

**DISHA EDUCATIONAL
&
CHARITABLE TRUST**

**MEMORANDUM
OF ASSOCIATION
As Per
Government Rules
And Regulations**

CITY -PANCHDEWARI KATEYA
DISTRICT- GOPALGANJ
STATE – BIHAR
(Pin Code - 841441)

**DISHA EDUCATIONAL AND
CHARITABLE TRUST**
PANCHDEWARI , GOPALGANJ DISTRICT, BIHAR

MEMORANDUM OF ASSOCIATION

Date :-

1. Name:

The name of the institution will be **DISHA EDUCATIONAL AND CHARITABLE TRUST** PANCHDEWARI at GOPALGANJ

This Trust DEED is made between sh. Durgeshwar Nath Tiwari S/o Sh. Banka Tiwari, age 31 resident of vill- Tiwari Chhapra, P.o- Bhathawa, P.s- Kateya, Distt- Gopalganj, Pin Code – 841441, Bihar
AND
Sh.Arvind Sharma

Together and jointly both Sh.Arvind Sharma and Sh. Durgeshwar Nath Tiwari S/o Banka Tiwari, are the Founders of the **Disha Educational and Charitable Trust.**

2. Registered Office:

The Registered Office of the Trust shall be situated at CITY- PANCHDEWARI, GOPALGANJ District, BIHAR.

3. Objects of the Trust:

The objects of the Trust are:

The Trustees shall collect the interest and income of the trust fund and pay there from all costs, charges and expenses which may have to be incurred for the collection of the same for the administration and management of the trust fund and the appointment of any new additional trustees which may from time to time be made hereafter and utilise the balance of such interest and income in India for the charitable purposes hereinafter mentioned for the benefit of the inhabitants of India without any distinctions of caste, community, creed or religion:

The objectives of the Trust can be as given below:

1. To provide, establish, endow, maintain, control and manage the proposed school and to perform all acts and to do all things necessary for or conducive to the promotion of the proposed school.

2. To establish, develop, maintain and manage hostel for the residence of the students of the proposed school.
3. To aid the up gradation of the proposed school to higher levels of education.
4. To prepare, introduce, supervise and amend curricula, syllabi and other programme regarding the education of the students in the aforesaid school.
5. To create teaching, administrative, technical, ministerial and other posts required for running the proposed school and to make appointments and promotions thereto.
6. To arrange for the training of the staff of the proposed school.
7. To constitute Committees as may be deemed fit for improving the functioning of the school and to prescribe their powers, functions, tenure etc.
8. To acquire, hold and dispose of the property in any manner whatsoever for the purpose of the proposed school.
9. To construct, improve, alter, demolish repair and maintain any building or buildings for the purpose of the proposed school.
10. To deal with the property belonging to the proposed school in such manner as may be deemed fit for advancing any of the objectives of the aforesaid school.
11. To give pension, gratuities or charitable aids to teachers, staff and other employees or ex-employees of the proposed school or to their wives, children and other dependents, to make payment towards insurance and to form and contribute to provident and benefit funds for the benefit of any person employed by the proposed school or of the wives, children or relatives or dependents of such persons.
12. To maintain a fund to which shall be created:
 - i) All grants received from the Government.
 - ii) All fees and other charges received from the students.
 - iii) All moneys received by way of gifts, donations, benefactions, bequests or transfer, and
 - iv) All moneys received in any other manner or from any other source.
13. To subscribe to or to become a member of or to take over or to co-operate or amalgamate with any other organization, institution or association having objects wholly or in part similar to those of the proposed school, and to aid any other school in such a manner as the proposed educational Trust deems fit.

