Memorandum of Understanding for the Financial Year 2022-23

Memorandum of Understanding (MoU) between Ministry of Culture (MoC), ShastriBhawan, New Delhi & the Lalit Kala Akademi (LKA) for the financial year 2022-2023.

1. Whereas the mandate of the Ministry of Culture is to preserve and promote all forms of art and culture and is responsible for formulation of policies of the Government in relation to Indian Art, Culture and Heritage and also for the execution, monitoring and review of those policies and whereas the Lalit Kala Akademi has the mandate/objects as indicated under Clause-3 of its Memorandum of Association.
2. The agreement made this 21st day of July, 2022 between the Ministry of Culture, as the first party and Lalit Kala Akademi (LKA), New Delhi an organization under the Ministry of Culture, hereinafter called the second party.

Purpose of the MOU

To achieve the organisational goals by optimum use of the funds available and proper functioning of the organization so as to complete the output targets.

To achieve this, the following deliverables are required:

1. **Budget Accounts**

Budgetary outlay for the year 2022-23 under Revenue and Capital Amounting to Rs. 26 crore and 50 Lakh (Rupees Twenty Six Crore Fifty Lakh Only) has been allocated to for Lalit Kala Akademi for carrying out organizational work.

While incurring the expenditure a requisite approval of concerned Chairman/GC/EB/FC or MoC as the case may be, will have to be obtained before executing the work.

i. LKA shall submit the Annual Report and Audited Account for the year 2021-22, to the Ministry of Culture by Nov, 2022 as soon as the audit conducted by the CAG and audit report are received.
ii. The CAG audit, if required, to be done for the year 2021-22will be completed by October, 2022.
iii. Provisional utilization certificate for the Financial Year 2021-22will be submitted to the Ministry and final utilization certificate will be

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submitted as soon as the audit report received from CAG.Further, for the financial year 2022-23monthly provisional certificate will be submitted before seeking the next month's grants.

iv. All pending CAG audit paras and internal audit paras shall be disposed off in a time bound manner.

v. Inputs for preparation of EFC/SFC in accordance with the extant guidelines/instructions of Ministry of Finance shall be submitted as per directives of MoC.

vi. Monthly report in respect of financial and physical achievement in prescribed format as Annexure – V and VI shall be submitted to Ministry of Culture by 1st week of the month in which it becomes due. Any other periodic report asked by the Ministry shall also be submitted within the stipulated time.

vii. Governing Body of LKA shall review user charges/source of internal revenue generation at least once in a year; and this exercise should preferably be completed by the month of September every year. LKA will also send the status of the same to this Ministry as per Annexure – VII attached.

viii. LKA shall maintain data-base relating to grants, income, expenditure, investment, assets and employee strength etc. in the format prescribed by the Government.

ix. LKA shall designate an appropriate level officer to render financial advice whose concurrence should be obtained for sanction and incurring of expenditure. The Financial limits up to which such concurrence mandatory may be drawn up by the organization. The Chief Executive officer of the organization will be responsible for overall financial management of the organization.

x. Administrative Division in the Ministry may put up in place a system external or internal peer review of the LKA every three year or five year depending on the size of LKA, in terms of GFR 229 (xi), and further release of grant to LKA shall depend on the outcome of such review.

xi. Performance parameters, output targets in term of details of program of work and qualitative improvement in output, along with commensurate input requirements should clearly be spelled out in the MoU. Further, the output targets, given in measurable units of performance should form the basis of budgetary support extended to the LKA. The roadmap for improved performance with clear milestones should form part of the MoU as per GFR 229 (xi).

xii. While seeking grants from the Ministry, LKA shall provide the information in the prescribed format by the IFD and the Administrative Division shall process the proposal on quarterly basis indicating the month-wise proposed release amount during the quarter. However, the Administrative Division will release the concurred amount on monthly basis.

xiii. All interests or other earnings against the GIA or advances (released to LKA) shall be mandatory to be intimated to MoC after finalization of the account.

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xiv. LKA shall adhere to the time schedule prescribed under Rule 237 of GFR 2017 for submission of annual accounts and annual report.

xv. LKA shall submit UC in the prescribed format along with the reports regarding performance/targets achieved, outcome, etc. in accordance with new UC format (GFR 12-A). The UC shall disclose separately the annual expenditure incurred and the funds given to suppliers of stores and assets, to construction agencies, to staff,toHBA and to purchase of conveyance, which do not constitute expenditure at that stage but have been met out of grants and are pending adjustments. These shall be treated as unutilized grant allowed to be carried forward.

xvi. In terms of Ministry of Finance office Memorandum no. 26(120)/EMC Cell/2016 dated 28th March, 2017, the administrative division shall ensure through MOU that LKA sets up necessary internal audit mechanism to carry out regular internal audit as an additional reporting mechanism and the audit reports are placed before GB/EB/FC for discussion.

xvii. The actual expenditure by LKA on the activities shall be subject to the availability of funds. While incurring the expenditure, LKA shall adhere to the GFRs provisions besides other instructions of the Govt. issued from time to time.

