344	Indian Overseas Bank, Chokkikulam, Madurai	UNDP
4.	-do-	220001000000891	Indian Overseas Bank, New Patliputra Colony, New CISF Office, Boring Road, Patna	CPSC-IHRE – Only for Bihar

Earlier, the association was also handling one SB Account No.5349 in Indian Overseas Bank, Main Branch, Dindigul – 624 001 for the purpose of FCRA before 18.01.2002. Then, the office was shifted in Madurai and permission was sought from Ministry of Home Affairs to change the office address and bank account. The association has also certified this vide letter dated 24.05.2012 (Copy of the same is enclosed as **Annexure - 8**). (page # 54-61)

Observation#5:-

As per the Section 5 (1) of Foreign Contribution (Regulation) Act, 2010 – The Central Government may, having regard to the activities of the organization or the ideology

propagated by the organization or the programme of the organization or the association of the organizations with the activities of any political party, by an order published in the Official Gazette, specify such organization as an organization of a political nature not being a political party, referred to in clause (f) of sub-section (1) of Section 3. On several occasions, it is evident from the documents available in the office of People's Watch (CPSC) that this organization has been influenced with political motives.

A proposal for funding from facility for financing of strategic activities titled capacity building of Human Rights Defenders and Observance of the 60th Anniversary of the UDHR in India was submitted under which the target group was defined as Human rights defenders (drawing people from political, trade unions, movements, campaigns, activities etc.) NGOs, victims of human violations and other relevant actors. The association was actively involved in demonstration and marching against the Government policies. Several bills were there, which indicated that CPSC, Madurai had provided transport and other assistance towards "Long March to St. George Fort from Sathiyamangalam." A voluntary statement given by the People's Watch on behalf of CPSC clearly indicates that in its long march, people from political parties took active participations. (Annexure - 9) (page # 62-89)

Observation # 6 :

FCRR 13 says that in the event of receipt of foreign contribution in excess of one crore rupees in a financial year, he/it shall place the summary data on receipts and utilization of the foreign contribution pertaining to the year of receipt as well as for one year thereafter in the public domain. There is no web-site in the name of Centre for Promotion of Social Concerns, Madurai. People's Watch, Tamil Nadu has a web-site in its name www.pwtn.org under which a link has been placed of Board of Trustees mentioning the names of trust-members of CPSC. It is not mentioned anywhere that People's Watch is a program. The details of receipt of donation were also not furnished on its public domain which is violation of rules as stated above. The Financial Trustee of CPSC has certified that Centre for Promotion of Social Concerns does not have any website of its own. (Copy of the same is enclosed as Annexure - 10). (page # 82-)

Observation # 7:-

FC(R) Rules 24 prescribes the procedure for transferring foreign contribution to other registered or unregistered persons.

- (1) Any person intending to transfer the foreign contribution may make an application to the Central Government in Form FC-10.
- (2) The Central Government may permit the transfer in respect of a person who has been granted the certificate of registration or prior permission under section 11 of the Act, in case the recipient person has not been proceeded against under any provision of the Act.
- (3) Any transfer of foreign contribution shall be reflected in the returns in Form FC-6 as well as in Form FC-10 by the transferor and the recipient.
- (4) In case the foreign contribution is proposed to be transferred to a person who has not been granted a certificate of registration or prior permission by the Central Government, the person concerned may apply for permission to the Central Government to transfer a part of the foreign contribution, not exceeding ten per cent of the total value of the foreign contribution received. The application shall be countersigned by the District Magistrate having jurisdiction in the place where the transferred funds are sought to be utilized. The District Magistrate concerned shall take an appropriate decision in the matter within sixty days of the receipt of such request from the person. The donor shall not transfer any foreign contribution until the Central Government has approved the transfer.

It is stated here that the association has received the following amounts from different Indian Non-Profit Organizations as 2nd recipient without seeking prior permission of the Central Government as per the procedure cited above:-