14. To fix and arrange to collect such fees and other charges as may be laid down by the Rules and Regulations under them.
15. To deposit all moneys credited to the fund mentioned above in such banks or to invest in such a manner as the proposed Trust may decide.
16. To borrow or raise moneys with or without securities or on the security of a mortgage, charge, hypothecation or pledge, over all or any of the immovable or movable properties belonging to the proposed school or in any other manner whatsoever.
17. To draw, make accept, endorse and discount cheques, notes or other negotiable instruments and for this purpose, to sign, execute and deliver such assurances and deeds as may be necessary for the purposes of the proposed school.
18. To do all such things as may be considered necessary, incidental, or conducive to the attainment of all or any of the objects of the proposed school.
19. To run all categories of Schools (Primary, Secondary, Higher), technical educational institutions, vocational training institutions and colleges including community colleges for the benefit of students and other concerned.
20. To act as a link between the Central and State Governments and other appropriate agencies for formulation and implementation of programmes, projects and schemes for integrated rural development and to accept necessary grants and funds for carrying out these activities.
21. To take up and implement programmes/ schemes intended for rural development and included in the list of programmes approved by Council for Advancement of People's Action and Rural Technology (CAPART) and to do all such things as may be considered necessary for, incidental or conducive to, the attainment of the said object.
22. To undertake development of community infrastructure such as roads, buildings, hospitals, schools, youth clubs, community halls, libraries, houses for weaker and economically backward sections of the Trust.
23. To establish homes for the children in need of care and protection and to provide all facilities for their growth and development.
24. To organize adult education, non-formal education and supplementary education centres for promotion of literacy.
25. To accept donations, grants and assistance in any form, from the Government, Foreign donors and any other implementing agencies and to furnish information regarding the physical and financial progress of the schemes/programmes to the concerned organizations and authorities.
26. To raise funds (in cash or kind) subscriptions, property of any kind from the people, institutions, organizations and agencies.

27. To acquire by gift, purchase, exchange, lease or hire or otherwise howsoever any lands, buildings, equipments, and any other property movable or immovable for any estate or interest for the furtherance of all or any of the objectives of Disha educational and Charitable Trust.
28. To collaborate with other institutions, associations, agencies and societies in India or Abroad, interested in the objectives of Disha educational and Charitable Trust.
29. To offer prizes, awards, scholarships and grants in furtherance of the objectives of Disha educational and Charitable Trust.
30. To work in collaboration and/or implement programmes and schemes of State/ Central Government or any other agency for universalisation of education, particularly elementary school education and to do all such things as may be considered necessary for, incidental or conducive to, the attainment of the said objective i.e., universalisation of education.
31. To organize child labour rehabilitation programmes/centres, conduct campaigns against child labour, train community teachers, conduct bridge courses, summer camps, remedial courses and organize all stakeholders including parents and members of the community as a further measure of universalisation and access to education for all.
32. To organize women into effective Self Help Groups (SHGS), DWACRA groups, who will initiate group action programmes for women and child welfare and their economic development, and to borrow or obtain assistance from Government organization, financial institutions, foreign donor agencies or other similar organizations, to promote this activity.
33. To improve the income levels of poor families by organizing women into effective groups, enhancing their capabilities by upgrading their skills and to act a facilitator with backward and forward linkages.
34. To organize youth rallies, Mahila meetings and children conferences in order to create awareness and empowering these sections.
35. To organize and provide day care centres and residential homes for the old aged, physically handicapped, mentally challenged, and other disabled persons and to provide necessary assistance and help for their rehabilitation and well being and to get assistance from Government organizations, foreign donor agencies or other similar organizations interested in the welfare of the above mentioned disadvantaged group of persons.
36. To carry out the aforesaid Objects, the Trust is hereby authorized and empowered to issue certificates, diplomas etc.

OBJECTS:

A. TOWARDS ADVANCEMENT OF EDUCATION:

- i. Sponsor, establish, maintain and/or run training programmes at educational or vocational institutes, for the promotion of skills in arts and crafts;
- ii. Donate to other organisations, institutions and/or trusts running schools, colleges or vocational training institutes amounts in aid of maintaining and running these centres of education and training;
- iii. Meet, in part or in full, expenses incurred or liable to be incurred for and in the course of apprenticeship to any craft, undertaken as a part of formal training in as institute or otherwise;
- iv. Provide scholarship, grants, loans with or without interest in India to indigent and/or meritorious pupils at schools, and university students to complete their schooling or college education and/or to pursue advanced studies in arts, sciences, technology, management and other professions;
- v. Provide term fees, examination fees, texts books, note books and other stationary, scientific and laboratory instruments and such other things as are necessary and the Trustees deem fit, to enable indigent and meritorious pupils, students and scholars to successfully pursue and complete their education or research programme.

