

## **Manual 17**

### **KALA ACADEMY GOA**

#### **CONSTITUTION**

Whereas the Government of Goa, is desirous of fostering and co-ordinating the activities in the different cultural fields such as music, drama, dance, literature, fine arts etc. and to promote thereby the cultural unity of the territory, it is hereby resolved as follows:

An Academy to be called “Kala Academy for Goa” shall be established.

1. Name: The name of the Academy shall be “Kala Academy for Goa.
2. Headquarters: The Headquarters of the Academy shall be at Panaji or at any other suitable place determined by the General Council of Kala Academy.

Jurisdiction: The Academy shall have jurisdiction over the State of Goa shall be an autonomous body, registered under the Registration of Societies Act 1860.

3. Aims, Objectives & Activities:

- a) The Academy aims at fostering and developing dance, drama, music, literature and other arts and also promoting through them the cultural unity of the country.
- b) The Academy for the attainment of the above aims and objects shall have the following powers and functions, namely:
  - i) To co-ordinate the activities of its affiliated bodies functioning in various parts of this State
  - ii) To encourage exchange of ideas and techniques between various parts of this State with regard to dance, drama, music, literature and fine arts.
  - iii) To promote research in the field of music, dance, drama, literature and fine arts, publish literature on them and for this purpose establish a library and museum.
  - iv) To co-operate with similar institutions in other States for the furtherance of its objects and for enrichment of the Indian Culture as a whole.

- v) To encourage the establishment and development of theatre centres in the State of Goa.
- vi) To encourage the setting up of institutions, providing training in the art of theatre including instruction in acting, study of stage craft and production of plays.
- vii) To promote education in dance, drama, music, literature and fine arts.
- viii) To establish and maintain its own Model Institution for studies and research work in dance, drama, music, literature and fine arts.
- ix) To encourage and assist production of new plays by awarding prizes and distinctions.
- x) To assist meritorious organizations working in the field of dance drama, music, literature and fine arts.
- xi) To encourage the development of dramatic activities in Children's Theatre, Open Air Theatre in its various forms.
- xii) To revive and preserve folk dance and folk music in this State.
- xiii) To award prizes and distinctions and give recognition to individual artistes for outstanding achievements in the field of dance, drama, music, literature and fine arts.
- xiv) To promote cultural exchange in the field of dance, drama, music, literature and fine arts with other States.
- xv) To collect funds by way of donations and arranging Art festivals, besides the grant made by the Govt. and administer the said funds.
- xvi) In furtherance of its objects, purchase of land, own property in its various forms to maintain, sell, mortgage or otherwise dispose of it. However, prior approval of the Govt. shall be obtained for transfer of any immovable property.
- xvii) To maintain a fund to which shall be credited:
  - a) All moneys received from the local or Central Govt. and
  - b) All moneys received in any other manner or from any other source and

- xviii) To do all such acts and things, whether incidental to the powers aforesaid or not, as may be required in order to further the objects of the Academy.

#### 4. OFFICERS OF THE ACADEMY:

The following shall be the Officers of the Academy:

i) Chairman

ii) Vice Chairman

iii) (a) Member Secretary

(b) Director (Administration)

5. The Chairman of the Academy shall be appointed by the Govt. of Goa. He shall preside over the meetings of the General Council and Executive Board.
6. Vice Chairman : The Vice Chairman, shall be appointed by the Govt. of Goa. The Vice Chairman shall in absence of the Chairman, for whatever reasons, exercise all the functions and powers of the Chairman. The Vice Chairman shall preside over the meetings of the Advisory Committee or Committees, which the General Council or Executive Board may set up for discharging any one or more functions of the Academy.
7. Appointments of Member Secretary and Director Administration and their duties and functions:
- 1) The Member Secretary shall be appointed by the Government or any persons authorized by the said Govt. on such terms and conditions and he shall be the Principal Executive Officer of the Academy.
  - 2) The Director Administration shall be appointed by the Govt. for such period and on such terms and conditions as the Govt may determine and he shall exercise such powers and discharge such duties and functions as the Member Secretary in concurrence with the Chairman may, by order, direct.
- 1) It shall be the duty of the Member Secretary:
- a) to be the custodian of the records and such other property of the Academy as the Executive Board shall commit to his charge:

