

# The District Council of Culture Rules, 1994

ODISHA

India

## The District Council of Culture Rules, 1994

### Rule THE-DISTRICT-COUNCIL-OF-CULTURE-RULES-1994 of 1994

- Published on 18 August 1993
- Commenced on 18 August 1993
- [This is the version of this document from 18 August 1993.]
- [Note: The original publication document is not available and this content could not be verified.]

The District Council of Culture Rules, 1994 Published vide Orissa Gazette Extraordinary No. 39/30.9.1994-Notification No. 8735-S.C./1.9.1994 No. 8735-S.C. - With a view to constituting the District Council of Culture to pursue the overall object of promotion of culture and to provide for a coordinating agency at the district level, the State Government do hereby frame in modification of Resolution No. 7005/S.C., dated the 18th August, 1993, the following Rules, namely :

#### 1. Short title and commencement.

(1) These rules shall be called the District Council of Culture Rules, 1994. (2) These rules shall come into force with immediate effect.

#### 2. Definitions.

(1) In these rules, unless the context indicates otherwise—(a) "Board of Patrons" means the Board of Patrons, for all the Councils, headed by the Minister Culture, Orissa; (b) "Chairman" means the Chairman of the Council; (c) "Council" means the District Council of Culture; (d) "Creative artists and experts" means creative artists and experts in various spheres of creativity including literature, art, sculpture, music, dance and theatre; (e) "National Akademis" means the National Sahitya Akademi, the National Lalitkala Akademi and the National Sangeet Natak Akademi; (f) "National awardees" means the Orissan awardees of the National Sahitya Akademi, the National Lalitkala Akademi and the National Sangeet Natak Akademi; (g) "Society" means the District Council of Culture; (h) "State Akademis" means the Orissa Sahitya Akademi, the Orissa Lalitkala Akademi, the Orissa Sangeet Natak Akademi, the Orissa Urdu Akademi and such other Akademis as may be constituted by the State Government; (i) "State awardees" means the Orissan awardees of the Orissa Sahitya Akademi, the Orissa Lalitkala Akademi, the Orissa Sangeet Natak Akademi, the Orissa Urdu Akademi and such other Akademis as may be constituted by the State Government; and (j) "State Government" means the State Government of Orissa.

### **3. Status and composition.**

(1) There shall be a District Council of Culture, registered as a Society under the Societies Registration Act, 1860, for each district. (The District Cultural Advisory Committee constituted in Resolution No. 7005 S.C., dated the 18th August, 1993 shall be deemed to have been incorporated in the Council). (2) The Divisional Commissioner shall be the Patron of the Council. (3) The Council shall comprise the members specified hereunder—(a) the District Collector, who shall be the Chairman of the Council; (b) the Additional District Magistrate in charge of Culture, who shall be the Vice-Chairman of the Council; (c) not more than three National awardees hailing from or residing within the district (if any), nominated by the State Government or a term of three years; (d) not more than three State awardees, hailing from or residing within the district (if any) nominated by the State Government for a term of three years; (e) the creative artists and experts hailing from or residing within the district, who are representing the district as members of the State Akademi; (f) the Station Director, All-India Radio, within whose area of operation the district is situated; (g) the Director, Doordarshan Kendra or his nominee; (h) the Principal or Director of Government/University College (if any) of Visual arts and performing arts; (i) the District Information and Public Relation Officer; (j) the Curator in charge of the District; (k) the Cultural Co-ordinator, (l) the Finance Officer; (m) the District Cultural Officer; and (n) representatives of six National/State/District level voluntary organisations (if any) which, have executed any programme or scheme within the district and have been enlisted as per Sub-rule (4) of Rule 5, three nominated by the State Government and three nominated by the rest of the members of the Council. (4) Existence of vacancies in the Council shall not invalidate the proceedings of the Council. (5) The Chairman may co-opt any functionary or person as special invitee as and when necessitated by specified occasions.