2. Human Resource

i. LKA shall review/frame its Human Resource Policy and modify the same, if required with the approval of Competent Authority by July, 2022.

ii. The LKA will initiate necessary time bound action, well in advance to fill up the vacant posts following the prescribed rules.

iii. All DPC's will be conducted by the LKA within the stipulated time frame following the prescribed rules.

iv. All pending vigilance cases shall be disposed off within the stipulated time following the prescribed rules by LKA.

v. Training policy for the staff will be worked out and budget will be kept for training. Training of the staff of the organization will be ensured as per the Staff Training Policy. For this purpose, a training calendar is designed in the beginning of the year. LKA shall send the status of Skill Development Module quarterly to this Ministry.

vi. Verification of appointments made during the last 5-10 years has to be carried out by the LKA. This process has to be completed by LKA by the end of September, 2022.

3. Legal Matters

i. Memorandum of Association and Service Bye-Laws of LKA shall be framed/reviewed on the lines of High Powered Committee's (HPC's) recommendation agreed to by the MoC. This process will be completed by October, 2022 if not taken earlier.

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ii. LKA will complete the process of framing/reviewing the Recruitment Rules in respect of other posts, for obtaining the approval of the MoC by the end of August, 2022.

iii. LKA shall ensure timely monitoring of the court cases by updating the status data of which has already been updated on the website of Legal Information Management & Briefing System (LIMBS) on as required basis.

iv. The Akademi will utilize the online Court cases monitoring software developed by NIC for regularly monitoring its ongoing Court cases during the year.

4. Parliament Matters

i. Audited Accounts and Annual Report will be placed before the Parliament on time. The report shall be sent by the LKA to MoC before end of August, 2022.

ii. Fulfilment of all pending Parliamentary Assurances will be ensured within the stipulated time frame.

iii. Legislative matters, if any, will be taken up for approval of Parliament within the stipulated time frame.

iv. Recommendations/suggestions of the Parliamentary Standing Committee (PSC) and such other Parliamentary Committees, if any, will be implemented from time to time with the approval of the appropriate authorities of the Akademi.

5. General

i. Mandatory meetings of all the Committees/Sub-Committees will be convened and conducted on time as per rules.

ii. The Performance Audit/Peer Review shall be carried out as per GFR provisions contained in chapter 9 rule 229 (ix). Every two years a Performance Audit shall be done by reputed institutions of the activities of the Akademi. For maintaining quality in academic work, an appropriate Peer Review System may be put in place. The Akademi will need to display its capacity for self-introspection, if it is to remain truly independent.

iii. LKA will take action for implementation of the actionable points as indicated at Appendix -A.

iv. LKA shall furnish/file mandatory returns/report on time. Akademi shall also provide the report/returns as and when asked by the Ministry.

v. LKA shall ensure timely disposal of RTI application and appeal. Akademi shall also furnish/upload certificate/report on RTI portal as per the extant guidelines. LKA shall also send the status of RTI

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application/appeal quarterly to the Ministry as per Annexure – I attached.

vi. For disposal of Public Grievances/complaints, LKA shall ensure that an effective grievance redressed mechanism is in place to ensure timely disposal of public grievances/complaints received through PG Portal or any other sources. LKA should also send status of public grievances quarterly to this Ministry.

vii. The LKA website shall be updated, reviewed and revamped from time to time as per the Government guidelines. MoA, Rules and Regulations, Service bye-laws and Recruitment Rules and amendments thereof and of the Organization will be uploaded on the website. LKA shall also send the status of updating by laws and RR on the website of the Ministry.

viii. Akademi shall ensure the inputs for Cabinet Memos within the prescribed time frame.

ix. Akademi shall ensure compliance with the Rajbhasha Policy as per directives received from Ministry of Home Affairs.

x. Akademi has implemented New Pension Scheme (NPS) as per the norms of the NPS.

xi. Swachh Bharat Campaign/Programmes as well as cleanliness drive shall be taken up by the Akademi and instruction/directions given by the Ministry, will continue during 2022-23 as well. LKA shall also send the status of Swachhta Abhiyan undertaken to the Ministry as per Annexure-IV attached.

xii. LKA shall be active on social media like YouTube/Facebook/Twitter/Instagram etc. After the programme is held, photographs and videos shall be uploaded immediately along with information's of the programme. LKA shall also upload its programmes on Mobile Apps, followers of LKA on the social sites have to be enhanced to double from the present number of followers. LKA may continue to do so during 2022-23.

xiii. Akademi will implement the following e-services and will continue to take proactive action on the same during 2022-23:

a. Akademi will create online system for application and utilization certificates.
b. Akademi shall create online system of accounting.
c. Akademi will be active on the MyGov. Platform for inviting suggestions, ideas regarding its activities during the year.
d. LKA will prepare and upload its publications online which would cover both free and paid access to these e-books.

xiv. LKA will provide audio-visual archival material on intangible culture to IGNCA, after due consultation/discussions with them.

xv. LKA will provide promotional films to DD Bharti and also make an inventory on films.

xvi. Vision and Mission document will be prepared by the Akademi and uploaded on its website.