Sl.No.	Date of Receipt of FC	Name of the Foreign Donor	By way of transfer as 2 nd recipient	Bank Account in which FC credited
1.	28.04.2000	Centre for Sowrld Solidarity (CWS)	18,000.00	SB A/c 20368
2.	11.07.2000	Centre for Sowrld Solidarity (CWS)	9000.00	SB A/c 20368
3.	04.01.2001	-do-	9000.00	SB A/c 20368
4.	25.01.2001	-do-	9000.00	SB A/c 20368
5.	24.04.2000	Indian Social Institute	28,397.50	SB A/c 20368
6.	24.06.2003	Diaconal Ministry, Church of South India	10,000.00	SB A/c 20368
7.	08.04.2003	Reaching the Unreached	50,000.00	SB A/c 20368
8.	28.02.2004	Reaching the Unreached	50,000.00	SB A/c 20368
9.	17.12.2003	Ms. Kamala, U.K.	5,000.00	SB A/c 20368
10.	29.01.2005	CORDAID (Tsunami)	3400000.00	SB A/c 20368
11.	07.10.2004	M/s Kamala	15,960.00	SB A/c 20368
12.	28.06.2005	Friedrich Naumann Stiftung	1000000,00	SB A/c 20368
13.	07.02.2006	-do-	500000.00	SB A/c 20368
14.	23.02.2006	-do-	734730.22	SB A/c 20368
15.	25.10.2005	Royal Netherlands Embassy	279200.00	SB A/c 20368
16.	07.03.2006	Friedrich Naumann Stiftung	2030000.00	SB A/c 20368
17.	03.01.2006	Action Aid India (Tsunami)	250000.00	SB A/c 20368
18.	11.07.2006	Royal Netherlands Embassy	14978.80	SB A/c 20368
19.	10.05.2006	Friedrich Naumann Stiftung	1950000.00	SB A/c 20368
20.	05.07.2006	-do-	500000.00	SB A/c 20368
21.	25.07.2006	-do-	450000.00	SB A/c 20368
22.	26.07.2006	-do-	800000.00	SB A/c 20368
23.	22.08.2006	-do-	1500000.00	SB A/c 20368
24.	01.09.2006	-do-	400000.00	SB A/c 20368
25.	08.09.2006	-do-	1100000.00	SB A/c 20368
26.	21.09.2006	-do-	2000000.00	SB A/c 20368
27.	23.10.2006	-do-	2000000.00	SB A/c 20368
28.	04.11.2006	-do-	1500000.00	SB A/c 20368
29.	12.12.2006	-do-	500000.00	SB A/c 20368
30.	21.12.2006	-do-	500000.00	SB A/c 20368
31.	28.12.2006	-do-	396008.50	SB A/c 20368
32.	29.12.2006	-do-	322,934.31	SB A/c 20368
33.	11.01.2007	-do-	500000.00	SB A/c 20368
34.	18.01.2007	-do-	700000.00	SB A/c 20368
35.	31.01.2007	-do-	500000.00	SB A/c 20368
36.	07.02.2007	-do-	500000.00	SB A/c 20368
37.	27.02.2007	-do-	1000000.00	SB A/c 20368
38.	13.03.2007	-do-	1000000.00	SB A/c 20368

39.	22.03.2007	-do-	500000.00	SB A/c 20368
40.	30.03.2007	-do-	500000.00	SB A/c 20368
41.	11.08.2006	Plan International (India)	1139700.00	SB A/c 20368
42.	18.08.2006	Plan International (India)	113250.00	SB A/c 20368
43.	20.09.2006	Plan International (India)	57000.00	SB A/c 20368
44.	12.09.2006	Action Aid India	998000.00	SB A/c 20368
45.	24.04.2006	Action Aid India	270000.00	SB A/c 20368
46.	04.09.2006	Action Aid India	700000.00	SB A/c 20368
47.	16.11.2006	Action Aid India	205500.00	SB A/c 20368
48.	16.06.2006	Ms. Meril Lynch	22,716.00	SB A/c 20368
49.		FNS	47664150.00	SB A/c 20368
50.		Action Aid India	5000000.00	SB A/c 20368
52.		IWID	9984.00	SB A/c 20368
53.		Indo Global Social Service Society	100000.00	SB A/c 20368
54.		Centre for World Solidarity	50000.00	SB A/c 20368
55.		MIA of Stockhalm	7187.64	SB A/c 20368
56.		Action Aid India	100000.00	SB A/c 20368
57.		Embassy of the Federal Republic of Germany	305000.00	SB A/c 20368
58.		-do-	305000.00	SB A/c 20368
59.		-do-	190000.00	SB A/c 20368
60.		The Hunger Project	1546800.00	SB A/c 20368
61.		Weed Trust	487500.00	SB A/c 20368
62.		Weed Trust	162500.00	SB A/c 20368
63.		FNST	708348.00	SB A/c 20368
64.		The Hungar Project	386700.00	SB A/c 20368
65.		Embassy of the Netherlands	720270.00	SB A/c 20368
66.		FNST	508429.44	SB A/c 20368
67.		PVCHR	25643.00	SB A/c 20368
68.		Embassy of Netherlands	1100000.00	SB A/c 20368
69.		Dalit Foundation	58442.00	SB A/c 20368
70.		Embassy of Netherlands	275000.00	SB A/c 20368
71.		Action Aid India	50000.00	SB A/c 20368
		Total	12,20,42,969.41	

Similarly, the organization has diverted its foreign contribution to other registered NGOs in India without seeking prior permission of the Govt. of India. There is no written agreement with donors for diversion of foreign funds. In the absence of the same, the board of trustees has got freedom of diversion of fund to other organization at their own.

