

Minutes of the 53rd meeting of the Governing Board of Kalakshetra Foundation held on 11 October, 2018 at Kalakshetra Foundation, Chennai

Members present

1. Shri N. Gopaldaswami, Chairman, Kalakshetra Foundation
2. Smt. Revathi Ramachandran, Director, Kalakshetra Foundation
3. Shri Anooru Anantakrishna Sharma
4. Smt. Chitra Visweswaran
5. Shri C.K. Balagopalan
6. Shri Lalgudi G.J.R. Krishnan
7. Smt. Malavika Avinash
8. Shri N. Vijay Siva
9. Smt. Ranjana Gauhar
10. Smt. Urmila Sathyanarayanan

Leave of absence was granted to the following members

1. Shri Apurva Varma, Principal Secretary to Govt. of Tamil Nadu
Department of Tourism, Culture and Religious Endowments
2. Dr. Srikantham Nagendra Shastry
3. Smt. Saswati Sen

Ministry of Culture has not nominated any officer to attend the meeting.

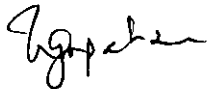
In attendance: Shri V. Srinivasaragavan, Deputy Director & Shri S. Muralikrishnan, Chief Accounts Officer, Kalakshetra Foundation.

ITEM No.1:

To confirm minutes of the 52nd meeting of Governing Board held on 04.07.2018 and the status of action taken thereon

As no comments were received, the minutes of 52nd meeting of the Governing Board were confirmed. The action on the minutes and the pending actions were noted by the Governing Board.

The working hours of RDCFA came up for discussion. College working hours are from 8.30 AM to 11.30 AM and from 1 PM to 4 PM. Regular faculty generally take classes three hours a day i.e. from 9.45 AM to 11.30 AM and from 2 to 4 PM. GB strongly felt that since the regular faculty is full time employees, they should be present and available



in the premises throughout the College hours and the GB advised the Director that it should be enforced without fail.

ITEM No.2:

To place the audited annual accounts of Kalakshetra Foundation for the year 2017-18 along with the certified report of C&AG of India thereon for information and record

GB adopted the annual accounts for the year 2017-18 as approved by the CAG.

ITEM No.3:

Annual Report for the year 2017-18.

Governing Board approved the annual report for the year 2017-18.

ITEM No.4:

Revised Estimates for 2018-19 and Budget Estimates for the year 2019-20

Revised Estimates for 2018-19 and Budget Estimates for the year 2019-20 as forwarded to the Ministry of Culture were noted by the Governing Board. Capital works proposed to be undertaken during the next financial year were discussed and approved by the Governing Board. It was informed to the GB that actual works to be undertaken would depend upon the grants given by the Ministry under Creation of Capital Assets head. Works will accordingly be prioritized.

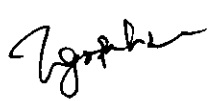
ITEM No.5:

Details and status of major ongoing capital works

Governing Board noted the status.

As regards Bharata Kalakshetra Auditorium work, it noted the circumstances in which M/s. Sound Wizard, the original Consultant for sound equipment was re-engaged on a single source nomination basis under the provisions of General Financial Rules. It also noted that an Integrator will be engaged by following tendering procedure to install the equipment procured during the year 2010 under the supervision of the Consultant.

As regards the work of installation of CCTV cameras, it noted the justification given by CPWD for higher cost of cameras i.e. Underwriters Laboratory Listed which undergo



tough testing to get the certificate. On a request made by KF, CPWD furnished revised preliminary estimates for Rs.56.38 Lakh providing for medium priced cameras.

Chairman sought to know whether the number of CCTV Cameras proposed was correctly worked out. To this it was informed that the number would go up slightly as some of the areas were not covered while preparing the estimates. Chairman stated that IIT, Madras has recently undertaken similar work. He directed to find out cameras installed by IIT vis-à-vis cameras proposed by CPWD in their revised preliminary estimates and thereafter KF should take appropriate decision as to the type of cameras to be installed.