B. TOWARDS MEDICAL AID:

- i. Sponsor, establish, maintain and/or run charitable hospitals, nursing homes, clinics, sanitarium, dispensaries, ambulance rooms, first aid centres and after cure homes for rehabilitation;
- ii. Donate to other organisations, institutions and/or trusts running such charitable hospitals, nursing homes, clinics, sanitarium, dispensaries and/or other after cure centre for rehabilitation, amounts in aid of maintaining and running these centres of medical aid;
- iii. Meet, in part or in full, expenses incurred or liable to be incurred in medical investigation including costs of Biopsy, Catheterisation, X-Ray examination and/or other chemical or pathological tests;

- iv. Meet, in full or in part, through outright grant or interest free loan in India, expenses of hospitalisation, surgical correction and/or recuperative case;
- v. Provide medicines, drugs, vitamins and/or tonics, free of cost or at subsidised rates, to the indigent sick or aged through such charitable institutions as enumerated above otherwise;
- vi. Provide free of cost or at concessional rates to the disabled poor supports such as belts, braces, crutches, artificial limbs etc.
- vii. To promote health, physical fitness, by adopting all necessary available means.

C. TOWARDS THE RELIEF AND REHABILITATION ON OF WIDOWS AND OTHER WOMEN WITHOUT SUPPORT, ORPHANS, THE AGED AND THE POOR:

- i. Sponsor, establish, maintain and/or run homes for the widows and other women without support; rescue homes for the fallen; homes for the aged; the foundlings and/or orphanages;
- ii. Donate to other organisations, institutions and/or trusts running such homes for the relief and rehabilitation of women, the aged, the foundlings and the orphans, amounts in aid of maintaining and running these charitable establishments;
- iii. Provide free of cost food, clothing, including woollen wear, blankets, etc. to such poor women, aged men and orphans through such charitable institutions enumerated above or otherwise;
- iv. Provide pecuniary assistance to widows and the indigent in care of orphans towards the maintenance of such dependants and in the case of female dependents, for their wedding on attaining the appropriate age of matrimony;
- v. Meet the expenses incurred or liable to be incurred in the connection with the funeral and obsequies of the deed without any support, whether inmates of such relief and rehabilitation homes or not.

D. TOWARDS OTHER CHARITABLE AND PUBLIC CASES:

- i. Donate amounts towards relief and rehabilitation of the populace effected by and through natural calamities such as cyclones, earthquakes, epidemics, fires, famines, floods, tempests etc or otherwise aid and assist in the relief and rehabilitation operations;

- ii. Dig and establish wells and fountains or assist in the repair and maintenance of such wells and fountains, for public use without any distinction of race, religion, caste or creed;
- iii. Erect and establish choulteries, dharma Salas, rest houses, musafir khanas etc at places of public importance for the common use of all visitors to that centre and/or assist in the repairs maintenance or running of the existing establishment of such or similar nature;
- iv. To undertake, sponsor or assist in the undertaking, sponsoring or maintenance of programmes for upliftment of the rural masses;
- v. To promote and undertake swachh bharat abhiyan related activities;
- vi. To donate amounts for the promotions and maintenance of such other utilities of common weal and other charitable objectives as the trustees may deem fit.

7. BENEFICIARIES OF THE TRUST:

The Trust is established for the benefit of public at large.

CERTIFICATES

1. Certified that the Association is formed with no profit motive and no commercial activity is involved in its working.
2. Certified that the Association would not engage in agitational activities to ventilate grievances.

4.

DECLARATION

We, the undersigned persons in the Memorandum, have formed into an Association and are responsible to run the affairs of the Trust and are desirous of getting the Trust registered under the Societies Registration Act, XXI of 1860.

S. no	Name	Occupation	Address	Signature
1	MR: ARVIND KUMAR SHARMA President	BUSINESSMAN	MANJHWALIYA	Sd/-
2	MR :DURGESHWAR NATH TIWARI Secretary & TREASURER	BUSINESSMAN	TIWARI CHHAPRA	Sd/-
3	Kumari Reetu Dwivedi VICE - President	BUSINESSMAN	TIWARI CHHAPRA	Sd/-
4.				

