

Mauritius

Rabindranath Tagore Institute Act

Act 48 of 2002

Legislation as at 30 June 2017

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Rabindranath Tagore Institute Act
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Rabindranath Tagore Institute Act

Act 48 of 2002

Commenced on 28 December 2002

[This is the version of this document at 30 June 2017.]

1. Short title

This Act may be cited as the Rabindranath Tagore Institute Act.

2. Interpretation

In this Act—

"**both Institutes**" means the Institute and the Mahatma Gandhi Institute established under the Mahatma Gandhi Institute Act;

"**Council**" means the Council of both Institutes, referred to in section 5 of the Mahatma Gandhi Institute Act;

"**Director**" means the Director of the Institute appointed under [section 6](#);

"**Director-General**" means the Director-General of both Institutes appointed under section 6A of the Mahatma Gandhi Institute Act;

"**Institute**" means the Rabindranath Tagore Institute established under [section 3](#);

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

3. Establishment of Institute

- (1) There is established for the purposes of this Act the Rabindranath Tagore Institute.
- (2) The Institute shall be a body corporate.

4. Objects of Institute

The objects of the Institute shall be—

- (a) to establish, as a tribute to Rabindranath Tagore, a centre of studies of Indian culture and traditions;
- (b) to promote education and culture generally.

5. The Council

The Institute shall be managed and administered by the Council in accordance with sections 5, 6, 6A and 7 of the Mahatma Gandhi Institute Act.

6. The Director

- (1) There shall be a Director of the Institute, who shall be responsible to the Director-General for maintaining and promoting the good order of the Institute, and for the finances of the Institute.
- (2) The Council shall, with the approval of the Minister and on the recommendation of a committee consisting of the Director-General, a representative of the Ministry and 3 members of the Council

appointed by the Minister, appoint the Director on such terms and conditions and at such remuneration as it may determine.

7. Appointment of staff

- (1) The Council shall, on such terms and conditions and at such remuneration as it may determine, appoint a Bursar who shall be responsible to the Director for all matters concerning the finances of the Institute.
- (2)
 - (a) The appointment of academic, administrative, technical and library staff shall be made by the Council on the recommendation of a committee consisting of the Director-General or his representative, a representative of the Ministry and 3 members of the Council appointed by the Minister.
 - (b) The Chairperson of the committee shall be appointed by the Minister.
- (3) The appointment of all other staff shall be made by the Council on the recommendation of a committee of 3 persons set up by the Council with the approval of the Minister.

8. General Fund

- (1) The Institute shall establish a General Fund—
 - (a) into which all monies received by the Institute shall be paid; and
 - (b) out of which all payments required to be made by the Institute shall be effected.
- (2) The Institute shall derive its funds from—
 - (a) the Consolidated Fund; and
 - (b) any other source approved by the Minister.

9. Powers of Minister

- (1) The Minister shall give such directions of a general character as to the performance by the Institute of its functions and duties as appear to the Minister to be requisite in the public interest, and the Institute shall give effect to any such directions.
- (2) The Institute shall afford to the Minister facilities for obtaining information with respect to its activities and shall furnish him with such returns as he may require.

10. Exemptions

Notwithstanding any other enactment, the Institute shall be exempt from payment of duty, rate, charge, fee, tax or licence.

11. Donations

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

12. Rules

- (1) The Council may, with the approval of the Minister, make such rules as it thinks fit for the purposes of this Act.
- (2) Notwithstanding anything to the contrary in the Interpretation and General Clauses Act, any rules made under subsection (1) shall not be—
 - (a) laid before the Assembly;
 - (b) published in the *Gazette*.

13. Legal process

- (1) The Institute shall act, sue and be sued, implead or be impleaded under its corporate name.
- (2) Service of process by or on the Secretary of the Council shall be equivalent to service by or the Institute.

14. Consequential amendments

- (1) —
- (2) —
- (3) —
- (4) The auditor to be appointed under section 5 (1) of the Statutory Bodies (Accounts and Audit) Act shall be the Director of Audit.
- (5) —