

## **REPORT OF THE SELECT COMMITTEE ON**

### **THE HINDI PRACHARINI SABHA BILL**

**(No. 1 of 2004)**

At a sitting of the National Assembly held on 20 April 2004 the Hindi Pracharini Sabha Bill was read a second time and referred to a Select Committee to be nominated by Mr Speaker.

2. At the sitting of the National Assembly held on 27 April 2004, Mr Speaker nominated the following Honourable Members on the Select Committee –

- (i) Dr the Honourable R. Bhowon;
- (ii) Dr the Honourable A. Boolell;
- (iii) the Honourable M. Choonee
- (iv) the Honourable M. Chumroo;
- (v) the Honourable M. Dulloo;
- (vi) Dr the Honourable B. Hookoom;
- (vii) Dr the Honourable J. Jhurry;
- (viii) the Honourable P. Meenowa;
- (ix) the Honourable S. Obeegadoo

3. At the first meeting held on 06 May 2004, the Honourable S. Obeegadoo, Minister of Education and Scientific Research, was unanimously elected Chairman.

4. Your Committee met on three occasions namely on 08 June 2004, 11 June 2004 and 27 July 2004 and heard the following persons -

- (i) Mr P. Behary;
- (ii) Dr M. Chintamane;
- (iii) Mr D. K. Ajodeea;
- (iv) Mr A. Roy;
- (v) Mr B. Dhunputy;
- (vi) Mr B. Sembhoo, and
- (vii) Mr A. Matabadal, on behalf of the promoters of the Bill.

Your Committee also heard Mr S. Boolell, Acting Parliamentary Counsel on certain legal aspects of the Bill.

5. Your Committee would like to place on record that -
- (i) the petition (annex 1) was presented to the National Assembly by the Honourable First Member for Port Louis North and Montagne Longue, Mr Chumroo and that the promoters were allowed to proceed with the petition;
  - (ii) the petitioners caused the Bill to be published in the Government Gazette as required by the provisions of the Standing Orders and Rules of the National Assembly;
  - (iii) the Bill was read a first time on 16 March 2004, and
  - (iv) the Bill was read a second time on 20 April 2004 and was on the same day referred to a Select Committee.
6. After deliberations, Your Committee agreed to propose the following amendments to the Bill -

Clause 2

by inserting the following definition in the appropriate alphabetical order -

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

Clause 6

by inserting immediately after sub-clause (2), the following new sub-clause, sub-clauses (3) to (5) being renumbered (4) to (6) accordingly –

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

Clause 9

by adding immediately after sub-clause (2), the following new sub-clauses -

**(3) The Committee may grant or reject 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.**

#### Clause 11

by deleting the word "February" and replacing it by the word "**September**".

#### Clause 16

- (a) in sub-clause (1), by adding after the words "the Committee", the words "**, duly approved by the Sabha at a general meeting**";
- (b) in sub-clause (2), by adding after the words "the Committee", the words "**and approved by the Sabha at a general meeting**".

#### Clause 17

by deleting clause 17 and replacing it by the following new clause -

### **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**

New Clause 18

by adding immediately after clause 17, the following new clause -

**18. Transitional provisions**

**(1) All assets and liabilities of the registered association shall, on the coming into operation of this Act, be transferred to and vest in the Sabha..**

**(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.**

7. Finally, Your Committee was, during its sitting, apprised of the death of Mr Hurrynarain Seetah, who was to become a Member of the Sabha as per the the Schedule of the Bill.

8. The promoters of the Sabha have proposed that late Mr H. Seetah be replaced by Mrs Rashmi Lallbeeharry.

9. Your Committee is agreeable to this proposal.

10. Accordingly, Your Committee proposes the following amendment to the Schedule –

by deleting the name and surname "Hurrynarain Seetah" and replacing them by the name and surname "***Mrs Rashmi Lalbeeharry***".

11. A reprint of the Bill, with amendments printed in **bold italics** is enclosed as Annex 2.

12. Your Committee recommends that the Bill, as amended, be approved by the National Assembly.

**S. Obeegadoo**  
**Chairman**

National Assembly  
Parliament House  
Port Louis

24 August 2004