

# The Orissa (State) Council of Culture Rules, 1990

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### Rule THE-ORISSA-STATE-COUNCIL-OF-CULTURE-RULES-1990 of 1990

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The Orissa (State) Council of Culture Rules, 1990 Published vide Notification No.606-T.C.-3, dated 14th February 1996, Published vide O.G. No. 12 dated 22.3.1996 Tourism & Culture Department No.606-T.C.-III. - The Governor of Orissa is hereby pleased to frame the following rules, namely :-Preliminary

#### 1. Short title and commencement.

(1) These rules shall be called the Orissa State Council of Culture Rules, 1990, hereinafter referred to as the rules. (2) They shall come into force with effect from the second day of October 1990.

#### 2. Definitions.

- In these rules, unless the context signifies otherwise - (a) "Akademi awardees" means the recipients from Orissa of the awards of the National and State Sahitya Akademi, Sangeet Natak Akademi and Lalit Kala Akademi; (b) "Board" means the Executive Board of the State Council; (c) "Chairman" means the Chairman of the State Council; (d) "Creative artists" means creative artists in the spheres of art, sculpture, literature, music, dance and drama; (e) "District Councils" means the District Councils of Culture constituted as societies in accordance with State Government Notification No.8755/SC, dated the 1st September 1994; (f) "Divisional Councils" means the Divisional Councils of Culture; (g) "General Council" means the General Council of the State Council; (h) "Government" means the State Government of Orissa in the Department of Culture; (i) "Member-Director" means the Member-Director of the State Council; (j) "Member Secretary" means the Member-Secretary of the State Council; (k) "National Akademi" means the National Sahitya Akademi, National Sangeet Natak Akademi and National Lalit Kala Akademi; (l) "State Akademi" means the Orissa Sahitya Akademi, Orissa Sangeet Natak Akademi and Orissa Lalit Kala Akademi; and (m) "State Council" means the Orissa State Council of Culture. Objects of the State Council

### **3.**

(1) There shall be a State Council, with headquarters at Bhubaneswar, to pursue the following objects, namely :-(a) Preservation of heritage, promotion of excellence in art, sculpture, literature, music, dance, drama, handicrafts, handlooms, tourism and promotion of other aspects of culture including the general welfare of the creative artists; (b) establishment and management of the Kalamandal (State Multipurpose Cultural Complex) and other cultural centres including the District Cultural Centres and habitats for the creative artists for sustained interaction amongst the veterans and grooming of new talents; (c) establishment of research centres and promotion of research and study on various aspects of culture; (d) encouragement of aesthetic appreciation, artistic taste, positive imagination and creativity amongst the children and the youth; (e) promotion of national integration through inter-State cultural interaction and collaboration; (f) release of grants, out of the amounts (if any) received from the Government, to the State autonomous bodies supported by Government and other organisations and institutions; (g) administration of the Orissa Artists' Welfare Fund originally instituted in Government Resolution No.1759/SC., dated the 27th February 1991 and provision of assistance to eminent creative artists in certain contingencies; (h) conferment of the Konark Samman and the Governor's Plaques of Honour; (i) book-promotion and development of libraries, translation, documentation and publications; (j) organisation of seminars, conferences, exhibitions, dance programmes, music concerts, poets meets, cultural exchange programmes, etc.; (k) interaction and collaboration with the Indian Council for Cultural Relations, National Book Trust, National Sahitya Akademi, National Sangeet Natak Akademi, National Lalit Kala Akademi, Central Institute of Indian Languages, National School of Drama, Eastern Zonal Cultural Centre and other National and Zonal organisations; (l) co-ordination of the activities of the State autonomous bodies with the District Councils of Culture and other organisations; and (m) undertaking any other Projects or schemes or programmes having a bearing on the overall objects of the State Council and on the National and State Cultural policies. (2) The State Council may get associated with reputed National/International bodies and may also collaborate with various organisations for the purpose of implementation of its overall objects or for specific projects, schemes or programmes. Bodies of the State Council

### **4. Bodies of the State Council.**

(1) The State Council shall have the following bodies, namely- (a) the General Council and (b) the Executive Board. (2) No act or proceedings of the State Council shall be invalid merely by reason of the existence of vacancies or any defects in the constitution of its bodies.

