

THE HINDI PRACHARINI SABHA BILL

(No. I of 2004)

Explanatory Memorandum

The object of this Bill is to set up the Hindi Pracharini Sabha as a body corporate for the purpose of promoting and propagating the Hindi language and its literature.

14 October 2003

M. Chumroo
*First Member for Port Louis North
and Montagne Longue*

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ARRANGEMENT OF CLAUSES

Clause

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A BILL

**To provide for the establishment and management of
the Hindi Pracharini Sabha**

ENACTED by the Parliament of Mauritius, as follows:-

1. Short title

This Act may be cited as the Hindi Pracharini Sabha Act 2004.

2. Interpretation

In this Act:-

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

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

‘Sabha’ means the Hindi Pracharini Sabha established under section 3.

3. Establishment of the 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 the Sabha

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

5. Functions of the Sabha

The functions of the Sabha shall be to –

- (a) organize 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, publish magazines, newspapers and books;
- (e) award scholarships to deserving students of the Hindi language;
- (f) promote exchanges with other organizations having similar objectives, both locally and internationally;

- (g) undertake any other activity which is incidental and conducive to the attainment of its objects;
- (h) organize and conduct local examinations in Hindi and award certificates, and
- (i) organize 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 each annual general meeting;
- (b) hold office for one year;
- (c) be eligible for re-election, and
- (d) elect from among themselves a chairperson, a vice-chairperson, a secretary, an assistant secretary, a treasurer and an assistant treasurer.

(3) 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.

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

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

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. First Committee

The powers and functions of the Committee shall, at the commencement of this Act, be exercised by the persons specified in the Schedule in their respective capacities as office bearers as indicated opposite their names.

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.

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 February 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 Civil Code 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.
- (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.

17. Rules

- (1) The Committee may make such rules as it thinks fit for the purposes of this Act and which shall be binding on the Sabha and the Committee.
- (2) Rules under this subsection (1) shall not be required to be –
 - (a) approved by the Minister;
 - (b) laid before the Assembly;
 - (c) published in the Gazette.

SCHEDULE

(section 8)

1. Ajamil MATABADAL	-	President
2. Halloman Doobey GIRDHAREE	-	Vice President
3. Dhunraz SEMBHOO	-	Secretary
4. Janardan CALYCHURN	-	Assistant Secretary
5. Tahul RAMDIN	-	Treasurer
6. Satiavatee JUGMOHUN	-	Assistant Treasurer
7. Vidyanand RAMFUL	-	Member
8. Chandraduth UNUTH	-	Member
9. Damodar SOMAUREE	-	Member
10. Jawahur PROAG	-	Member
11. Lutchmiparsad MUNGROO	-	Member
12. Hurrynarain SEETAH	-	Member