ITEM No.6:

To seek approval for Regulations

Chairman thanked the members who were involved in finalizing the draft Regulations. While considering the Regulations, the issue of Appointing Authority, Disciplinary Authority and Appellate Authority came up for discussion. Appointing Authority or any authority superior to the Appointing Authority can impose any penalty on the employee i.e. minor penalty or major penalty. As per the KF Act, GB is the Supreme Authority and therefore, KF Rules declare GB as the authority to appoint all categories of officers and staff. But in practice, Director undertakes all the recruitment processes and appoint officers in terms of laid down recruitment rules and appointments made by her are submitted in the subsequent meeting of the GB. After deliberations and keeping this in view, GB resolved in the interests of smooth functioning to declare the Appointing, Disciplinary and Appellate Authorities for various categories of posts as follows.

Appointing Authority

- (i) GB is declared the Appointing Authority for appointment of unit heads viz. Principal, RDCFA; Principal, Besant Arundale Senior Secondary School, Manager (Craft Education and Research Centre) and Headmistress, Besant Theosophical Higher Secondary School.
- (ii) Director is declared as the Appointing Authority for all posts other than specified in (i) above. GB however further resolved that as the supreme authority of the Foundation, it reserves the right to review appointments made by the Director to a post or to a category of posts, should such a need arise, and pass such directions as may be considered necessary.

Disciplinary Authority

- (iii) Director is declared as the Disciplinary Authority for all posts other than the four unit heads mentioned in (i) above. GB also resolved that at its discretion it

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shall exercise powers of Disciplinary Authority, if considered necessary, in any case or category of cases, and if justification exists.

- (iv) GB shall be the Disciplinary Authority for unit heads.

Appellate Authority

- (v) GB resolved that the Chairman shall be the Appellate Authority in all cases where Director exercises powers as the Disciplinary Authority.
- (vi) GB further resolved that where GB is the Appointing Authority the powers of Disciplinary Authority shall be exercised by a Committee of GB members constituted on case to case basis and the orders of the Committee shall be communicated by Director. Appeal in such cases shall rest with GB and orders of such appeals shall be communicated by Director.

ITEM No.7:

To seek approval to prescribe Central Teacher Education Test as one of the qualifications for appointment as Teachers in Besant Arundale Senior Secondary School

The proposal was approved.

ITEM No.8:

To consider permitting regular teaching faculty of RDCFA to go abroad during the midst of the academic year twice on private assignment up to a total of four working days

The proposal was approved.

ITEM No.9:

Staff Welfare Fund – Introduction of a pension scheme for the retired employees of KF

The GB approved grant of a token assistance @Rs.500/- per month towards medical expenses to each retired employee. However, only the interest income shall be utilized without disturbing or utilizing the corpus fund. The broad conditions approved were—

- (i) Regularly appointed staff only will be covered
- (ii) Should have served at least 20 years of service including the service rendered when KF was a Trust



- (iii) In case of superannuated employees, the condition of 20 years of service will not be attracted
- (iv) In case of death of an employee while in service, the condition of 20 years of service will not be attracted
- (v) In case of death of retired employee, the benefit will be passed on to spouse
- (vi) The Scheme may be operated w.e.f. 1.1.2019

ITEM No.10:

Strengthening of Administration-Periodical review under FR 56(j)

The proposal was approved

ITEM No.11:

To seek approval to start a Dairy Farm in Kalakshetra Foundation campus.

Governing Board approved the proposal in-principle. It directed that a few Gaushalas may be visited to understand the issues involved in setting up such a facility. It also directed that a proper project report be prepared incorporating all relevant issues, some of which are listed below—

- Detailed cost analysis
- Number of cows required to meet the daily demand. As not all cows will give milk all the time, additional cows required to maintain constant supply.
- Feasibility of growing grass in KF campus
- Veterinary doctor requirement
- Manpower to maintain
- Mechanisation
- Permission if any required from Municipal authorities

The detailed project report will be submitted to Governing Board in the next meeting for a decision.



