

WORLD HINDI SECRETARIAT ACT
Act 35 of 2002 – 12 September 2005

ARRANGEMENT OF SECTIONS

SECTION

- | | |
|---------------------------------|------------------------------|
| 1. Short title | 11. The Secretary-General |
| 2. Interpretation | 12. Deputy Secretary-General |
| 3. Establishment of Secretariat | 13. Appointment of staff |
| 4. Object of Secretariat | 14. Execution of documents |
| 5. Functions of Secretariat | 15. Funds |
| 6. The Governing Council | 16. Exemptions |
| 7. Meetings of Council | 17. Donations and legacies |
| 8. Committees | 18. Regulations |
| 9. The Executive Board | 19. Legal process |
| 10. Meetings of Board | 20. — |

WORLD HINDI SECRETARIAT ACT

1. Short title

This Act may be cited as the World Hindi Secretariat Act.

2. Interpretation

In this Act—

“Board” means the Executive Board referred to in section 9;

“Council” means the Governing Council set up under section 6;

“relevant bilateral agreement” means the Memorandum of Understanding entered into between the Government of the Republic of Mauritius and the Government of the Republic of India from time to time in relation to the Secretariat and includes any amendment thereof;

“Secretariat” means the World Hindi Secretariat established under section 3;

“Secretary-General” means the Secretary-General appointed under section 11.

3. Establishment of Secretariat

(1) There is established for the purposes of this Act the World Hindi Secretariat.

(2) The Secretariat shall be a body corporate with the capacity to sue and be sued.

4. Object of Secretariat

The object of the Secretariat shall be to promote Hindi as an international language and further the cause of Hindi towards its recognition at the United Nations as an official language.

5. Functions of Secretariat

The functions of the Secretariat shall be—

- (a) to organise international conferences, seminars, group discussions in the medium of Hindi language, as well as organising cultural programmes, *Kavi Sammelan* and other similar activities;
- (b) to confer international awards upon outstanding scholars for their contribution in the promotion of Hindi all over the world;
- (c) to establish Hindi chairs in Universities throughout the world;
- (d) to set up documentation centres for research in multi media and information technology and to serve as databank relating to Hindi authors, poets, scholars, institutions, universities and NGOs involved in the promotion of Hindi;
- (e) to establish an international Hindi library;
- (f) to organise international Hindi book fairs and computer exhibitions at selected places globally;
- (g) to do all such acts and things incidental to or conducive to the attainment of its object.

6. The Governing Council

(1) There shall be for the purposes of this Act a Governing Council which—

- (a) shall be responsible for the furtherance of the object and the formulation of the policy of the Secretariat;
- (b) may take such measures as appear requisite and advantageous for the purpose of furthering the object of the Secretariat.

(2) The Council shall consist of—

- (a) the Minister to whom responsibility for the subject of education is assigned;
- (b) the Minister to whom responsibility for the subject of foreign affairs is assigned;
- (c) the Minister to whom responsibility for the subject of culture is assigned;
- (d) 3 Ministers of the Government of the Republic of India nominated by that Government or their representatives under the relevant bilateral agreement;
- (e) 2 persons nominated by the Prime Minister from among eminent persons in the field of Hindi;

- (f) 2 other persons nominated by the Government of the Republic of India from among eminent persons in the field of Hindi;
- (g) the Secretary-General.

(3) The Council shall be chaired by one of the Ministers referred to in subsection (2) in accordance with the relevant bilateral agreement.

(4) Notwithstanding subsection (2), the Secretary-General shall not have the right to vote.

(5) The Council may also co-opt such resource persons for such period as it considers necessary to assist in its deliberations.

(6) A member co-opted under subsection (5) shall not have the right to vote.

(7) Every member of the Council, other than *ex officio* members, shall hold office for a period of 3 years and shall be eligible for reappointment.

7. Meetings of Council

(1) The Council shall meet at least once a year at such place and time as the Chairperson may think fit.

(2) Six members of the Council, who have the right to vote, shall constitute a quorum.