- b) to conduct the official correspondence on behalf of the the authorities of the Academy.
- c) to issue all notices convening meeting of authorities of the Academy and of all Committees appointed by any of these authorities.
- d) to keep the minutes of all the meetings of the authorities of the the Academy and of all committees appointed by any of these authorities;
- e) to maintain the accounts of the Academy under the supervision of the Executive Board.
- f) to maintain the accounts made on behalf of the Academy;
- g) to exercise all such powers as are delegated to him by the Executive Board.

#### **8. AUTHORITIES OF THE ACADEMY:**

The following shall be the authorities of the Academy:

- a) General Council
- b) Executive Board
- c) Any Advisory Committee or Committees which the General Council or the Executive Board may set up for discharging any one or more of their functions.

#### **9. GENERAL COUNCIL;**

The General Council shall consist of the following members:

- i) Chairman
- ii) Vice Chairman
- iii) Finance Secretary of Govt. of Goa who will be the Financial Advisor or his authorized nominee.
- iv) Secretary (Art & Culture), Govt. of Goa

v) Director of Art & Culture

vi) Representative of State Education Department

vii) Not more than 5 members nominated by the State Govt.

viii) Upto 7 persons selected in accordance with the Rules to be framed by the Academy from important Organisations/Institutions in the field of dance, music, literature, fine arts recognized by the Academy for this purpose.

ix) Upto 9 persons working in the field of dance, drama, music, literature and fine arts to be elected in their individual capacity by the General Council.

x) The Member Secretary shall be ex-officio member of the General Council and shall also function as its Secretary.

xi) The term of the General Council will be three calendar years and shall be counted not from any particular date and month of the order of its constitution but from the calendar year in which it comes into existence.

10. The General Council shall have the following powers and functions namely:

i) to elect members of the Executive Board and to prescribe the rules of procedure of the Executive Board.

ii) To approve and adopt the annual report and statement of account presented by the Member Secretary

iii) to approve the annual budget of the Academy drawn by the Executive Board

iv) to nominate the auditors

v) to consider and approve programmes and specific projects proposed by the Executive Board.

vi) to do any other such acts as may be necessary for the maintenance of the organization and performance of the functions of the Kala Academy.

11. The Ex-Officio members shall hold office during the term of their offices. The non official members shall hold office for a period of three years from the date of their appointment, nomination or election as the case may be, provided that any vacancy, arising as a result of resignation, death or any other cause, shall be filled by nomination by Govt. The member so nominated shall hold office only for the remaining period of that term of the member in whose place he is appointed. In the event of the vacancy in the Office of the Vice

Chairman, the same shall be filled for the unexpired portion of the term by election by the Academy as soon as possible after occurrence of the vacancy.

**12. Meeting of the General Council:**

- a) The General Council shall ordinarily meet once in every six months and on a date to be fixed by the Chairman. A special meeting may be called at any time by the Chairman, or at the request of not less than 2/3<sup>rd</sup> of the members of the Academy.
- b) The notice of the meeting shall be issued by the Member Secretary at least 15 days in advance.
- c) The service of the notice shall be considered complete if sent under Certificate of posting at the address given by the Member and if it is not convenient, to deliver it to him otherwise.
- d) Members who do not attend three consecutive meetings of the General Council without leave of absence shall stand automatically dropped from the General Council.

13. Ten or 1/3<sup>rd</sup> of the members, whichever is less from the quorum at any meeting.

**14. Executive Board:**

The Executive Board shall consist of the following members:

- i) Chairman
- ii) Vice Chairman
- iii) Finance Secretary of the Govt. of Goa who will be the Financial Advisor or his authorized nominee
- iv) Secretary, Culture, Govt. of Goa
- v) Director of Art & Culture
- vi) Representative of the State Education Department
- vii) Not more than seven members from Rule 9 (vii, viii & ix)
- viii) Member Secretary shall be ex-officio Member of the Board and also function as its Secretary.