Observation # 8:-

In the Board meeting held on 31.05.1997, it was resolved that a programme titled "People's Watch – Tamil Nadu" had been implemented under the leadership of Rev. Fr. Alexis Diamond Raj since December, 1995. However, after his sad demise on 01.01.1997, there were some problems that arose in the effective running of the programme. Therefore, CPSC has taken over the legal ownership of People's Watch – Tamil Nadu from 01.04.1997 and Mr. Henri Tiphange had taken over as Director. The entire episode shows that 'People's Watch – Tamil Nadu' was a separate entity run by Rev. Fr. Alexis Diamond Raj, who had links with BILANCE, the foreign donors. (Annexure – 11) Therefore, it is probable that BILANCE used to fund People's Watch – Tamil Nadu before taking over by the CPSC. But, the bank details of that time could not be traced. However, the CPSC has certified that they did not have a separate bank account for People's Watch – Tamil Nadu. It needs to be pointed out that Mr. Rudy Lobo was a consultant of BILANCE, a funding agency, which was supporting the programme 'People's Watch – Tamil Nadu.' The Inspecting Team found that the concurrence of Mr. Rudy Lobo was obtained before taking over the programme 'People's Watch – Tamil Nadu' by CPSC. The Centre for Promotion of Social Concerns (CPSC) has defined that 'People's Watch – Tamil Nadu' is only a programme. But, it is evident from the papers that it was a separate entity before taking over and used to get funds from BILANCE (renamed as CORDAID). After taking over the People's Watch – Tamil Nadu, the CPSC is getting fund on behalf of People's Watch – Tamil Nadu. On one hand, the association states that People's Watch – Tamil Nadu is a program run by CPSC, whereas, the correspondence available in the record states that Mr. Henri Tiphange, Executive Director, People's Watch – Tamil Nadu is making correspondence with CORDAID (BILANCE) and a copy of the same is provided to Prof. Xavier Arockiasamy, Executive Trustee, CPSC. It implies that the Programme coordinator is directly dealing with Grantee associations and CPSC plays a small role because it has FCRA registration number. Apart from this, there is no activity being done by CPSC. Each & every activity is being done by the People's Watch – Tamil Nadu. This fact can be verified from the official site of People's Watch. The site is being maintained by the officials of People's Watch and CPSC has only been shown a link. In the approved plan of BILANCE, Netherland, total NLG 1,07,33,063/- has been given to the People's Watch directly. As they do not have any FCRA registration, therefore, the fund was remitted in the account of CPSC bank account.

Observation # 9:

Cash Bill dated 28.03.2008 for Rs.700/- has been issued by M/s Sakthi-Vidiyal, 6, A.A. Road, Rathinapuram, Madurai – 625 011 (Tamil Nadu) in the name of the People’s Watch – Tamil Nadu. In this regard, a receipt has been issued by another company i.e. M/s Sakthi, 21, Kennet Nagar, Kuthupeth, Madurai – 625 003 vide receipt No.599 dt. 28.03.2008. The name of receipt issuing association and bill issue association is different. The reason of the same may be asked from the association.

Observation 10:-

A view sonic VG 1921 19” wide LCD TFT Monitor Display for computer unit was purchased from M/s V.K.System, No.32, Ayyanagar, Kovil Main Road, Sellur, Madurai – 625 002. The bill is in the name of People’s Watch – Tamil Nadu rather than CPSC. Whereas, LCD TFT is an fixed asset and it should be in the name of the legal entity i.e. CPSC and not in the programme like People’s Watch. (Annexure – 12) Many vouchers have been found by the audit team in the name of People’s Watch. In fact, employees of CPSC while submitting their travel claims have also used People’s Watch vouchers. (page # 63-92)

Observation 11:-

It was noted in the course of audit that a payment of Rs.6.14 lakhs was made to fellowship to Netherlands. The original project proposal which was submitted by the organization for undertaking various activities did not have provision in the original proposal to the donor. This was a 7 week course in Netherlands on Human Rights. Some of the participants who attended the course have already left the organization. Two other internships in Geneva and IHRTIP in Canada were also sponsored on the project. In this regard, a voluntary statement made by the Executive Director of People’s Watch on issues relating to the Capacity Building, Trainings and Human Rights Campaigns is enclosed as Annexure – 13. (page # 93-99)

