
PNCA

Act 1973



Pakistan National Council of the Arts

PNCA Act 1973

(AS PASSED BY THE NATIONAL ASSEMBLY)

A BILL

to provide for the establishment of Pakistan National Council of the Arts.

WHEREAS it is expedient to provide for the establishment of a Pakistan National Council of the Arts for the patronage, promotion and development of the Arts, and for matters connected therewith or incidental thereto :

It is hereby enacted as follows :-

1. Short title, extent and commencement—

1. This Act may be called the Pakistan National Council of the Arts Act, 1973.
2. It extends to the whole of Pakistan.
3. It shall come into force at once.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context—

- a) "artistic activity" means any activity so declared by the Federal Government by notification in the official Gazette;
- b) "Board" means the Board of Governors of the Council constituted under section 4;
- c) "Chairman" means the Chairman of the Council;
- d) "Council" means the Pakistan National Council of the Arts established under section 3; and
- e) "Director-General" means the Director-General of the Council.

3. Establishment of the Council—

- 1) As soon as may be after the commencement of this Act, the Federal Government may, by

notification in the official Gazette, establish a Council to be called the Pakistan National Council of the Arts.

- 2) The Council shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

4. Board of Governors—

1. The management, overall control and supervision of the affairs of the Council shall vest in a Board of Governors consisting of the following members, namely:—
 - a) the Minister for Education and Provincial Co-ordination, Government of Pakistan, who shall also be the Chairman of the Council;
 - b) the Director-General;
 - c) the Secretary, Ministry of Education and Provincial Co-ordination, Government of Pakistan;
 - d) the Secretary, Ministry of Minority Affairs and Tourism, Government of Pakistan;
 - e) a representative of the Ministry of Foreign Affairs, Government of Pakistan;
 - f) the Financial Advisor, Ministry of Education and Provincial Co-ordination, Government of Pakistan;

- g) the Officer Incharge Culture Wing, Ministry of Education and Provincial Co-ordination (Education Division); Government of Pakistan;
 - h) the Director of Archaeology, Government of Pakistan;
 - i) The Managing Director, Pakistan Broadcasting Corporation;
 - j) the Director-General, Pakistan Broadcasting Corporation;
 - k) the Director, PIA Arts Academy;
 - l) five members of the National Assembly, including one woman member, to be elected by that Assembly;
 - m) two members of the Senate to be elected by the Senate;
 - n) twenty persons, including five women, eminent in the field of art and culture, to be nominated by the Chairman; and,
 - o) a member-secretary to be appointed by the Chairman.
2. The Board of Governors shall have power to co-opt. members from amongst person who are specialists in their respective fields, for advice on particular projects and matters under consideration.
 3. The members of the Board, excepting the ex-officio members, shall hold office for a term of three years and shall be eligible for re-election or re-nomination, as the case may be.
 4. A member of the Board, other than an ex-officio member, may, by writing under his hand ad-

ressed to the Chairman, resign his office.

5. Any casual vacancy in the office of a member other than an ex-officio member shall be filled by a person nominated by the Federal Government and the person so nominated shall hold office for the unexpired period of the term of his predecessor.

5. Director-General :

- 1) The Director-General shall be appointed by the Chairman on such remuneration and other terms and conditions as the Chairman may determine.
- 2) The Director-General shall be the chief executive of the Council and shall be responsible to the Board for carrying out the objectives of the Council.
- 3) The Director-General may, by writing under his hand addressed to the Chairman, resign his office.

