

IndiaCode

The Hindi Sahitya Sammelan Act, 1962

(ACT NO. 13 OF 1962)

[*As on the* 15*th August*, 2026]

AMENDING ACT

The Hindi Sahitya Sammelan (Amendment) Act, 1963 (01 of 1963).

LIST OF ABBREVIATIONS USED

Cl., cls.	*for*	Clause, clauses.
Ins.	„	Inserted.
Notifn.	„	Notification.
S., ss.	„	Section, sections.
Sch.	„	Schedule.
Subs.	„	Substituted.
w.e.f.	„	with effect from.

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THE HINDI SAHITYA SAMMELAN ACT, 1962

ARRANGEMENT OF SECTIONS

SECTIONS

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THE HINDI SAHITYA SAMMELAN ACT, 1962

ACT NO. 13 OF 1962

[30*th March,* 1962.]

An Act to declare the institution known as the Hindi Sahitya Sammelan having its head office at Allahabad to be an institution of national importance and to provide for its incorporation and matters connected therewith.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. Short title and commencement.—(*1*) This Act may be called The Hindi Sahitya Sammelan Act, 1962.

(*2*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2. Declaration of the Hindi Sahitya Sammelan as an institution of national importance.—Whereas the objects of the institution known as the Hindi Sahitya Sammelan which has its head office at Allahabad are such as to make the institution one of national importance, it is hereby declared that the institution known as the Hindi Sahitya Sammelan, is an institution of national importance.

3. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "appointed day" means the date on which this Act comes into force;

(*b*) "prescribed" means prescribed by rules made under this Act;

(*c*) "Sammelan" means the institution known as the Hindi Sahitya Sammelan, incorporated under this Act;

(*d*) "Society" means the Hindi Sahitya Sammelan which has its head office at Allahabad and is registered under the Societies Registration Act, 1860 (21 of 1960).

4. Incorporation.—(*1*) The first members of the Sammelan and all persons who may hereafter become members thereof in accordance with the rules made in this behalf, so long as they continue to hold membership thereof, are hereby constituted a body corporate by the name of the Hindi Sahitya Sammelan.

(*2*) The Sammelan shall have perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract and may by that name sue and be sued

(*3*) The head office of the Sammelan shall be at Allahabad.

[2][(*4*) The first members of the Sammelan shall be—

(a) all persons who, immediately before the appointed day, were members of the Society;

(b) all persons who, before that day, have been Presidents of the Society; and

(c) all persons who, before that day, were awarded the Mangla Parshad Paritoshik by the Society.]

5. Effect of incorporation of Sammelan.—On and from the appointed day,

(*a*) any reference to the Society in any law (other than this Act) or in any contract or other instrument shall be deemed as a reference to the Sammelan;

[3][(*b*) all property, movable or immovable, of the Society shall be the property of the Sammelan;]

1. 28th June, 1962 *vide* notifn. No. S.O. 1954(E), dated 25th June, 1962, *see* Gazette of India, Extraordinary, Part II, sec. 3(*ii*).
2. Subs. by Act 1 of 1963, s. 2, for sub-section (*4*) (w.e.f. 28-6-1962).
3. Subs. by s. 3, *ibid.,* for clause (*b*) (w.e.f. 25-1-1963).

(*c*) all rights and liabilities of the Society shall [1] *** be the rights and liabilities of the Sammelan; and

(*d*) every person employed for the Society immediately before the appointed day shall hold his office or service in the Sammelan by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held the same if this Act had not been passed, and shall continue to do so unless and until his appointment is terminated or until his tenure or terms and conditions are duly altered by the rules made in this behalf:

Provided that if the alteration so made is not acceptable to any such employee, his employment may be terminated by the Sammelan in accordance with the terms of the contract with the employee or, if no provision is made therein in this behalf, on payment to him by the Sammelan of compensation equivalent to three month's remuneration in the case of permanent employees and one month's remuneration in the case of permanent employees.

6. Functions of Sammelan.—Subject to the provisions of this Act and the rules made thereunder, the Sammelan shall perform the following functions, namely:—

(*a*) to promote the spread of Hindi language and to develop it and secure its enrichment in the manner indicated in Article 351 of the Constitution;

(*b*) to work for the promotion, development and advancement of Hindi literature in India and foreign countries and to print and publish such literature;

(*c*) to work for the promotion, development and advancement of Devanagari script, and to print and publish literature of other Indian languages in Devanagari script;

(*d*) to arrange for the holding of examinations through the medium of Hindi language and to confer degrees, diplomas and other academic distinctions;

(*e*) to establish and maintain schools, colleges and other institutions for instruction in Hindi language and Hindi literature and also to affiliate schools, colleges and other institutions for its examinations;

(*f*) to affiliate institutions having for their object the promotion of Hindi language and Hindi literature;

(*g*) to award honorary degrees and other academic distinctions to persons who may have rendered distinguished service to the cause of Hindi;

(*h*) to institute and award prizes (Partioshiks) to distinguished scholars in Hindi;

(*i*) to promote and encourage research in Hindi language and Hindi literature;

(*j*) to co-operate with other institutions having objects similar to those of the Sammelan, in such manner as may be conducive to their common objects;

(*k*) to receive gifts, grants, donations or benefactions from the Government and to receive bequests, donations or transfers of moveable and immoveable properties from testators, donors or transferors, as the case may be;

(*l*) to deal with any property belonging to or vested in the Sammelan in such manner as the Sammelan may deem fit for advancing the objects of the Sammelan:

(*m*) with the approval of the Central Government, to borrow on the security of the property of the Sammelan money for the purposes of the Sammelan,

(*n*) to perform such other functions as may be deemed necessary by the Sammelan for advancing the cause of Hindi language and Hindi literature or as may be necessary, incidental or conducive to the performance of all or any of the above functions.

