MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Culture)

NOTIFICATION

New Delhi, the 27th July, 1998

G.S.R. 414(E).—In exercise of powers conferred by section 31 of the Kalakshetra Foundation Act, 1993 (6 of 1994), the Central Government hereby makes the following rules, namely :—

1. Short title and commencement.—

(1) These rules may be called the Kalakshetra Foundation Rules, 1998.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—

In these rules, unless the context otherwise requires,—

(a) "Act" means the Kalakshetra Foundation Act, 1993 (6 of 1994);

(b) "Chairperson" means the Chairperson of the Governing Board appointed under clause (a) of section 11;

(c) "Section" means a section of the Act;

(d) All other words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Powers and functions of the Governing Board.—

1. The Governing Board shall have the following functions and powers, namely :—

(a) to constitute such committees as the Governing Board may consider necessary for discharging more effectively the functions of the Foundation;

(b) to formulate policies, programmes and projects to further the objects of the Foundation;

(c) to review the on-going programmes and monitor their progress;

(d) to approve the Budget in respect of the financial year next ensuing, showing the estimated receipts and expenditure, as recommended by the Finance Committee;

(e) to approve the Annual Report giving a full account of the activities and programmes of the Foundations as recommended to it by the Finance Committee;

(f) to maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as may be approved by the Comptroller and Auditor General of India;

(g) to consider and pass the Annual Accounts and Balance Sheet of each financial year;

(h) to consider matters brought to its notice by the Academic Committee or the Financial Committee and give appropriate directions;

(i) to lay down with the prior approval of the Central Government, the method of recruitment and conditions of service of the employees of the Foundation;

(j) to create, with the prior sanction of Central Government, such number of posts of officers and staff as may be required for the efficient performance of the functions of the Foundation;

(k) to appoint all categories of officers and staff to the Foundation for conducting the affairs of the Foundation;

(l) to enter into agreements with the Central Government, State Government, public or private organisations, individuals, foreign Governments or non-Governmental organisations for furtherance of the objectives of the Foundation, for implementation of its programmes and for securing and accepting endowments, grant-in-aid, donations or gifts on mutually agreed terms and conditions :

Provided that no such agreements shall be entered into with any foreign Governments or Foreign Governmental Organisations and foreign nationals except with the prior approval of the Central Government;

(m) to acquire by purchase, lease, gift or otherwise any equipment or other movable property which may be necessary for the purposes of the Foundation;

(n) to construct, alter, extend, modify and maintain any building which may be necessary or convenient for the

purposes of the Foundation;

(o) to invest the funds of the Foundation or any other investible funds at the disposal of the Foundation, in such securities or in such manner as may, from time to time, be determined by the Governing Board and to sell or transfer such investments;

(p) to take over or acquire by purchase, gift or otherwise from the Central Government, State Governments, public or private organisations or individuals any movable or immovable properties not inconsistent with the objects of the Fundation and subject to the prior approval of the Central Government;

(q) to sell, transfer, lease or otherwise dispose of any movable or immovable property of the Foundation with the prior approval of the Central Government;

(r) to borrow money, in case of exigencies on the security of the properties of the Foundation or any other asset and with the previous sanction of the Central Government, for carrying out the provisions of the Act; and

(s) to sanction any expenditure or authorise entering into a contract involving expenditure not inconsistent with the conditions of grant from the funds of the Fundation in the performance of its functions.

(2) The Board shall not exercise any powers under clauses (j), (m), (n), (o), (p), (q), (r) and (s) of sub-rule (1) except with the concurrence of the Finance Committee.

4. Travelling Allowance and Daily Allowance to certain members of the Governing Board

The members of the Governing Board nominated under clauses (b) and (c) of section 11 shall be entitled to travelling allowance and daily allowance for attending the meetings of Governing Board at the rates applicable to the non-official members of the High Powered Committees and Commissions appointed by the Central Government.

5. Functions of the Finance Committee

The Finance Committee shall, in addition to the functions, as specifically provided for in the Act, perform the following functions, namely :—

(a) consider construction works of the Foundation and sanction the requisite funds for provision in the Budget;

(b) scrutinize new proposals/projects or purchase of equipment required by the Foundation and make their recommendations to the Governing Board;

(c) to examine proposals for sanction of additional teaching and non-teaching staff for the Constituent Units of the Foundation;

(d) to scrutinize and advise the Executive Council on any matter which has financial implications;

(e) to advise the Governing Board regarding proposals for creation of posts, including upgradation of posts;

(f) to consider and make recommendations to the Governing Board on proposals for new expenditure on account of major works or purchases which shall be referred to the Finance Committee for opinion before they are considered by the Governing Board;

(g) to scrutinize re-appropriation statements and audit notes and make recommendations thereon to the Governing Board;

(h) to give advice and make recommendations to the Governing Board on any other financial questions affecting the affairs of the Foundation;

[F. No. 3-7/95-Parisar]

KASTURI GUPTA MENON, Jt. secy.

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