6. Headquarters.— The headquarters of the council shall be at Islamabad.

7. Functions :

1. The Council shall :—
 - a) advise the Federal Government on matters of policy on artistic activity and their implementation;
 - b) improve knowledge, understanding and practice of the arts and advise the Federal Government in order to increase regional activity through systematic planning and co-ordination at all levels;
 - c) co-ordinate, evaluate and supervise activities of cultural

- organizations and individuals engaged in cultural activities;
- d) advise and assist the Provincial Governments in setting up of Provincial Arts Councils to serve as liaison between the local cultural bodies and the Council with regard to their activities and financial assistance;
 - e) plan, establish and run art academies, folk museums, exhibition halls, auditoria, art galleries and similar other institutions;
 - f) organize exhibitions of arts and crafts within Pakistan and in other countries.
 - g) organize national and regional ensembles for performance within the country and in other countries;
 - h) organize and promote cultural fairs and festivals;
 - i) help, establish and organize national unions of artists on the basis of their chosen field of activity;
 - j) help in the implementation of cultural pacts and programmes on directions of the Federal Government;
 - k) have contacts with similar organizations in other countries, through the Federal Government;
 - l) set up panels of experts in specific fields of the arts where necessary; and
 - m) perform any other function in the field of arts which the Federal Government may direct or which the Council may consider necessary or desirable.

- 2. Where it appears to the Council that an organization engaged in artistic activity which is in receipt of any grant from Federal Government or the Council, is conducting its activities in a manner contrary to the policy laid down by the Council or is in any other way mismanaging its affairs, the Council may, and where the Federal Government so directs, shall hold an enquiry into the affairs of such organization and submit a report to the Federal Government alongwith its recommendations.
8. Funds.— The fund of the Council shall be derived from the following sources, namely:-
- 1) grants of the Federal Government and the Provincial Governments; and
 - 2) Contributions and donations from individuals, local bodies, corporations, institutions, organizations and agencies.
9. Audit of Accounts.— The accounts of the Council shall be audited by an auditor who is a Chartered Accountant within the meaning of the Chartered Accountants Ordinance 1961 (X of 1961), appointed by the Federal Government in consultation with the Auditor General of Pakistan, on such remuneration, to be paid by the Council, as the Federal Government may fix.
10. Power to make Rules.— The Federal Government may by notification in the official Gazette, make rules to carry out the purposes of this Act.
11. Power to make regulations.— The Council may make such regulations as it may consider necessary for carrying the provisions of this Act into effect.

PNCA Ordinance 1979

to amend the Pakistan National Council of Arts Act, 1973

WHEREAS it is expedient to amend the Pakistan National Council of the Arts Act, 1973 (LIX of 1973), for the purpose hereinafter appearing.

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977, read with the LAWS (Continuance in Force) Order, 1977 (C.M.L.A. Order No. 1 of 1977), and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

1. Short title and commencement.-

1) This Ordinance may be called the Pakistan National Council of the Arts (Amendment) Ordinance, 1979.

2) It shall come into force at once.

2. Amendment of section 4, Act LIX of 1973:- In the Pakistan National Council of the Arts Act, 1973 (LIX of 1973), in section 4, for sub-section (1) the following shall be substituted, namely:-

"1) The management, overall control and supervision of the affairs of the Council shall vest in a Board of Governors consisting of the following members, namely;-

a) The Federal Minister-in-Charge of Culture, who shall also be the Chairman;

b) the Minister of State for Culture, who shall also be the Vice-Chairman;

Provided that, if there is no such Minister of State, the Federal Government may

nominate any member of Board to be the Vice-Chairman.

c) the Secretary to the Government of Pakistan in the Division dealing with Culture;

d) a representative of the Ministry of Foreign Affairs;

e) the Financial Advisor of the Division dealing with Culture;

f) the Joint-Secretary to the Government of Pakistan in the Division dealing with Culture;

g) the Director-General;

h) the Director of Archaeology;

i) the Managing Director, Pakistan Television Corporation;

j) the Director-General, Pakistan Broadcasting Corporation;

k) twenty persons, including five women, eminent in the fields of art and culture, to be nominated by the Chairman; and,

l) a member-secretary to be appointed by the Chairman".

General,
M. ZIA-UL-HAQ
President.

K.M.A. SAMDANI,
Secretary.

