

HINDI PRACHARINI SABHA ACT
Act 36 of 2004 – 14 October 2004

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HINDI PRACHARINI SABHA ACT

1. Short title

This Act may be cited as the Hindi Pracharini Sabha Act.

2. Interpretation

In this Act—

“Committee” means the Committee referred to in section 6;

“Fund” means the General Fund referred to in section 10;

“Minister” means the Minister to whom responsibility for the subject of education is assigned;

“Sabha” means the Hindi Pracharini Sabha established under section 3.

3. Establishment of Sabha

(1) There is established for the purposes of this Act the Hindi Pracharini Sabha.

(2) The Sabha shall be a body corporate.

4. Object of Sabha

The object of the Sabha shall be to promote and propagate Hindi language and literature.

5. Functions of Sabha

The functions of the Sabha shall be to—

- (a) organise literary competitions, seminars, lectures on social, literary, philosophical and historical subjects;
- (b) establish, manage and affiliate Hindi schools;
- (c) set up and run libraries and educational institutions;
- (d) import, distribute and publish magazines, newspapers and books;
- (e) award scholarships to deserving students of the Hindi language;
- (f) promote exchanges with other organisations having similar objectives, both locally and internationally;
- (g) undertake any other activity which is incidental and conducive to the attainment of its objects;
- (h) organise and conduct local examinations in Hindi and award certificates; and
- (i) organise and conduct examinations in Hindi from abroad.

6. Management

(1) The Sabha shall be managed by a Committee which shall consist of 12 members of the Sabha.

(2) The members of the Committee shall—

- (a) be elected at a general meeting;
- (b) hold office for a period of 3 years;
- (c) be eligible for re-election;
- (d) elect from among themselves a Chairperson, a Vice-Chairperson, a Secretary, an Assistant Secretary, a Treasurer and an Assistant Treasurer;
- (e) organise a general meeting every year.

(3) Every election of the members of the Committee at a general meeting shall be conducted under the supervision of the Electoral Commissioner.

(4) The Committee shall—

- (a) hold a meeting at least once a month at such place and time as the Chairperson thinks fit;
- (b) be convened by the Secretary as often as may be requested by the Chairperson or upon a request addressed to the Chairperson by any 3 members of the Committee.

(5) The Sabha shall have its registered office at the Hindi Bhawan, Long Mountain or at such other place as the Committee may decide.

(6) The Sabha may open regional branches throughout Mauritius.

[S. 6 amended by s. 3 of Act 6 of 2009 w.e.f. 15 July 2009.]

7. Appointment of sub-committees

(1) The Committee may appoint one or more sub-committees—

- (a) to inquire into and advise the Committee on such matters within the scope of the Committee's functions as the Committee may refer to it; and
- (b) to exercise such of the powers and perform such of the duties as the Committee may refer to the sub-committee.

(2) A sub-committee may consist of such persons as the Committee may determine.

(3) Every sub-committee shall be subject to the control of the Committee and may be discharged or reconstituted at any time by the Committee.

(4) The referral of a duty to a sub-committee does not relieve the Committee of responsibility for the performance of its duty.

(5) Subject to any directions that may be given by the Committee, a sub-committee may regulate its own procedure.

8. —

9. Membership

(1) Membership of the Sabha shall be open to all persons having an interest in the promotion of Hindi in Mauritius.

(2) Application for membership shall be made in such manner as may be approved by the Committee.

(3) The Committee may grant or refuse any application for membership made under subsection (2).

(4) Where the Committee rejects an application for membership of the Sabha, the applicant may request that the decision be reviewed by the Sabha at its next annual general meeting.

(5) Where a request is made under subsection (4), the Committee shall refer the decision forthwith to the Sabha which may confirm, vary or quash the decision of the Committee at its following general meeting in accordance with such rules as may be made by the Committee.

10. General Fund

(1) There shall be a General Fund into which shall be paid—

- (a) all donations, contributions and fees received by the Sabha; and
- (b) any other sum which may lawfully accrue to the Fund.

(2) The Committee may pay out of the Fund any sum which is lawfully due by the Sabha or which is required to be paid in order to carry out its objects.

11. Audit

(1) The Committee shall appoint a qualified person as its auditor.

(2) The auditor shall, not later than the end of September in every year, furnish to the Committee, a report on an audit of accounts of the Sabha for the previous year.

12. Donations and legacies

Article 910 of the Code Civil Mauricien shall not apply to the Sabha.

13. Immovable property

The Sabha may, for the purposes of this Act, purchase or otherwise obtain and sell or otherwise dispose of any immovable property.

14. Execution of documents

Any document issued by or on behalf of the Sabha shall be signed by the Chairperson and the Secretary.

15. Exemption

Notwithstanding any other enactment, no stamp duty or registration duty shall be payable in respect of any document signed or executed by the Sabha or to which the Sabha is a party.

16. Dissolution

(1) The Sabha may be dissolved by the unanimous decision of the Committee duly approved by the Sabha at a general meeting.

(2) Where the Sabha is dissolved, all the assets remaining after winding-up shall be transferred to such other organisation as may be designated by the Committee and approved by the Sabha at a general meeting.

17. Rules

(1) The Committee may, with the approval of the Sabha and the Minister, make such rules as it thinks fit for the purposes of this Act.

(2) The rules made under subsection (1) shall be binding on the Sabha and the Committee.

(3) Rules made under subsection (1) shall not be required to be—

- (a) laid before the Assembly;
- (b) published in the *Gazette*.

18. Transitional provisions

(1) —

(2) Any proceedings pending immediately before the coming into operation of this Act to which the registered association was a party may be continued as if the Sabha was a party to those proceedings, instead of the registered association.

(3) In this section, “registered association” means the Hindi Pracharini Sabha which, on the coming into operation of this Act, was registered under the Registration of Associations Act.