Observation 12:-

There is a deviation between the actual utilization of funds and that budgeted. The amount was approved by the donor (CORDAID) for a particular activity but funds were spent for something else. The organization prepares a budget variance statement in the projects which implies that funds originally envisaged for a purpose where used for some other

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purposes. In the condition where majority of transaction are in cash, it is quite probable that this may lead to misutilization. Funds received from Global Human Rights, USA was utilized for cultural Yatra as well in 2005-2006. Around Rs.5.00 lakhs was utilized for this. The cultural yathras involve travel from one place to another (villages) and may lead to some issues as actual purposes of these yathras cannot be traced. Annexure – 14 (a), 14 (b) and 14 (c)

Observation 13:-

The People's Watch – Tamil Nadu runs an institute namely Institute of Human Right Education (I.H.R.E.), 6, Vallabhai Street, Chokkikulam, Madurai – 625 002 as a program. Dr. V. Vasanthi Devi is the Chairperson and Dr. I. Deveshyay is the Director, IHRE. The officials of People's Watch claim that this is their one of the program. Whereas, the logic is that an Institute is a separate legal entity and it cannot merely be a sub-program of main program. IHRE also conducts trainings on human rights to teachers etc. An MoU has been signed between the Tamil Nadu Dr. Ambedkar Law University as First Party and the Institute of Human Rights Education as Second Party for the purpose of Academic Colloboration that will encompass the establishment of the National Curriculum Resource Centre at the Premises of the first party, and focus on Human Rights Education in schools, school teachers' training, developing course curriculum in schools, other Higher Education Institutions, develop course materials and other extension activities relating to human rights. In addition to this, active efforts will be made to develop joint training and research programmes that will be pursued in a collaborative spirit. (copy of the MoU is enclosed as Annexure - 15) (page 160-181)

Observation # 14:-

As per Section 8 (1) (a) of FC(R) Act, 2010 – every person (NGO) who is registered and granted a certificate or prior permission under this act and receives Foreign Contribution, shall utilize such contribution for the purpose for which the contribution has been received. But, in many cases, the trust (NGO) has used FC for the purpose other than for which it was received. Some illustrations are given below:-

Sl.No.	Vr. No. & Date	Amount	Purpose for which FC received	Purpose for which utilised
1.	JV414 dated 26.03.2010	5515.00	One Day Review Meeting travel & HRE Co-ordination expenses under the Head HRE in Tamil Nadu School	Expenses for dinner, travel & gift for wedding of Mr. Perumal Swamy's daughter
2.	C-261 dt.24.03.2010	2686.00	-do-	-do-
3.	138 dt.02.09.2009	1380.00	HRE in Tamil Nadu School	To purchase bags for school children

As such, it is violation of provisions of FCRA, 2010 and deviation of purpose also. (Please see **Annexure - 16**) { page # 182-183 }

Observation 15:-

The proper utilization of foreign contribution can be verified if there is proper transparency in purchasing etc. During the inspection of records, it has been seen that receipt/bill of purchasing are not available. Some examples are given below:-

Sl.No.	Vr. No. and Date	Amount
1.	C-73 dt.11.11.2011	9900.00
2.	C-71 dt.11.11.2011	5000.00
3.	C-90 dt.17.11.2011	2000.00
4.	C-86 dt.17.11.2011	2000.00

In the absence of receipts/bills, proper utilization could not be verified.

Observation# 16:-

The association inspected upon is registered under FCRA, 2010 by the name the 'Centre for Promotion of Social Concern'. All the foreign contribution is also being received by the above name and bank account to receive FC has also been opened in the above name. But, it is surprising to note that most of the receipts/bills are in the name of **People's Watch**. The receipts/bills must be in the name of the association by which it is registered and receiving foreign contribution. The association on asking upon has stated that People's Watch is a program of Centre for Promotion of Social Concern. But, receipts/vouchers/bills

are to be prepared in the name of NGO (Trust) and not in the name of program. The matter requires clarification from the NGO.