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1. The words "be transferred to, and" omitted by Act 1 of 1963, s. 3 (w.e.f. 25-1-1963).

7. Governing Body.—(*1*) The general superintendence, direction and management of the affairs of the Sammelan shall vest in a Governing Body, by whatever name called.

(*2*) The Governing Body shall consist of such number of persons not exceeding fifty-five as the Central Government may from time to time determine, of whom not more than seven shall be nominated by the Central Government from among educationists of repute or eminent Hindi scholars, and the remaining members shall be chosen in accordance with the rules made in this behalf.

(*3*) Subject to the provisions of this Act, the powers and functions of the Governing Body, the term of office of, and the allowances, if any, payable to members thereof, the procedure to be followed by the Governing Body for the transaction of its business, the quorum necessary therefore and the manner of filling casual vacancies among the members thereof shall be such as may be prescribed.

8. First Governing Body and its duties.—(*1*) Notwithstanding anything contained in section 7, the Central Government may, by notification in the Official Gazeette constitute the first Governing Body consisting of a Chairman, a Secretary, and thirteen other members to be appointed by that Government.

(*2*) The thirteen members referred to in sub-section (*1*) shall be chosen as follows:—

(*i*) one member to represent the Ministry of the Central Government dealing with education;

(*ii*) one member to represent the Ministry of the Central Government dealing with finance;

(*iii*) not more than three members from among the former Presidents of the Society; and

(*iv*) the remaining number from among persons who are. in the opinion of the Central Government, eminent in the field of Hindi language or Hindi literature.

(*3*) It shall be the duty of the first Governing Body of the Sammelan,—

(*a*) to perform all functions of the Sammelan and to carry on the administration of the affairs of the Sammelan until a Governing Body is constituted in accordance with the provisions of section 7;

(*b*) to make the rules with the approval of the Central Government;

(*c*) to determine the first members of the Sammelan within the meaning of sub-section (*4*) of section 4;

(*d*) to take all necessary steps for the constitution of the Governing Body in accordance with such rules;

(*e*) to perform such other functions as it may consider necessary.

9. Term of office and procedure of first Governing Body and allowances payable to members thereof.—(*1*) Subject to the provisions of section 14, the members of the first Governing Body shall hold office during the pleasure of the Central Government.

(*2*) All questions at a meeting of the first Governing Body shall be decided by a majority of the members present thereof, and in the case of an equality of votes the Chairman or, in his absence, any other person presiding, shall have a second or casting vote.

(*3*) The quorum to constitute a meeting of the first Governing Body shall be [1][five] members.

(*4*) The members shall be paid out of the Fund of the Sammelan such [2][salary or allowances or both] may be prescribed and until so prescribed, as may be specified by the Central Government in this be halt.

10. First Governing Body to take over management of properties of Sammelan.—Notwithstanding anything to the contrary contained in any other law for the time being in force or in any order of a court, the first Governing Body shall take over the management, control and administration of all the properties vested in the Sammelan.

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1. Subs. by Act 1 of 1963, s. 4, for "three" (w.e.f. 25-1-1963).
2. Subs. by s. 4, *ibid.,* for "allowances" (w.e.f. 25-1-1963).

11. Determination of first members.—(*1*) The first Governing Body shall, as soon as may be, cause to be prepared, subject to such instructions, it any, as it may receive from the Central Government, a list of all persons who are to be considered as first members of the Sammelan within the meaning of sub-section (*4*) of section 4.

(*2*) The list shall be published in such manner as may be directed by the Central Government.

(*3*) If at any time after the publication in the list of first members under sub-section (*2*), it appears to the first Governing Body that the name of any person has been wrongly omitted from, or wrongly entered in the list, it may order such name to be inserted or omitted from that list and the list shall be amended accordingly:

Provided that no order omitting the name of any person from the list shall be made unless that person has been given a reasonable opportunity of showing cause against such omission.

(*4*) No persons other than the persons named in the list prepared under this section shall be considered as first members of the Sammelan within the meaning of sub-section (*4*) of section 4.