(3) A member who has direct or indirect pecuniary interest in any item on the agenda of the Council shall not take part in the deliberations of the Council on that item.

(4) Decisions of the Council shall require a majority vote.

8. Committees

The Council may set up such committees as the Council considers necessary to assist it in the performance of its duties.

9. The Executive Board

(1) There shall be an Executive Board which shall be responsible for—

- (a) the execution of the policy formulated by the Council;
- (b) the administration and general control of the Secretariat;
- (c) preparation of the annual report to be placed before the Council every year.

(2) The Board shall consist of—

- (a) the Permanent Secretary of the Ministry responsible for the subject of education;
- (b) the Permanent Secretary of the Ministry responsible for the subject of foreign affairs;

- (c) the Permanent Secretary of the Ministry responsible for the subject of culture;
- (d) the Permanent Secretary of the Prime Minister's Office;
- (e) 4 persons nominated by the Government of the Republic of India pursuant to the relevant bilateral agreement, or their representatives; and
- (f) the Secretary-General.

(3) The Board shall be chaired by one of the members referred to in subsection (2) (a), (b), (c), (d) and (e) in accordance with the relevant bilateral agreement.

10. Meetings of Board

(1) The Board shall meet at such place and time as the Chairperson may determine.

(2) Five members of the Board, who have the right to vote, shall constitute a quorum.

(3) A member who has a direct or indirect pecuniary interest in any item on the agenda of the Board shall not take part in the deliberations of the Board on that item.

(4) The Board may co-opt such other resource persons as it considers necessary to assist it in its meeting.

(5) The Secretary-General shall not have the right to vote.

(6) A member co-opted under subsection (4) shall not have the right to vote.

(7) Subject to the other provisions of this Act, the Board may regulate its meetings and proceedings.

(8) Decisions of the Board shall require a majority vote.

11. The Secretary-General

There shall be a chief executive officer of the Secretariat who shall—

- (a) be known as the Secretary-General;
- (b) be appointed by the Council in accordance with the relevant bilateral agreement;
- (c) hold office for a period of 3 years but shall be eligible for reappointment; and
- (d) be directly responsible to the Board for the management of the day-to-day business of the Secretariat.

12. Deputy Secretary-General

There shall be a Deputy Secretary-General who shall—

- (a) be appointed by the Council in accordance with the relevant bilateral agreement;

- (b) hold office for a period of 3 years but shall be eligible for reappointment; and
- (c) provide assistance to the Secretary-General and fulfil such assignment as may be entrusted to him by the Board from time to time.

13. Appointment of staff

(1) The Board may appoint on such terms and conditions as it thinks fit such employees as it considers necessary for the proper discharge of its functions under this Act.

(2) Every member of staff shall be under the administrative control of the Secretary-General.

14. Execution of documents

(1) No document shall be executed by or on behalf of the Secretariat unless it is signed by the Chairperson of the Board and another member nominated by the Board from among themselves, or, in the absence of the Chairperson, by 2 members nominated by the Board.

(2) Every document signed in accordance with subsection (1) shall be deemed to be duly executed by or on behalf of the Secretariat.

15. Funds

(1) The Secretariat shall be funded in accordance with the relevant bilateral agreement.

(2) The Council may, in particular—

- (a) raise funds to promote literary and cultural activities related to the promotion of Hindi;
- (b) receive grants-in-aid, gifts, donations and legacies.

16. Exemptions

Notwithstanding any other enactment—

- (a) the Secretariat shall be exempt from the payment of duty, rate, charge, fee, tax or licence fee;
- (b) no stamp duty or registration fee shall be payable in respect of any document under which the Secretariat is the sole beneficiary.

17. Donations and legacies

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

18. Regulations

The Council may make such regulations as it thinks fit for the purposes of this Act.

19. Legal process

(1) The Secretariat shall act, sue and be sued, implead and be impleaded under its corporate name.

(2) Service of process by or on the Secretary-General shall be deemed to be service by or on the Secretariat.

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