Observation 17:-

The trust was formed on 17.11.1981 between Mr. I. Paulraj, Dindigul, Madurai and Mr.A.Xavier, the Executive Trustee. The donor is interested in training, research and publications relating to the social, economic, educational and cultural conditions of the downtrodden people of India. It is pointed out that the Trust Deed is faulty as trust deed should not be formed on the request of donor or somebody else. As per the Bombay Trust Act, 1950 and Indian Trust Act, 1882 – *a trust is created when the author of the trust indicates with reasonable certainty by any words or act (a) an intention on his part to create thereby a trust, (b) the purpose of the trust, (c) the beneficiary, and (d) the trust-property, and (unless the trust is declared by will or the author of the trust is himself to be trustee) transfers the trust-property to the trustee.* In the instant case, the trust was formed as it was a wish of the donor and not of the trustees. Therefore, the formation of the trust is itself is suspicious and invalid. The trust deed was amended on 13th October, 2004. This trust was got an FCRA registration in the name of Centre for Promotion of Social Concerns, Dindigul, Madurai on 29th August, 1995. The formation of the trust is itself is faulty and improper. (Copy of Trust Deed and its amendment is enclosed as **Annexure - 17**) (Page 7 of 21)

Observation 18:-

FC(R) Act, 2010 Section 3 (3) prescribes that no person receiving any currency, whether Indian or Foreign, from a foreign source on behalf of any person or class of persons, referred to in Section 9, shall deliver such currency – (a) to any person other than a person for which it was received, or (b) to any other person, if he knows or has reasonable cause to believe that such other person intends, or is likely to deliver such currency to a person other than the person for which such currency was received. The association namely, Centre for Promotion of Social Concerns, Madurai (Tamil Nadu) got its FCRA registration vide No.075940138 on dated 29th August, 1985. Wherever, the bank statement shows that the association had received foreign contribution before getting the registration from FCRA twice from the donor namely, Bread for the World. The association may be asked the reason.

for violating the FCRA rules and regulations by accepting foreign contribution without having registration or prior permission of Govt. of India. (Copy of Registration Certificate is enclosed as **Annexure - 18** & Details of Foreign Contribution is enclosed as **Annexure - 19**). (page # 222-223)

Observation 19:-

The so-called program of CPSC i.e. People's watch has been engaged in lease agreement on behalf of Centre for Promotion of Social Concerns, Madurai on several times. Whereas, it has been claimed by the CPSC officials that People's Watch does not have any legal entity. When, People's Watch does not have any legal entity, how it can execute legal formalities like entering into lease agreement etc. The association may be asked to clarify the things. (Annexure - 20) (page # 239-244)

Observation 20:-

Mr. Henry Tiphange, Executive Director of People's Watch has admitted while talking that he has personally gone to the time of Kudankulan to meet Dr.S.P.Udaykumar, the conveyor of Anti KKNPP. A group of scientists and other intellectuals were also called for and the team was sent to Kudankulan for 'study'. The vehicle movement registers (log-books) of the available vehicles of the CPSC has proved that these vehicles were used to carry persons/to pick-up persons to/from the project sites. This observation may be co-related with the DIB report accordingly. (Copy of the log-books may be seen as **Annexure - 21**) (page # 245-253)

Observation 21:-

FC(R) Act, 2010 Section 19 states that every person who has been granted a certificate or given prior approval under this Act shall maintain, in such form and manner as may be prescribed – (a) an account of any foreign contribution received by him; and (b) a record as to the manner in which such contribution has been utilized by him. Whereas the association, namely Centre for Promotion of Social Concerns has 'misplaced' the Board Minutes Book for the Financial Year 1998-2000. In this regard, they have furnished a certificate and the same is enclosed as **Annexure - 22**. (page # 254)

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CONCLUSION

Facts brought out in the report clearly suggest that there have been several instances of violation of Foreign Contribution (Regulation) Act, 2010 and Foreign Contribution (Regulation) Rules, 2011 by Centre for Promotion of Social Concerns, Madurai and its umbrella program 'People's Watch'. These violations have resulted not only in the transferring of Foreign Contribution illegally in the country but these have been used for deviated purpose. This is on account of the fact that heavy cash withdrawals, not matching with cash register, have been used for which the Director (Administration & Finance) of Peoples' Watch was not able to satisfy to the Inspecting Officers on several occasions. The People's Watch has received huge donations in the account of CPSC to run its own activities as 2nd recipients. CPSC has not only transferred the foreign contribution by violating the FC(R) Act, 2010 but also allowed the People's Watch to run its activities from its own premises. Further, there have been cases of misleading the Government/Donor Organizations by providing false information about the legal entity of CPSC & People's Watch. Chartered Accountant of CPSC is also equally responsible for non-discharging of the duties assigned to a chartered accountant under the Chartered Accountants Act, 1949.