### **5. General Council.**

(1) The Governor of Orissa and the Chief Minister, Orissa shall be the Chief Patron and the Vice-Chief Patron respectively of the General Council, Minister, Culture, Orissa and Minister, Finance, Orissa shall be the Patrons of the General Council. (2) The General Council shall comprise the following members, namely :-

- |  |                      |
|--|----------------------|
| (a) Chairman   | .. Chairman          |
| Secretary, Government of India, Department of Culture (or                          |                      |
| (b) his representative not below the rank of Joint Secretary, Government of India) | .. Member            |
| Six eminent experts and creative artists (including at least three National        |                      |
| (c) Akademi awardees from Orissa) in the spheres of literature, visual arts        | .. Members           |
| and performing arts (two each to be nominated by the Chairman from                 |                      |
| each Revenue Division for a term of three years)                                   |                      |
| (d) Secretary to Governor, Orissa  | .. Member            |
| Secretaries to Government of Orissa, Departments of Handicrafts and                |                      |
| (e) Cottage Industries, Handlooms, Tourism, Information and Public                 | .. Members           |
| Relations and Works  |                      |
| (f) Director-General, Indian Council for Cultural Relations                        | .. Member            |
| (g) Presidents of the State Akademis   | .. Members           |
| (h) Chairman of the Divisional Councils  | .. Members           |
| (i) Director, National School of Drama   | .. Member            |
| (j) Director, National Book Trust, India   | .. Member            |
| (k) Director, Orissa Bhasha Sasthan  | .. Member            |
| (l) Director, Eastern Zonal Cultural Centre  | .. Members           |
| (m) A senior representative of the Union Ministry in charge of Handlooms           | .. Members           |
| and handicrafts  |                      |
| (n) Secretaries of the National Akademis   | .. Members           |
| (o) Director, of Culture, Orissa   | .. Member            |
| (p) Secretaries of the State Akademis  | .. Members           |
| (q) Member-Director  | .. Member-Director   |
| (r) Member-Secretary   | .. Member-Secretary. |
- (3) Organisations which contribute rupees five lakhs or more to the State Council for patronage of culture shall be corporate members, to be represented in the General Council by the Chairman or the Managing Director. (4) The General Council shall meet at least once a year ordinarily. The Annual meeting of the General Council shall be inaugurated by the Governor of Orissa, the Chief Patron, and the said Inaugural Session shall be graced by the Vice-Chief Patron and the Patrons. In the Business Session, (a) the Annual Report and the Annual audited Statement of Accounts approved by the Executive Board shall be presented and (b) the suggestions of the individual members in the context of various programmes, schemes and projects for promotion of culture shall be noted.

## 6. Executive Board.

(1) The Executive Board shall comprise the following members, namely :-

- |              |             |
|--------------|-------------|
| (a) Chairman | .. Chairman |
|--------------|-------------|

- Secretary, Government of India, Department of Culture or  
(b) his representative (not below the rank of Joint Secretary to Government, of .. Member India.)
- (c) Secretary, to Government of Orissa, Department of Culture .. Member-Director
- (d) Presidents (or their nominees the Secretaries) of the State Akademis .. Members
- (e) Director General, Indian Council for Cultural Relations .. Member
- Three experts and creative artists out of those specified at clause (c) of  
(f) sub-rule (2) of Rule 5 to be nominated by the Chairman (one each from .. Members each Revenue Division)
- (g) Director of Culture, Orissa .. Member
- (h) Director, Eastern Zonal Cultural Centre .. Member
- (i) Such other experts or functionaries as may be associated on specific .. Member occasion
- (j) Member-Secretary .. Member-Secretary
- (2) The Board may meet as often as necessary, ordinarily once in three months, to transact its business. The transaction of business may also be made by circulation of notes. (3) The executive authority to plan, execute, administer, monitor and review the activities of the State Council shall be vested in the Board. (4) Without prejudice to the generality of the provisions in sub-rule (3), the board shall approve the Annual Report, and the Annual Audited Financial Statement of the State Council. (5) The Boards may constitute such Committees (associating specified members of the General Council and for other experts) and formulate such regulations or executive guidelines as may be considered necessary from time to time to further the objects of the State Council. (6) The Board may delegate such powers and functions to be exercised and performed by such functionaries as may be considered necessary, from time to time.