ITEM No.12:

Proposal to constitute an Editorial Team

The proposal was approved and it was also decided that Smt. Lakshmi Viswanathan would continue as the Editor-in-Chief of the team.

ITEM No.13:

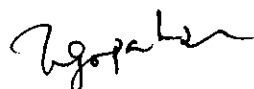
To consider release of increments in respect of persons appointed in the year 2010 – subject matter of Writ of Mandamus No. 8282

The GB noted that this issue was deliberated in detail in its 48th meeting held on 22.8.2016 wherein it was decided that two appointments made for Visual Arts Department may be regularized as the appointees fulfilled the qualifications as per the advertisement; five appointees who fulfilled the educational qualification but overaged, relaxation of age condition be considered; and two appointees who did not fulfil both educational qualification and age criteria may be terminated. As desired by the Ministry of Culture, a detailed proposal was made to them by Kalakshetra Foundation on 23.9.2016. Separately, another proposal was sent to the Ministry for creation of the post of Estate Manager and regularization of the incumbent who was also covered in the Writ of Mandamus. A communication was received from the Ministry that they did not agree for ex-post facto creation of the post of Estate Manager.

During the discussions, the GB noted that a public pathway is passing through the campus and it has been a security concern. A few land related litigations are also pending that are to be closely monitored to safeguard the interests of the Foundation. The Foundation has more than 100 buildings and these are to be regularly maintained by carrying out repair works. The GB therefore, appreciated the functional need for an Estate Manager to take care of the 100-acre campus. It also noted that the GB in its meeting held on 15.7.2015 had recommended creation of the post of Estate Manager with retrospective effect and also regularization of the present incumbent who was recruited after a process of advertisement/ interview.

In view of the foregoing, the GB approved, regularizing the present incumbent's appointment from the date of his joining till a post is formally created. The GB asked the director to move the FC for approval for creation of the post prospectively.

The GB noted that the issue of appointments made during 2010 has been pending with the Ministry for more than two years now. The employees concerned have not been given increment and other benefits for the past more than six years for want of decision and it is patently unfair to the employees concerned.



After discussions, and keeping in view the decision of the GB taken in its 48th meeting held on 22.8.2016, GB approved the following—

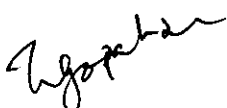
- (i) One appointee who fulfilled both age and educational qualifications as per the recruitment rules be regularised and considered for declaration of probation.
- (ii) Services of two appointees viz. PGT (Commerce) and Costume Assistant be terminated as they did not possess required educational qualification.
- (iii) Pending decision by the Ministry, increment and other benefits be released to the remaining eight appointees. At the same time, it is made clear, that the decision to release the benefits is in no way be construed as regularising their appointment which will be subjected to directions by the Ministry or any direction that may be issued by the High Court of Madras in the pending Writ of Mandamus.

ITEM No.14:

Proposal for amendment to KF Rules.

GB noted the following—

- (i) Its position as the Supreme Authority of the Foundation gets diluted by the KF Rules, wherever it prescribes that its powers are to be exercised with the concurrence of Finance Committee. It should be consultation rather than concurrence, keeping in view that GB is the Supreme Authority of Kalakshetra Foundation.
- (ii) There is no requirement for the Finance Committee to approve the annual report. Only GB's approval would suffice as the GB is the Supreme Authority.
- (iii) Accounts are vetted by FC at draft stage and then submitted to GB for consideration. Only at draft stage changes could be made. After CAG audit no change is permitted in the accounts and they are only to be adopted. Therefore, after CAG audit, accounts may be adopted directly by GB instead of routing it through FC.
- (iv) For acquiring by purchase, lease, gift or otherwise any equipment or other movable property and also for disposal of movable property approval of FC and GB is required. This is not practically possible in many instances as movable property includes office stationary, office equipment such as computer, printer, scanner, photocopier etc. The extant rule provisions if followed in letter would



cripple the Foundation. Therefore, powers relating to movable property needed to be given to Director. Powers relating to immovable property should continue to be with FC and GB.