Ministry of Home Affairs
Foreigners Division
FCRA Wing (Monitoring Unit)

**INSPECTION REPORT OF CENTRE FOR PROMOTION OF SOCIAL CONCERNS,
MADURAI.**

PART-I

Objective: The objective of the FC(R) Act, 2010 is to regulate the acceptance and utilization of foreign contribution or foreign hospitality by certain individuals or associations or companies and to prohibit acceptance and utilization of foreign contribution or foreign hospitality for any activities detrimental to the national interest and for matters connected therewith or incidental thereto.

Mandate of Inspection: As per the instructions of the competent authority, an on-site inspection of the said Association was undertaken to ascertain whether the provisions of the Foreign Contribution (Regulation) Act, 2010 has been violated by the Association. The orders relating to Authorization under Section 23 was issued to inspect the books of accounts and records of the association pertaining to foreign contribution received and utilized by the association.

Duration of Inspection: Inspection with regard to the books of accounts and records pertaining to Foreign Contribution received and utilized by the association under the provisions of FCRA, 2010 and FCRR, 2011 for the period of financial years of 2011-2012 and 2011-2012 of the said Association was undertaken by the authorized officers, **Sh. G.S. Bhasin, Assistant Directors, FCRA (MU), MHA, Sh. J.K. Sangwan, Sr. Accounts officer, IAW, Sh. Ram Singh, Assistant Accounts Officer, IAW and Sh. Kamleshwar Lal Das, Sr. Accountant, IAW (HQ)** from 13.05.2014 to 16.05.2014 at the registered office premises of the Association.

Scope of Inspection: The INSPECTION was undertaken under the Provisions of FC(R) Act, 2010 and FC(R) Rules, 2011. During the course of Inspection, in addition to records available at the registered office of association and the statements of bank accounts (exclusively for FC) of association, bank statement of local accounts, involved in a particular suspicious transaction relating to Foreign Contribution were also evaluated.

A brief Introduction of Association: The trust, CENTRE FOR PROMOTION OF SOCIAL CONCERNS (CPSC), was formed on 17.11.1981, between Mr. I.Paulraj, Dingigul, Madurai and Mr. A. Xavier, the executive trustee. The donor at that time had shown interest in training, research and publication relating to the social, economic, educational and cultural conditions of the downtrodden. The trust got registration with FCRA on 29th August, 1995.

(Handwritten signatures)

PART-II

1. The FCRA registration of the association was suspended for 180 days w.e.f. 16.07.2012. The association has received and accepted Foreign Contribution to the tune of ₹ 11,62,289/- as detailed below:

S.No.	Date of Receipt	Amount in ₹
1	16.07.2012	25,374
2	19.07.2012	19,474
3	20.07.2012	10,71,441
Total		11,16,289

2. In spite of the suspension of their FCRA registration for 180 days w.e.f. 16.07.2012, association has withdrawn ₹ 29,81,390.00 on a single day i.e. 23.07.2012. This is in violation of the condition stipulated in the suspension order wherein it was stated that association can utilise present contribution available in their custody **only** after taking the prior permission from the Government of India.

In their response, association has claimed that they have received the suspension letter on 23rd July, 2012 (**copy of the envelope bearing post office stamp placed at FLAG A**), and have received and utilised the aforesaid FC before receiving the suspension letter. This explanation doesn't seem tenable since association has spend a major part of the FC (₹ 28,12,724/-) on giving advance salaries for three months to its staff, which it had never done in past. (**Copy of the letter to the bank placed at FLAG B**)

3. As per Rule 13 of FCRR, 2011, in case a person who has been granted a certificate of registration or prior permission receives foreign contribution in excess of one crore rupees, or equivalent thereto, in a financial year, he/it shall place the summary data on receipts and utilization of the foreign contribution pertaining to the year of receipts as well as for one year thereafter in the public domain. CPSC is now placing the summary data on receipt and utilisation of its FC on its web site cpsc.org.in.

4. It was submitted by the association that Peoples watch is a programme unit of CPSC. Inspection of the records produced by the association revealed that:

- i. most of the vouchers are in the name of Peoples watch.
- ii. Agreements/ service contracts etc. were also found to have been executed between the firms and Peoples Watch. (**Some examples are placed at Flag C**)
- iii. Appointment letters of Program Assistants, Associate coordinators and State coordinators etc. were issued by Peoples watch. (**Some examples are placed at Flag D**)
- iv. Bills of all aforesaid activities and services have been raised in the name of Peoples Watch (**Some examples are placed at Flag E**) but the payment for all these is being made out of FC.