## 7. Chairman.

- (1) The Chairman shall be nominated by the Government, for a term of three years ordinarily, from among the National awardees and other eminent cultural experts and administrators of national stature ; Provided that the office of the Chairman may also be held by the Minister, Culture, Orissa, ex-officio. (2) The Chairman shall administer, direct and supervise the affairs of the State Council, with the assistance of the Member-Director. (3) In the exigencies of circumstances, the Chairman may take such actions as may be required for the furtherance of the objects of the State Council and place the matter before the Board in its next meeting for ratification.

## 8. Member-Director.

- The Secretary to Government of Orissa, Department of Culture shall function as the Member-Director of the State Council, ex-officio.

## **9. Member-Secretary.**

(1)The Member-Secretary shall be nominated or appointed by the Chairman from time to time.(2)The Member-Secretary shall-(a)Subject to the overall supervision of the Chairman and the Member-Directors act as the Executive Officer of the State Council for the purpose of administration, direction and management of all its affairs;(b)represent the State Council in all matters and sue or be sued on its behalf in matter of litigation;(c)be in charge of the funds and other assets of the State Council;(d)act as the appointing authority in respect of the employees of the State Council;(e)convene the meetings of the various bodies of the State Council and record the minutes thereof; and(f)perform such other functions as may be assigned to him, from time to time, by the Member-Director.

## **10. Joint Secretary.**

(1)The Chairman may nominate a person or functionary to act as the Joint Secretary of the State Council, from time to time.(2)The Joint Secretary of the State Council shall.(a)assist the Member-Director and the Member-Secretary in all Matters;(b)be in charge of the funds, accounts, records and documents of the State Council; and(c)exercise such powers and perform such functions as may be delegated to him by the Member-Director from time to time.Funds of the State Council

## **11. Funds of the State Council.**

(1)The funds of the State Council shall consist of the following :(a)the Foundation Fund;(b)grants sanctioned by the Governor;(c)amounts allotted or grants sanctioned by Government of India, State Government and other organisations in the public, corporate or private sectors,(d)donation, bequesis or other transfer made by organisations or individuals;(e)deposits from the creative artists inhabiting the Kalagram Centre of the Kalamandal;(f)advertisement charges;(g)income from the investments, assets, programmes and publications of the State Council; and(h)other miscellaneous receipts;(2)The funds of the State Council shall be paid into the credit of the State Council in one or more accounts, in the State Bank of India and/or any other Banks. Such of the funds may be invested in long term or medium term or short term deposits as may be decided from time to time.Divisional Councils and District Councils

## **12. Divisional Council.**

- The Divisional Council shall comprise the following members, namely :-

- |  |             |
|--|-------------|
| (a) Revenue Divisional Commissioner  | .. Chairman |
| (b) District Collectors-cum-Chairman of the District Councils of Culture within the Division | .. Members  |
| (c) District Culture Officers of the Division  | .. Members  |
| (d) District Information and Public Relations Officers of the Division                       | .. Members  |

(e) Secretary/Additional Secretary to the Divisional Commissioner

.. Member-Secretary.

### **13. Headings of the Divisional Council.**

- The Divisional Council shall ordinarily meet twice a year to review the functioning of the District Councils of Culture.