Place : GOPALGANJ Date

Secretary& treasurer

1. Signature

Sd/-

S. DURGESHWAR NATH TIWARI

S/o. BANKA TIWARI

TIWARI CHHAPRA ,PANCHDEWARI
GOPALGANJ

President

2. Signature

Sd/-

MR . ARVIND KUMAR SHARMA

S/O RAMNATH SHARMA

MANJHWALIYA , DHARHRA MELA ,GOPALGANJ

DISHA EDUCATIONAL AND CHARITABLE TRUST

PANCHDEWARI , GOPALGANJ DISTRICT, BIHAR

RULES AND REGULATIONS

1. The name of the institution shall be DISHA EDUCATIONAL AND CHARITABLE TRUST hereinafter called the Trust.

2. Location: The Registered Office of the Trust shall be situated at PANCHDEWARI ,GOPALGANJ district, BIHAR

3. Membership: The Trust shall consist of the following classes of membership:

1. a) **Patron-in-Chief: Both Sh.Arvind Sharma and DURGESHWAR NATH TIWARI** will be the Honorary Patron-in-Chief.

b) **Patrons : Both ShArvind Sharma DURGESHWAR NATH TIWARI** is the Partron in the education trust and both will pay the amount Rs. 2,51,000/- through cheque in Disha educational Bank account. And the said Bank Account mandatorily will bear siganatoriesas President must and any one of Secretary asnd/or Vice President.

2. General:

The names of the Hon. Patron-in-Chief, patrons and donors will be exhibited at the appropriate places of the Trust as decided by the Governing Body.

3. Termination of membership:

The membership shall get terminated.

- a) On resignation
- b) On adjudication as insolvent
- c) On death
- d) On the recommendation of the sub-committee appointed by the General Body to enquire into the activities of any member found to be acting against the interests of the Trust, with the approval of the Governing Body. In case the Governing Body differs with the recommendations of the sub-committee, the matter will be referred back to the General Body for final decision

4. General Body:

The General Body of the Trust shall consist of all classes of members mentioned under clause 3 (b), (c) and (d).

5. Functions of the General Body:

I. The General Body shall meet once in every year in the month of September or any extended date not exceeding six months as may be decided by the Governing Body and such meeting shall be called Annual General Body.

- a) To review the activities of the Trust.
- b) To set up guidelines and targets for the achievements of the Objectives of the Trust.
- c) To review and approve the audited statements of accounts of the Trust and institutions under its management for the previous year.
- d) To discuss and pass the Annual Budget recommended by the Governing Body for the ensuing year.

II. a) The General Body shall have the power to add, amend, repeal, from time to time any of the purposes for which the Trust has been established in accordance with section 12 of the Societies Registration Act.

b) The General Body shall have the power to add, amend, repeal any of the rules and regulations by a resolution with two thirds majority of the members present.

III. The General Body will not make any addition, alteration/amendment to the objects of the Trust without the prior approval of the Director of Income Tax.

IV. The General Body shall have power to appoint auditors who shall hold office till the conclusion of the next Annual General Body meeting.

V. The General Body shall have power to write off any arrears or authorize the Secretary to deal with or compromise any litigation.

VI. The General Body shall have powers necessary or incidental to the carrying out of the objects of the Trust.

6. Meeting of the General Body:

a) ORDINARY MEETING:

The Ordinary meeting of the General Body should be convened by the Secretary with thirty days clear notice once in a year.

b) EXTRAORDINARY MEETING:

The President or the Secretary may convene any extraordinary General Body Meeting on their own initiative to transact any matters of urgent importance with a notice of ten days.

c) REQUISITION MEETING:

10 members or 1/3 of the total members, whichever is lower, may requisition the Secretary in writing for convening of a General Body Meeting within one month from the service of the notice. If the Secretary fails to convene such a meeting within one month after receipt of such requisition notice, the President may convene such a meeting within seven days notice thereafter and if the Secretary and the President also fail to convene the meeting, as stated above, the members who originally requisitioned the meeting may themselves convene the meeting with seven days notice to all the members and the proceedings of such a meeting shall be valid and binding on all the members.