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In response to the inspection teams query, the association vide certificate dated 16.05.2014 (**Flag F**), association has accepted that most of the receipts are in the name of Peoples Watch. It is suspected that Peoples Watch plays a major role in the activities of CPSC as the name of the Peoples watch is more prominent even on the sign boards of the association than the name of CPSC which comes last in the board. (**Some photographs placed at Flag G**)

5. The association has extended too many advances (**Flag H**), some examples are listed below:

S.No.	Date	Name of Person	Amount in ₹
1	29.12.2011	Mr. Marshal Samuel	5,000
2	05.01.2012	Mr. Marshal Samuel	20,000
3	27.01.2012	Mr. G. Ganesan	20,000
4	27.01.2012	Mr. R. Nikkolans	20,000
5	27.01.2012	Mr. I. Bagyraj	3,000
6	02.02.2012	Mr. Tapan Kumar Modak	11,800
7	02.02.2012	Mr. P. Murugesan	20,000
8	08.02.2012	Mr. S. Ganesan	20,000

The association was unable to produce any proof of utilisation of these advances. In the absence of which misappropriation of funds could not be ruled out.

6. The association has withdrawn foreign contribution amounting to ₹ 44,54,000.00 in cash during the period 2011-12 and 2012-13 on as many as 240 occasions, as detailed below, purpose of which could not be ascertained. (List placed at **Flag I**)

S.No.	Period	Amount in ₹	No. of Occasions
1	2011-12	35,46,000.00	201
2	2012-13	9,08,000.00	39
Total		44,54,000.00	240

7. The activities of the association have come to stand still after the suspension of their FCRA registration. All the 94 employees (list placed at **Flag J**) have either resigned or their services terminated for want of funds.

8. Section 33 of FCRA, 2010 stipulates that making of false statement, declaration or delivering of false accounts by fraud, false representation or concealment of material fact, shall, on conviction by a court, be liable to imprisonment for a term which may extend to three years or with fine or with both.

[Handwritten signatures]

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coordinators and State coordinators etc.; bills of all activities and services are in the name of People's Watch. The association has withdrawn huge amount from foreign contribution account in cash on many occasions. It has extended too many advances for which no proof of utilisation was produced for inspection. There is a difference of ₹ 1,32,728.00 in FC as reportedly transferred by the association to other FCRA registered associations and the same received by the other associations. The activities of the association have come to stand still after the suspension of their FCRA registration as all of its employees have either resigned or their services have been terminated for want of funds.

[Signature]
09/07/14
(K.L. DAS)
Sr. Acctt.
IAN, MHA, D.D.

[Signature]
9/7/2014
(J.K. SANGWAN)
Sr. A.O.
I. A. W. MHA Delhi.

[Signature]
25/06/2014
(G.S. BHASIN)
AD VI, FCRA CMU

UTL MEDIA



ABSTRACT

Citizenship - Issuance of Notification under section 6 of the Delhi Special Police Establishment Act empowering Central Bureau of Investigation, Economic Offences Branch, Rajaji Bhavan, Besant Nagar, Chennai to investigate case against Centre for Promotion of Social Concerns (CPSC), Madurai, Tamil Nadu under Foreign Contribution (Regulation) Act, 2010 (Central Act No.42 of 2010) – Orders -Issued.

Home (Citz.I) Department

G.O (2D) No.309

Dated : 02.12.2020

சார்வரி ஆண்டு கார்த்திகை 17
திருவள்ளூர் ஆண்டு 2051

Read:

1. From the Head of Branch, Central Bureau of Investigation, Economic Offences Branch, Chennai letter dated: 29.05.2019 and 09.08.2019.
2. Government letter No.31668/Citz.I/2019-1, dated: 22.08.2019, addressed to the Director General of Police and Inspector General of Police (Intelligence) "Q" Branch, Chennai.
3. From the Superintendent of Police, "Q" Branch CID, Chennai, letter C.7.No.9234/X/2019/M, dated: 14.09.2019.
4. From the Director General of Police, Intelligence, (Internal Security), Chennai letter C.7. No. 9662/X/ 2019/C, dated:27.09.2019.
5. From the Head of Branch, CBI, EOB, Chennai along with Notification and Inspection Report letter No.C6/CA E0049/2014/617, dated: 18.11.2019.
6. From the Director General of Police, Chennai letter Rc.No.230635/Crime 4(2)/2019, dated: 28.2.2020.
7. Government D.O. letter No.31668/Citz.I/2019-7, dated: 20.03.2020.
8. From the Director General of Police, Chennai letter Rc.No.230635/Crime 4(2)/2019, dated: 26.8.2020.