**15. The term of Executive Board:**

- a) The term of the Executive Board shall be for three calendar years.
- b) The notice of the meeting shall be issued by the Member Secretary at least 10 days in advance.
- c) The service of the notice shall be considered complete if sent under certificate of posting at the address given by the member and if it is not convenient, to deliver it to him otherwise.

**16. The Executive Board shall have the following functions:**

- a) To exercise the Executive authority of the Academy subject to policy directives of the General Council.
- b) To be responsible for the supervision and control of the work of the Academy and of its office.
- c) To consider and prepare programmes of the Academy and specific projects for submission to the General Council.
- d) To frame its regulations, bye laws, rules of procedure.
- e) To select important dance, drama, music, literature and fine art organizations/institutions in the State which are to be recognized for the purpose of receiving assistance from the Academy.
- f) To draw up the annual budget of the Academy and to submit for approval of the General Council.
- g) To prepare the annual report and statement of accounts of the Academy for the consideration of the General Council.
- h) Subject to the approval of the General Council to incur expenditure on the establishment as a whole to create such posts as it may consider necessary for carrying on the work of the Academy and prescribe the terms and conditions of appointment to those posts provided the posts with emoluments exceeding Rs.10,000/- per month may be created and filled with the approval of Financial Advisor/Finance Secretary.

- i) To appoint the Director, Folk Arts of the Academy and other members of the staff except those the power to appoint whom is delegated to the Member Secretary.

**17. Budget:**

- a) Before 15<sup>th</sup> June every year, the Academy shall draw a programme of its activities in the subsequent financial year for consideration of Govt. and forward it so as to reach the Secretary to Govt. in charge of education before 30<sup>th</sup> June, along with the annual budget for approval of Govt.
- b) The Academy shall be competent to incur expenditure on the schemes included in the Budget and approved by Government. The Member Secretary shall be authorized by a resolution of the Executive Board to incur the necessary expenditure subject to the control of Executive Board, except the extent provided above, the Academy shall be guided by normal financial rules of Govt. in the matter of incurring expenditure, accounting and audit.
- c) No expenditure shall be incurred by the Academy under any circumstances, which is not specifically provided for in the Budget without the previous approval of Govt. Government may allow reappropriation from one scheme to another.

18. Any rules made or decision taken by the General Council or by any authority of the Academy, except where the authority acts in accordance with its powers and functions and as defined in the resolution, may be amended or set aside by the General Council.

19. Notwithstanding anything contained in the rules framed by the General Council, the accounts of the Academy will be audited by Govt. Auditors applying the general principles of accounting rules and the final authority to take decision on the propriety of expenditure incurred by Academy will vest with Government.

20. The General Council may, by a majority of not less than 3/4<sup>th</sup> members present and voting, request the Govt. to amend this Constitution in such a manner as the General Council may decide.

21. The Standing Committee or Committees envisaged in the present Constitution for discharging anyone or more of the functions of the Academy shall generally consist of 2 or 3 members of the General Council and of co-opted members in such number which is deemed necessary by the Executive Board or General Council. The co-option shall be made taking into consideration the nature of the duties entrusted to the Committee or Committees.



22. The accounts of the Academy shall be operated jointly by the “Drawing and Disbursing Officer” and anyone of the following members:

- i) Chairman or in his absence
- ii) Vice Chairman; or in his absence
- iii) Member Secretary

23. The Academy shall be entitled to Govt. grants on the basis of 100% of the estimated expenditure approved by the Govt. less miscellaneous receipts.

24. The Govt. of Goa may address the Academy with reference to any work to be conducted or done and the Academy shall be bound to execute the work on such reference.

a) The Academy shall carry out such directions as may be given to it, from time to time by the Govt. for carrying out the aims, objectives and activities of the Academy in an efficient manner.

25. If in the opinion of the Govt. of Goa the Academy is not competent to perform or persistently makes default in the performance of its functions under this Constitution or exceeds or abuses its powers, the Govt. may supercede it by a Notification in the Govt. Gazette and appoint an administrator to carry on and perform the functions of the Academy.

a) On such supercession the Academy with all the bodies and Committees shall stand dissolved.

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