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xvii. LKA will emphasis on cultural research and education activities and will continue to undertake literary activities in collaboration with the Government funded education institutions.

xviii. General Council of the Akademi shall review user charges/sources of internal revenue generation at least once a year and inform the administrative Ministry. This exercise shall preferably be completed before the formulation of Union Annual Budget.

xix. Public Financial Management System (PFMS) has to be put in use by the organization.

xx. LKA shall also submit status of workshops/seminars/festivals/events etc. every month to the Ministry.

xxi. Impact Assessment to be enhanced by including schools and college for its activities, with at least 2 schools visit to the Akademi's galleries. Increase in the library readership through film shows and talks.

6. **Specific Issues related to Organization**

i. Timely conduct of the monthly activities to achieve monthly targets as indicated in the Annexure-III (enclosed) for the year 2022-23shall be ensure. The cost/expenditure shown in the Appendix of the MoU has been estimated on the basis of average expenditure incurred in the past years. Actual -expenditure on each activity shall however be subject to the availability of funds in the allocated budget to the organization and compliance to the GFR provisions besides adherence to the economy measures as issued by Ministry of Finance from time to time. If physical targets are achieved in time, allocation of additional funds could be considered to conduct more activities. Any shortfall in target may attract withdrawal/reduction in the budgetary support.

ii. Each activity with its physical and financial targets indicated in the Annexure I of the draft MOU may be linked to the concerned object heads of the budgetary outlay for the year 2022-23 so that the physical and financial progress could be monitored with reference to the budgetary allocations under each object head.

iii The requisite data in respect of ABs may be updated through the portal of Ministry of Finance at the earliest.

iv All formalities regarding implementation of TSA System should be completed by this quarter itself.

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7. **Sanctioned amount by the Ministry of Culture to the Lalit Kala Akademi is Rs. 2650.00 Lakh (Rupees Twenty Six Crore Fifty Lakh only) as shown in Annexure I, II, III, IV, V.**

(Ramakrishna Vedala)
Signature
Secretary I/c
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(on behalf of Ministry of Culture)

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Appendix-A

ACTIONABLE POINTS ON PERFORMANCE AUDIT OF LKA

i. The Akademi should ensure that the projects assigned get completed on time and the research material should be brought out in the form of a publication after proper editing.

ii. The Akademi should focus on the research on Development of post Independent Indian Art in chronological order covering all the States of India as nothing has been done in this area at present.

iii. The Committee suggest that a copy of these unpublished project reports should be kept in the archives of the Akademi for the reference of art students and researchers and archives section should have a technical staff to handle these resources.

iv. The Committee suggests that the Akademi should hold the International events without break and should have a permanent Triennale unit. The Akademi should have its presence in major International Biennales including Venice Biennale.

v. The Committee feels that Akademi should hold more of such exhibitions not only in Delhi but in all parts of the Country in collaboration with reputed galleries and institutions as it is practically not possible for Akademi to source artworks from various collectors for holding such exhibitions with its existing structure. The committee feels at least one such major retrospective exhibition should be organized by the Akademi every year.

vi. The Committee feels that current exhibitions in its galleries are substandard and proper review should be done while allotting the galleries. The committee suggests that Akademi should showcase collections by various organizations like Bharat Bhavan, Bhopal, IGNCA in its Galleries in collaboration instead of renting out galleries to amateur artists as the mandate of the Akademi is to promote visual art and not to generate revenue.

vii. The Committee suggest that the Akademi should revive its Artists on Art, Critics on Art Series by inviting Senior Artists which were quite regular few years back.

viii. The Committee suggest that the Akademi should create prior publication structure for maintaining the periodicity of its publications by filling the crucial vacant posts of Editor (Ancient Publications), Asst. Editor (C), Production Assistant etc. as well as creating new posts which are necessary like Chief Editor, Designer, Proof Reader and copy Editor etc. as publications is one of the core area of Akademi's activities.

ix. The Committee was also told that the Akademi has recently reviewed its policy on financial Assistance and broaden its scope by including NGOs and other organizations. The committee suggests

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that only reputed organizations should be considered for financial assistance.

x. The Akademi gives scholarship of Rs. 20,000/- per month to 55 young artists who are assigned to work in any of Akademi's Regional Centres.

Note –Fifteen (15) scholars from the North East Region has been increased by the Akademi for the scholarship to encourage and promote the visual art in North East Region.

xi. The Akademi should implement recommendations of the HPC and consider holding more collaborative exhibitions of reputed artists, holding of Triennale-India exhibition at regular intervals and improving the standard of National Exhibition of Art.

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