ORDER:

The Head of Branch, Central Bureau of Investigation, Economic Offences Branch, Chennai in his letter first read above, has stated that the Ministry of Home Affairs has sent a letter to Central Bureau of Investigation, Economic Offences Branch, Chennai for investigating the violation of provisions of Foreign Contribution (Regulation) Act, 2010 (Central Act No 42 of 2010) by the Centre for Promotion of Social Concerns (CPSC), Madurai, Tamil Nadu.

CA
7/02.12.20

He has therefore requested that necessary consent under section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act No.25 of 1946) may be accorded to enable the Central Bureau of Investigation, Economic Offences Branch, Chennai to investigate the same.

2) In the circumstances stated above, the Government proposed to accept the proposal of the Head of Branch, Central Bureau of Investigation, Economic Offences Branch, Besant Nagar, Chennai. Accordingly, the Government hereby accord permission to the Central Bureau of Investigation to investigate acts of contravention of the provisions of Foreign Contribution (Regulation) Act, 2010 (Central Act No.42 of 2010) by the Centre for Promotion of Social Concerns (CPSC), Madurai, Tamil Nadu.

3. The appended notification for the above effect shall be published in the Tamil Nadu Government Gazette.

(BY ORDER OF THE GOVERNOR)

**S.K.PRABAHAR
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

To

✓ The Head of Branch, Central Bureau of Investigation,
Economic Offences Branch, 'A' Wing, III Floor, Rajaji Bhavan,
Besant Nagar, Chennai-90.

The Director General of Police, Tamil Nadu, Chennai-4.

The Additional Director General of Police, Crime Branch CID, Chennai-8.

The Deputy Inspector General of Police, Intelligence, Chennai.

The Works Manager, Government Central Press, Chennai-79. (w.e.)

(for publication of Notification appended to this order and
to supply of 20 copies to Government.)

Copy to:-

The Under Secretary to Government of India, Ministry of Personnel,
Public Grievance and Pensions


(Department of Personnel and Training)

Government of India, New Delhi.

The Inspector General of Police, 'Q' Branch CID, Chennai-4.

Stock File /Spare Copy.

//FORWARDED BY ORDER//


21/12/2020
SECTION OFFICER
21/12/2020

APPENDIX.

NOTIFICATION.

Under section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act 25 of 1946), the Governor of Tamil Nadu hereby accords consent to the members of the Delhi Special Police Establishment in the whole of the State of Tamil Nadu for investigation of reference made to it by the Director (MU & I), Foreigners Division (FCRA Wing), Ministry of Home Affairs, Government of India, NDCC Building, Jaisingh Road, New Delhi - 110 001 in F.No.II/21022/58(119)2012-FCRA (MU), dated 22.07.2014 under the Foreign Contribution (Regulation) Act, 2010 (Central Act 42 of 2010) and attempts, abetments and conspiracies in relation to or in connection with the offences referred to in the said reference and any other offence or offences committed in the course of the same transaction or arising out of the same facts, by the Centre for Promotion of Social Concerns (CPSC), Madurai, Tamil Nadu.

S.K.PRABAHAR
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT

// True Copy//


21/2/2020

SECTION OFFICER


21/4/2020

466/DCA/HB
28/07/21
[TO BE PUBLISHED IN THE GAZETTE OF INDIA, PART-II, SECTION 3, SUB-SECTION (ii)]

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(DEPARTMENT OF PERSONNEL AND TRAINING)
NEW DELHI

Dy. No. 794 DOP Sec.


Dated 28/07/2021

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Dated, the 23rd July, 2021

NOTIFICATION

S.O. In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Tamil Nadu, issued vide Notification G.O (2D) No. 309 dated 02.12.2020, Home (Citiz.I) Department, Chennai hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Tamil Nadu for investigation into the offence(s) arising out of reference made by the Director (MU&I), Foreigners Division (FCRA Wing), Ministry of Home Affairs in F.No.II/21022/58(119)2012-FCRA(MU) dated 22.07.2014 under the Foreign Contribution (Regulation) Act, 2010 (42 of 2010) alleged to have been committed by the Centre for Promotion of Social Concerns, Madurai, Tamil Nadu and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F.No. 228/35/2021-AVD-II]


(Sanjay Kumar Chaurasia)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA

To,
The Manager
Govt. of India Press
Mayapuri, Ring Road
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Copy To

- (i) The Chief Secretary, Government of Tamil Nadu, Secretariat, Chennai – 600 009.
- (ii) The Director, Central Bureau of Investigation (CBI), CGO Complex, New Delhi.
- (iii) Director of Prosecution, Central Bureau of Investigation (CBI), CGO complex, New Delhi.
- (iv) Guard File.


(Sanjay Kumar Chaurasia)
Under Secretary to the Government of India

27/07/21
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