12. Rules to be made by the first Governing Body.—(*1*) The first Governing Body shall, as soon as may be, make rules in respect of the following matters, namely:—

(*a*) the matters relating to membership, including the qualifications and disqualifications for membership of the Sammelan;

(*b*) the powers and functions of the Governing Body; the term of office of, and the allowances, if any, payable to, members thereof; the procedure to be followed by the Governing Body for the transaction of its business, the quorum necessary therefore and the manner of filling casual vacancies among the members thereof;

(*c*) the conduct of elections for the constitution of the Governing Body and the decisions on doubts and disputes at or in connection with the said elections;

(*d*) the appointment of an executive committee or any other committee for carrying on the functions of the Governing Body or of the Sammelan; the constitution, powers and duties of such committees and the allowances, if any, payable to the members thereof;

(*e*) the procedure and the forms for the maintenance of books of accounts and other registers and statements for the purposes of this Act;

(*f*) the appointment, control and other conditions of service of the employees of the Sammelan;

(*g*) the conduct of correspondence, execution of documents and contracts for or on behalf of the Sammelan;

(*h*) the conduct and prosecution of suits and proceedings by or against the Sammelan;

(*i*) the matters relating to the affiliation of schools, colleges, and other institutions with the Sammelan;

(*j*) the matters relating to the award of degrees and academic distinctions by the Sammelan:

(*k*) the matters relating to the award of prizes (Paritoshiks) by the Sammelan;

(*l*) the procedure for the amendment of the rules;

(*m*) such other matters as may be necessary for the performance of the functions of the Sammelan.

(*2*) A draft of the rules proposed to be made under sub-section (*1*) shall be forwarded to the Central Government for approval and that Government may approve the same with or without modifications.

(*3*) No rules made under this section shall have effect until they are approved by the Central Government and are published by the first Governing Body in such manner as the Central Government may, by order direct.

(*4*) A copy of the rules so made shall be laid, as soon as may be after they are made before each House of Parliament

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13. Elections to Governing Body.—The first Governing Body shall, within six months of its constitution or within such further period as may be specified by the Central Government, arrange to hold elections to the Governing Body in accordance with the provisions of the rules made under section 12 and take such further steps as may be necessary for its due constitution within the period specified as aforesaid.

14. Dissolution of first Governing Body.—On the constitution of the Governing Body under section 7 in accordance with the rules made under section 12, the first Governing Body shall cease to exist and stand dissolved.

15. Fund of the Sammelan.—(*1*) The Sammelan shall maintain a Fund to which shall be credited—

(*a*) all fees and other charges received by the Sammelan;

(*b*) all moneys received by the Sammelan by way of grants, gifts, donations, benefactions, bequests or transfers; and

(*c*) all moneys received by the Sammelan in any other manner or from any other source.

(*2*) The Fund shall be applied towards meeting the expenses of the Sammelan in the performance of its functions under this Act, including allowances, if any, payable to the members of the Governing Body or of any Committee and the salaries and allowances, if any, of the employees of the Sammelan.

16. Accounts and audit.—(*1*) The Sammelan 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.

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

Provided that no member of the Sammelan 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 books, accounts and other documents of the Sammelan.

(*4*) As soon as may be practicable at the end of each year, the audited accounts of the Sammelan together with the audit report shall be forwarded to the Central Government.

17. Power to make rule.—(*1*) The Governing Body may, from time to time, make rules for carrying out the purposes of this Act and such rules may amend or repeal the rules made under section 12.

(*2*) No rules made under this section shall have effect until they are approved by the Central Government and are published by the Governing Body in the prescribed manner.

18. Acts and proceedings not to be invalidated by vacancies, etc.—No act of the Sammelan, or of the Governing Body, or of any other body set up under the rules made in this behalf shall be invalid merely by reason of—

(*a*) any vacancy therein, or defect in the constitution thereof, or

(*b*) any defect in the election, nomination or appointment of a person acting as a member thereof, or

(*c*) any irregularity in its procedure not affecting the merits of the case.

19. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provision or give such directions not inconsistent with the purposes of this Act, as appears to it to be necessary or expedient for removing the difficulty.

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STATEMENT OF OBJECTS AND REASONS

The Hindi Sahitya Sammelan, Allahabad was established in 1910 and was registered four years later as a society under the Societies Registration Act. 1860 (21 of 1860) for the promotion and popularisation of Hindi and its literature in India and abroad. The institution has done yeoman service to the cause of propagation and development of Hindi by producing literature of a very high quality,' by conducting examinations and holding annual sessions to focus the attention of the public on the importance of Hindi as a national language.

It is considered that the Sammelan, which has been rendering valuable service to the cause of Hindi, should he placed on a firm basis to enable it to carry on its activities efficiently. The Sammelan is an institution of all India importance. The Bill, therefore, seeks to declare it as an institution of national importance and to incorporate it into a statutory corporation.

The salient features of the Bill are:

(*a*) to declare the Hindi Sahitya Sammelan. Allahabad, as an institution of national importance; and

(*b*) to provide for the constitution of a Governing Body which will be vested with all necessary powers for carrying out the activities of the Sammelan.

For the purpose of constituting the Governing Body in accordance with the provisions of the Bill, it is necessary to work out certain details, and that will obviously take some time. It is, therefore, proposed to empower the Central Government to appoint the first Governing Body consisting of fifteen members to carry on the affairs of the Sammelan and to work out those details.

The Bill seeks to achieve these objects.

NEW DELHI;
The 7th March, 1962.

K.L. SHRIMALL.

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