### **4. Office-bearers.**

(1) The Collector and the Additional District Magistrate of the District shall be respectively the Chairman and the Vice-Chairman and they shall ensure that the activities of the Council are planned, monitored and executed effectively. (2) An official or non-official person, having expertise and experience in organisations, coordinating cultural programmes shall be nominated, from time to time, by the Chairman to function as the Cultural Co-ordinator of the Council. The Cultural Co-ordinator shall assist the Chairman, the Vice-Chairman and the Secretary in planning, monitoring and coordinating various programmes. (3) A functionary (preferably the officer in charge of drawing and disbursing in the Collectorate) shall be nominated from time to time, by the Chairman as the Finance Officer, who shall also function as the Treasurer of the Council. (4) The District Cultural Officer shall ordinarily be the Secretary of the Council ex officio. If there is no District Cultural Officer in a District or when there is a vacancy in the said office, the Collector shall nominate a functionary under his administrative control to act as the Secretary. The Secretary shall be the Executive Officer of the Council and the custodian of all assets and records of the society. He shall represent the society in all spheres and shall sue and be sued on behalf of the society.

## **5. Meetings and functions.**

(1)The Council shall meet ordinarily once in three months or more often. The Chairman (in his absence, the Vice-Chairman) shall preside at the meetings of the Council. The Secretary shall convene the meetings and record the minutes thereof. Representatives of the Department or the Directorate of Culture, Orissa may sometimes attend the meetings of the Council.(2)The members of the Council shall function on honorary basis and shall not receive from the Council any Travelling Allowance/Daily Allowance for attending the meetings. The persons representing the Government organisations may, however, draw Travelling Allowance/Daily Allowance from their respective organisations.(3)The executive authority of the society shall be vested in the Council. The Council shall-(a)implement the programmes, schemes and projects for which funds are available; and(b)furnish its recommendations on matters referred to it by the State Government.(4)The Council shall enlist voluntary organisations engaged in promotion of any aspect of culture (including library service), which -(i)have been functioning as registered philanthropic Trusts or as societies registered under the Societies Registration Act, 1860, at least for a period of three years, at the District Level, State Level or National Level;(ii)have a duly-constituted body of management;(iii)have Annual Reports and Audited Statement of Accounts (certified by a Chartered Accountant) for the last two years; and(iv)have no case of criminal proceedings or established, financial mismanagement against them.(5)Without prejudice to the generality of the provisions Sub-rule (3), the Council shall-(a)plan and organise the District Festivals and other approved cultural events of the district;(b)encourage voluntary action in the cultural spheres;(c)sanction disbursement of grants to deserving organisation subject to availability of funds;(d)recommend names of creative artists and experts in comparatively indigent circumstances for sanction of pension;(e)review the existing provisions for cultural training and display, especially in respect of performing arts and visual arts;(f)identify old and traditional art-forms requiring special protection or research or documentation;(g)identify ancient monuments and archaeological sites for possible probes;(h)collaborate with the State Akademic and Government/non-Government organisations in grounding various sociocultural programmes; and(i)augment the resources of the society.

## **6. Finance and Audit.**

(1)The funds of the Council shall, inter alia, consist of the following :(a)grants and allotments received from State Government;(b)grants, donations, advertisement charges, requests or other transfers received from Government and non-Government bodies or organisations or individuals;(c)accrual from investments of funds, assets and programmes; and(d)other miscellaneous sources.(2)The funds of the Council shall ordinarily be retained or invested in one or more accounts opened in the State Bank of India or any other Bank. The accounts shall be operated jointly by the Secretary and the Finance Officer of the Council.(3)The accounts of the Council shall be audited annually by a firm of Chartered Accountant appointed by the Chairman. Government Auditors may audit the accounts, especially in respect of the grants and allotments released by Government.

## **7. The Board of Patrons.**

(1)The Board of Patrons shall be headed by the Minister, Culture, Orissa and shall comprise-(a)the Secretary, Culture, Orissa ;(b)the Secretary, Finance, Orissa;(c)the Divisional Commissioners;(d)the President/Vice-Presidents of the State Akademis; and(e)the Director of Culture, Orissa.(2)The Board of Patrons shall review the overall performance of the Councils every year and award the best District Councils two each from each Revenue Division, with a running trophy and special grant.(3)The Secretary, Culture, Orissa, the Divisional Commissioners of Revenue Divisions and the Director of Culture, Orissa may study the operations of a Council and recommend measures for improvement.

## **8. General.**

(1)A provision of these rules may be amended by the State Government, after perusing carefully the views of the Councils received by a specified date.(2)A Council may be dissolved, after affording to the said Council an opportunity of being heard, by the State Government for any act of omission or commission brought out during the audit or in a report of a team of inquiry constituted by the State Government. If, upon such dissolution, there remains after satisfaction of debts and liabilities, any assets whatsoever, the said assets shall be deemed to have been transferred to the State Government.