On consideration of the practical difficulties, the GB approved the proposal to seek the comments of Finance Committee as to the amendments to KF Rules.

ITEM No.15:

Delegation of powers of Appointing Authority and Appellate Authority

This issue has already been covered in item No. 5

Any other item with the approval of the Chair

To consider leasing out of 0.57 acres of Kalakshetra Foundation land to Dr. U.V. Swaminatha Iyer Library on lease basis regarding

GB gone into the history of the issue starting from establishment of the Library by Smt. Rukmini Devi to safeguard the rare Tamil manuscripts collected by Dr. U.V. Swaminatha Iyer which were gifted to her for preservation. She built the Library from her own funds, Govt. grants and from the donations she received. It also noted that she was President of the Library till her demise and thereafter, Shri Sankara Menon, Director, KF was the President till his death. The Library would have been taken over by the Govt. in the year 1993, at the time of takeover of Kalakshetra but for non-completion of procedural formalities and later reversal of decision by the Library. It also noted that the Library has been in its present location which is Kalakshetra Foundation land for the past more than five decades.

The GB noted that Iyer's collections of rare manuscripts of Tamil are valuable national treasure. Kalakshetra has been privileged to be associated with the hallowed name of Dr. Iyer and to host the unique collection of Tamil manuscripts. The work of Dr. Iyer in collecting rare manuscripts, for the very first time, of Tamil literature including specimens of Sangam literature, is without parallel. The Library as a repository of these manuscripts and documents is therefore of inestimable value. Smt. Rukmini Devi received the manuscripts and documents and assumed responsibility for their preservation through the Trust that she headed. It was a constituent unit till her demise.

In the light of the above, the GB considered the resolution passed by the General Body of the Library on 25.9.2018 requesting for lease of the land on which the Library is situated. Considering the close connection it had with Kalakshetra, the GB agreed with the proposal to regularize its presence in the Foundation's premises through lease on a token

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rent of Rs.1 per annum for 30 years w.e.f. 29.9.1993 i.e. from the date of Govt. takeover of Kalakshetra. It's further renewal will be considered when the current lease period is nearing an end.

The GB, therefore, decided to recommend to the Central Government to agree to regularize the presence of the Library in Kalakshetra Foundation's premises, subject to the following conditions.

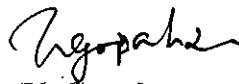
- (i) Library should be agreeable to give Kalakshetra Foundation permanent representation in the management of the Library viz. in the General Body and Executive Council of the Library by making provisions in the bye-laws of the Library as under—
 - (a) Chairman, Kalakshetra Foundation shall be the Vice-President of the Library; and,
 - (b) Director, Kalakshetra Foundation shall be a member in the Executive Council
- (ii) Any construction activity undertaken by the Library in the leased out land shall be only with the due approval of Governing Board of Kalakshetra Foundation.
- (iii) The bye-laws of the Library relating to transfer of assets on its dissolution (bye-law No.18) should be amended to provide that on such an eventuality the assets of the Library shall stand transferred to Kalakshetra Foundation.

The Library will be addressed for their commitment on the above conditions and on their positive response, Ministry of Culture will be requested to grant approval for lease of land to the Library. In the meantime, concurrence of Finance Committee may also be obtained in its next meeting.

Presentation by Director

Director made a brief presentation to the GB on the short-term and long-term goals drawn up by her on her assuming charge in April, 2018. The GB appreciated her efforts and expressed its support.

The meeting concluded with a vote of thanks to the Chair.


(N. Gopalaswami) 17/10/18
Chairman
Kalakshetra Foundation