### **14. District Councils of Culture.**

- The District Councils of Culture shall function in accordance with the provisions contained in the State Government notification No.8735-S.C., dated the 1st September, 1994 as amended from time to time. Artists' Welfare Fund

### **15. Contingent Assistance to Eminent Creative Artists.**

(1) Assistance up to such amount as may be determined from time to time may be provided subject to the constraints of availability of funds, to eminent creative artists in deserving cases in the contingencies indicated hereunder: (a) on the demise of an eminent creative artists (to be disbursed to a member of the family), (b) permanent incapacitation, (c) cancer-treatment, brain-surgery, heart-surgery, kidney-transplantation, (d) purchase of equipment to overcome the disability of a physical handicap, (e) prolonged indoor treatment, and (f) such other contingencies as may be determined by the Board from time to time. (2) The Member-Secretary may, after obtaining the approval of the Member-Director, disburse the amount of assistance as soon as the need to meet a contingency specified in sub-rule (1) arises and place the matter before the Board in its next meeting. (3) Steps may also be taken to recommend any deserving case to other authorities or organisations for sanctioning special assistance in favour of any creative artist. Honours and Awards

### **16. Konark Samman.**

(1) The Konark Samman shall be a national honour to be conferred annually on all-India basis, on a person of great eminence for his outstanding contribution in any of the spheres of (a) literature, (b) art, (c) sculpture, (d) music, (e) dance and (f) cultural work. (2) Every year nominations shall be invited, in respect of one of the spheres specified in sub-rule (1) on rotative basis, from the past recipients of Konark Samman, the Presidents/Chairman of the National Akademis and a panel of not more than twenty-five National Akademi awardees (in the relevant sphere) of various States, drawn up by the Board. (3) All the nominations received by the specified date shall be placed before the Awards Committee and, after the scrutiny and report of the said Committee before the Board. Finally, the Board shall select the person on whom the honour is to be conferred.

### **17. Governor's Plaques of Honour.**

(1) Every year the Member-Secretary shall invite nominations from the Jurors for conferment of the Governor's Plaque of Honour for outstanding contributions in each of the spheres of creativity specified hereunder:

Sphere	Jurors
(a) Music..	Akademi awardees and past recipients of Governor's Plaque of Honour, in Music and Dance.
(b) Dance..	Akademi awardees and past recipients of Governor's Plaque of Honour, in Music and Dance.
(c) Poetry..	Akademi awardees and past recipients of Governor's Plaque of Honour, in Literature.
(d) Ficition..	Akademi awardees and past recipients of Governor's Plaque of Honour, in Literature.
(e) Drama..	Akademi awardees and past recipients of Governor's Plaque of Honour, in Literature.
(f) Visual Art..	Akademi awardees and past recipients of Governor's Plaque of Honour, in Visual Arts.

(2) Each juror may nominate up to four persons in order of preference. (3) After due scrutiny by the Awards Committee, the Member-Secretary shall place the Committee's report (including the compilation of nominations, specifying the respective counting figures in respect of the preferences for each nominee) before the Board. (4) In respect of a sphere of creativity, the person who receives the highest number of counted valid nominations, which shall not ordinarily be less than thirty per cent of the total number of jurors who sent in their nominations, shall be the recipient of the honour. (5) If after the counting of the first preferences it is found that none has received the minimum required number of nominations, the second preferences shall be counted and so on, until the counting of the fourth preferences if necessary : Provided that if after the counting of the fourth preferences too, none receives the minimum required number of nominations or if two or more of the highest recipients of nominations are bracketed, the matter shall be finalised by the Board.

## 18. General Provision.

(1) Members of the State Council shall not be eligible for honours/award instituted by the State Council. (2) The Konark Samman and the Plaque of Honour symbolises lifelong homage to the recipient and are conferred on a recipient only once. A recipient of the Plaque of Honour may, however, be honoured with Konark Samman.

## 19. Conferment Ceremony.

- The annual ceremony for conferment of the Konark Samman and the Plaques of Honour, in accordance with rules 16 and 17; shall be held on a date or dates convenient to the Governor. General

## 20. Audit.

(1) The accounts of the State Council shall be audited annually by a reputed firm of Chartered Accountants. (2) The Auditors appointed by the Government of India and/or State Government shall be competent to audit the account in respect of the grants in favour of the State Council.

## **21. Interpretation and Amendment.**

(1) If any question arises relating to the interpretation of any of the provisions of these rules, the matter shall be referred to the Board. (2) The Board may propose amendments to any of the provisions of these rules with the support of not less than two-thirds of the members present in a meeting specially convened for the purpose. The amendments shall be notified if the same are approved by the Governor of Orissa.