THE GAZETTE OF PAKISTAN

EXTRAORDINARY

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PART II

Statutory Notifications (SRO)

Government of Pakistan

MINISTRY OF CULTURE AND TOURISM

NOTIFICATIONS

Islamabad, the 27th June, 1981

S.R.O. 677 (I)/81. – In exercise of the powers conferred by section 10 of the Pakistan National Council of the Arts Act, 1973 (LIX of 1973) the Federal Government is pleased to make the following rules, namely:-

1. Short title and commencement. (1) These rules may be called the Pakistan National Council of the Arts Rules, 1981.

(2) They shall come into force at once.

2. Definitions. -- In these rules, unless there is anything repugnant in the subject or context,

(a) "Act" means the Pakistan National Council of the Arts Act, 1973 (LIX of 1973).

(b) "Committee" means any committee of the Board constituted under these rules.

(c) "Vice Chairman" means the Vice Chairman of the Board and

(d) "Member" means a member of the Board.

3. Meeting of the Board. (1) A meeting of the Board shall be held at least once in every financial year to consider administrative, financial and policy matters of the Council and shall be convened by the Chairman or a person authorized by him in this behalf.

(2) To constitute a quorum at a meeting of the Board, not less than one third of the total number of members shall be present.

(3) The Chairman, in his absence, the Vice Chairman, and if the Vice Chairman is also absent, a member nominated by the Chairman, shall preside at the meetings of the Board.

(4) At a meeting of the Board, each member shall have one vote and, in the event of equality of votes, the person presiding shall have a second or casting vote.

4. The authorities of the Council. The authorities of the Council shall be -

- (a) The Chairman.
- (b) The Vice Chairman;
- (c) the Executive Committee; and
- (d) the Director General;

5. Functions and powers of the Chairman. The Chairman-

- (a) shall, when present, preside over the meetings of the Board;
- (b) if he is satisfied that the proceedings of any authority are not in accordance with the provisions of the Act or rules or regulations made there under, may, after calling upon such authority to show cause why such proceedings should not be annulled, by order in writing, annul such proceedings;
- (c) shall approve all appointments of officers in Grade-17 and above; and
- (d) may expand or curtail Council's programmes within the budgetary limits approved by the Board;

6. Functions and powers of the Vice Chairman. The Vice Chairman shall, during the absence of the Chairman, exercise and perform the powers and functions of the Chairman.

7. Executive Committee (1). There shall be an Executive Committee consisting of the following members, namely;

- (a) Secretary of the Ministry dealing with Culture, who shall also be its President;
- (b) Managing Director, Pakistan Tourism Development Corporation;
- (c) Managing Director, Pakistan Television Corporation.
- (d) Director General, Pakistan Broadcasting Corporation.
- (e) Financial Adviser of the Division dealing with Culture;
- (f) Joint Secretary of the Ministry dealing with Culture.
- (g) Managing Director, National Film Development Corporation;
- (h) Director General, Pakistan Sports Board;
- (i) Director General, Pakistan National Council of the Arts (PNCA)
- (j) Executive Director, National Institute of Folk and Traditional Heritage; and
- (x) Secretary, Pakistan National Council of the Arts who shall also besides Secretary

12. **Annual report and statement of Accounts.** The Council shall, in the month of January each year, submit to the Federal Government an annual report of its activities alongwith a duly audited statement of accounts of the preceding year.

13. **Communication from the Council.** — Any notice determination, direction, requisition, appointment, expression of opinion, approval or sanction to be given or signed on the part of the Council for any or the purposes of, or in relation to, the powers or functions with which it has been invested under these rules, shall be sufficient and binding if is in writing and signed by the Director General of PNCA or an officer of the Council so authorized by him.

14. **Repeal.** The Pakistan National Council of the Arts Rules, 1974, are hereby repealed.

[F. 3-20 77-CA]

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Assistant Educational Advisor
