

Dakshina Bharat Hindi Prachar Sabha Act, 1964

(Act 14 of 1964)

[12th May 1964]

An Act to declare the institution known as the Dakshina Bharat Hindi Prachar Sabha, having at present its registered office at Madras to be an institution of national importance and to provide for certain matters connected therewith.

Be it enacted by Parliament in the Fifteenth year of the Republic of India as follows :-

1. Short title and commencement :- (1) This Act may be called the Dakshina Bharat Hindi Prachar Sabha Act, 1964.

(2) it shall come into force on such date * as the Central Government may, by notification in the Official Gazette, appoint.

** Date appointed is 1.6.1964: vide notification No.S.O.1898, dated 30.5.1964, Gazette of India Extraordinary, Part II.Sec.3(ii), p.429*

2. Definitions :- In this Act, unless the context otherwise requires,:-

(a) "memorandum" means the memorandum of association of the Sabha filed with the Registrar of Joint Stock Companies, Madras, under the Societies Registration Act, 1860 (21 of 1860);

(b) "rules and regulations" includes any rule or regulation, by whatever name called, which the Sabha is competent to make in the exercise of the powers conferred on it under the Societies Registration Act, 1860 , but shall not include any bye-laws or standing orders made under the rules and regulations for the conduct of its work;

(c) "Sabha" means the Dakshina Bharat Hindi Prachar Sabha registered under the Societies Registration Act, 1860 .

3. Declaration of the Dakshina Bharat Hindi Sabha Prachar as an institution of national importance :- Whereas the objects of the institution known as the Dakshina Bharat Hindi Prachar Sabha are such as to make it an institution of national importance, it is hereby declared that the Dakshina Bharat Hindi Prachar Sabha is an institution of national importance.

4. Grant of degrees, diplomas and certificates by the Sabha :- Notwithstanding anything contained in the University Grants Commission Act, 1956 (3 of 1956), or in any other law for the time being in force the Sabha may hold such examinations and grant such degrees, diplomas and certificates for proficiency in Hindi or in the teaching of Hindi as may be determined by the Sabha from time to time.

5. Accounts and audit :- (1) The Sabha shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance-sheet in such form as may be prescribed by the Central Government.

(2) The accounts of the Sabha shall, once at least in every year, be audited by a chartered accountant in practice within the meaning of the Chartered Accountants Act, 1949 (38 of 1949), to be appointed annually by the Sabha :

Provided that no member of the Sabha who is a chartered accountant or a person who is in partnership with such member, shall be eligible for appointment as an auditor under this section.

(3) Every auditor shall in the performance of his duties have at all reasonable times access to the registers, books of account, records and other documents of the Sabha or of any committee, council, board or branch of the Sabha.

(4) As soon as may be practicable at the end of each year, the auditors shall submit their report to the Sabha and shall also forward a copy thereof to the Central Government for its information.

6. Prior approval of the Central Government necessary for certain action by the Sabha :- Notwithstanding anything contained in the Societies Registration Act, 1860 (21 of 1860), or in the memorandum or rules and regulations, the Sabha shall not except with the previous approval of the Central Government, :-

(a) alter, extend or abridge any of the purposes for which it has been established or for which it is being used immediately before the commencement of this Act, or amalgamate itself, either wholly or partially, with any other institution or society; or

(b) alter or amend in any manner the memorandum or rules and regulations; or

(c) be dissolved.

7. Review of work done, etc.:- (1) The Central Government may constitute, after consultation with the Sabha, one or more committees consisting of such number of persons as it thinks fit to appoint thereto for all or any of the following purposes, namely:-

(a) reviewing the work done by the Sabha during any specified period and the progress made by it; and

(b) evaluating the work done by the Sabha.

(2) The Sabha shall afford all necessary facilities to any committee constituted under sub-section (1) for the purpose of enabling it to carry out its duties.

(3) The report of any committee constituted under sub-section (1) shall be submitted to the Central Government within such time and in such manner as that Government may direct.

(4) The Sabha shall be entitled to appoint a representative who shall have the right to be present and to be heard at such review or evaluation.

(5) The Central Government may address the President of the Sabha with reference to the result of such review or evaluation as disclosed in the report of any committee constituted under sub-section (1), and the President of the Sabha shall communicate to the Central Government the action, if any taken thereon.

(6) When the Central Government has in pursuance of sub-section (5), addressed the President of the Sabha in connection with any matter and the President of the Sabha does not within a reasonable time take action to the satisfaction of the Central Government in respect thereof, the Central Government may, after allowing the Sabha an opportunity of furnishing explanations or making representations, issue such directions as that Government considers necessary in respect of any of the matters dealt with in the report and the Sabha shall, notwithstanding anything contained in any law for the time being in force or in the memorandum or rules and regulations of the Sabha, comply with such directions.

(7) The members of any committee constituted under sub-section (1) shall be paid such allowances as the Central Government may, by order fix and such allowances together with the expenses incurred with the previous approval of the Central Government, by any such committee

in the performance of its functions (including any salary, remunerations or allowances, if any, payable to any person employed by any such committee), shall notwithstanding anything contained in any law for the time being in force or in the memorandum or rules and regulations of the Sabha, be paid out of the funds of the Sabha.

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