

Kannada Development Authority Act, 1994

Chapter 2 -

(1) As soon as may be, after the commencement of this Act there shall be established for the purposes of this Act, an Authority for development of Kannada to be called the Kannada Development Authority with its head-quarters at Bangalore.

(2) The Authority shall be a body corporate by the name aforesaid having perpetual succession and a common seal to contract and shall by the said name sue and be sued.

(3) The Authority shall consist of the following members:-

(a) A person who has worked for development of Kannada language nominated by the State Government to be the Chairman of the Authority.	--	Chairman.
(b) Seven persons nominated by the State Government having special knowledge or practical experience in the field of Literature, Administration, Education and Law.	--	Members
(c) The Secretary to Government, Department of Kannada and Culture.	--	Member
(d) The Secretary to Government, Department of Law ¹ [x x x]	--	Member
(e) The Secretary to Government, Commerce & Industries Department.	--	Member
(f) The Director, Department of Kannada and Culture.	--	Member
² [(fa) Director of Translation.	--	Member]
(g) The President, the Kannada Sahitya Parishad.	--	Ex-officio Member.
(h) The President, the Karnataka Kannada Sahitya Academy.	--	Ex-officio Member.
(i) The Secretary of the Authority.	--	Member-Secretary

1. Omitted by Act 26 of 97 w.e.f. 30.9.1997.

2. Inserted by Act 26 of 97 w.e.f. 30.9.1997.

Section 3 - Constitution of the Authority

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(i) The Secretary of the Authority.	--	Member-Secretary

1. Omitted by Act 26 of 97 w.e.f. 30.9.1997.

Section 4 - Term of office and conditions of service

- (1) Subject to the pleasure of the State Government, the Chairman and other members nominated by the State Government shall hold office for a period of three years. This shall not apply in case of official member.
- (2) The Chairman or a member other than an ex-officio member may resign his office by writing under his hand addressed to the State Government but shall continue in office until his resignation is accepted.
- (3) A casual vacancy in the office of a Chairman or a member shall be filled by the State Government by nominating another person as Chairman or member as the case may be and the person so nominated shall hold office for the unexpired portion of the term of the office of his predecessor.
- (4) The Chairman and other members shall receive such allowances as may be prescribed.
- (5) The allowances payable to the Chairman and other members shall be defrayed out of the Fund of the Authority.
- (6) No act or proceedings of the Authority shall be invalid by reason only of the existence of any vacancy or defect in the constitution of the Authority.

Section 5 - Disqualification for office of membership

- (1) A person shall be disqualified for being appointed as and for being a member, if he,-
 - (a) has been convicted and sentenced to imprisonment for an offence which in the opinion of the State Government involves moral turpitude; or
 - (b) is of unsound mind and stands so declared by a competent court; or
 - (c) is an undischarged insolvent ; or
 - (d) has been removed or dismissed from service of the Central Government or a State Government or a body or corporation owned or controlled by the Central Government or a State Government; or
 - (e) has directly or indirectly by himself or his partner any share or interest in any work done by the order of the Authority or in any contract or employment with or under or by or on behalf of the Authority.
 - (f) is employed as a paid legal practitioner on behalf of the Authority or accepts employment of legal practitioner against the Authority;
- (2) A person shall not be disqualified under clause (e) of sub-section (1) or be deemed to have any share or interest in any contract or employment within the meaning of the said clause by reason only of his having a share or interest in any newspaper in which any advertisements relating to the affairs of the Authority is inserted.

Section 6 - Removal of member

- (1) The State Government shall remove the Chairman or other member if,-
 - (a) he becomes subject to any of the disqualifications mentioned in section 5:

Provided that no Chairman or member shall be removed on the ground that he has become subject to the disqualification mentioned in clause (e) of sub-section (1) of that section, unless

- he has been given an opportunity of making his representation against the proposal ; or
- (b) he refuses to act or becomes incapable of acting; or
- (c) he without obtaining leave of absence from the Authority absents from three consecutive meetings of the Authority ; or
- (d) in the opinion of the State Government he has so abused his position as to render his continuance in office detrimental to the public interest:

Provided that no member shall be removed under this clause unless he has been given an opportunity of making his representation against the proposal.

Section 7 - Secretary

The State Government shall appoint an officer not below the rank of Deputy Commissioner to be the Secretary of the Authority. The Secretary shall receive such salary and other allowances as the State Government may determine from time to time.

(2) The State Government may grant from time to time leave of absence to the Secretary.

(3) The Secretary shall be the Chief Executive of the Authority and shall,-

- (a) be responsible for implementing the projects and programmes approved by the Authority;
- (b) operate the fund of the Authority;
- (c) cause to be maintained accounts of the Authority;
- (d) discharge such other functions which are conferred on him by or under this Act or any other law for the time being in force; and
- (e) be responsible for presentation of records of the office during inspection of Chairman.

Section 8 - Officers of the Authority and conditions of service

(1) Subject to such rules as may be prescribed, the State Government or such other officer as the State Government may authorise, may appoint or depute such officers and employees as it may deem necessary for the efficient discharge of its functions.

(2) The recruitment and terms and conditions of service of the officers and servants specified above shall be such as may be prescribed.

Section 9 - Meetings of the Authority

(1) The meetings of the Authority shall be convened by the Chairman or by the Secretary with the prior approval of the Chairman and shall be held at any place within the jurisdiction of the Authority.

(2) The Authority shall meet at least once in every two months.

(3) The Chairman or the Secretary with the prior approval of the Chairman shall convene a special meeting if the Chairman feels it necessary.

(4) The Authority shall observe such rules of procedure in regard to the transaction of business at its meeting as may be provided by regulations.

(5) Every meeting shall be presided over by the Chairman and if for any reason, the Chairman is unable to attend any meeting any other member chosen by the members present at the meeting shall preside at the meeting.

(6) Eight members shall form the quorum.

Section 10 - Proceedings presumed to be good and valid

No disqualification of or defect in the appointment of any person acting as Chairman or member shall be deemed to vitiate any act or proceeding of the Authority if such act or proceeding is otherwise in accordance with the provisions of this Act.

Section 11 - Sub-Committee

The Authority may for any specific purpose constitute a Sub-Committee consisting of such members not exceeding five members from amongst its members, the Chairman of the Authority shall also be the Chairman of the Sub-Committee.

Section 12 - Powers and duties of Sub-Committee

- (1) The Sub-Committee shall exercise such of the powers and perform such duties of the Authority which are delegated to it by the Authority.
- (2) The Sub-Committee shall meet at least once in a month.
- (3) The Sub-Committee shall take decisions on urgent matters to review the prompt implementation of the decision of the Authority and suggest on urgent matter for action by the State Government.
- (4) The Sub-Committee shall observe such rules of procedure in regard to the transaction of business at its meetings as may be provided by regulations.

Section 13 - Obtaining the services of experts

- (1) In order to carry out the purposes of the Act, the Authority if necessary, may obtain the services or assistance of the experts in such manner as it may deem fit.
 - (2) Honorarium and allowances payable to such experts for the services or assistance so rendered shall be of such an amount as may be prescribed;
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