- d) Notice of the General Body Meeting shall contain the date, place and time of the meeting with details of agenda and shall be dispatched under certificate of posting or delivered personally obtaining acknowledgement. Any member of the General Body shall have the right to send proposals in writing to the Secretary for inclusion in agenda at least ten days before the General Body Meeting and on receipt of such information the Secretary shall include the same in the agenda. All matters in General Body meetings shall be decided by a vote of majority of the members present at the meeting and in the event of a tie, the President shall have a casting vote. The quorum of the General Body meeting shall be 1/3 of the total number of members. If there is no quorum the meeting will stand adjourned to the same day in the next week and there need not be any quorum for such adjourned meeting.

7. Management:

The management and administration of the Trust shall vest in the Governing Body duly constituted under Clause 10.

8. Governing Body:

The Governing Body shall consist of members not exceeding 13. Both The Honorary Patron-in-Chief will be a permanent invitee to the Governing Body meetings. The members of the Governing Body will be elected by the General Body. Both The Patron-in-Chief will nominate one of the elected members of the Governing Body as President, one as Secretary, one as Vice-President and one as Treasurer. The members to be elected to the Governing Body will be from and out of the members of the General Body under Sub-Clauses (c) and (d) of 3 (1). Both the Honorary Patron-in-Chief will have right to vote.

I. ELECTION:

The procedure for elections will be as decided by the Governing Bo

9. **I. Functions of the Governing Body** : The Governing Body shall:

- a) Have power to set up an advisory body consisting of eminent persons of the Trust. The function of the Advisory Body is to advise the Governing Body from time to time on such matters that are referred to it by the Governing Body.
- b) Exercise general control over the policies of the Trust and establish and maintain sound traditions to attain the aims and ideals of the Trust.
- c) Have the power to lease, sell, transfer or purchase any properties on behalf of the Trust or for the Institutions under its management.
- d) Have the power to constitute a Committee to inspect registers, accounts and other documents of the Institutions managed by the Trust.
- e) Call for reports from the principals of the Colleges and Heads of the other institutions under its management from time to time and review the same.
- f) Maintain, construct, alter any structure or buildings and provide amenities to the staff and the students.
- g) Have power to appoint persons to the selection posts and to appoint Selection Committees, wherever necessary to make appointments.
- h) Make arrangements for the audit of the accounts of the Trust and the institutions under its management by the Auditors, who shall be appointed by the Governing Body in the first year and by the General Body subsequently.
- i) Prepare and submit Annual Budgets for the approval of the General Body.
- j) Have the power to admit new members of the Trust on a proposal sponsored by at least 2 members of the Governing Body.
- k) Present the Annual Accounts including the Balance Sheet and the Audit Report of the previous year and budget estimates for the coming year before the Annual General Body meeting.
- l) Make rules and regulations bye-laws and procedures for the administration of the institutions run by the Trust.
- m) Be the custodian of all the properties of the Trust.

- n) Have power to borrow or otherwise raise funds on behalf of the Trust as well as the Institutions under its management and to spend the same for achievement of the Objects of the Trust.
- o) To perform all other duties/discharge responsibilities for running the Trust.

II. Meetings of the Governing Body:

a) Ordinary Meeting:

The Governing Body shall meet at least once in a month and 7 days notice shall be given by the Secretary/Treasurer to convene such meetings.

b) Extraordinary Meetings:

The President or the Secretary may call for an Extraordinary Meeting on his own initiative to transact matters of urgent importance with such notice as may be practicable under the exigencies of the circumstances. The notice of every meeting shall indicate the time, place and date of the meeting together with agenda and may be sent either under certificate of posting or by personal delivery under acknowledgement. However, this does not apply to Extraordinary Meeting, which can be convened by employing other modes of communication.

- c) Every member of the Governing Body shall have the right to send proposals in writing to the Secretary for inclusion in the agenda three days before the meeting date. With the permission of the President any matter may be moved for consideration in the meeting by any member.
- d) The quorum for the meeting of the Governing Body shall be one-third of the total number of its members.

10. President:

- a) The President shall preside over all the meetings of the General Body and the Governing Body.
- b) The President shall have the right to call for an Extraordinary Meeting of the General Body or Governing Body for transacting matters of urgent importance if the Secretary fails to do so.
- c) **When the President happens to be out of station for more than a month or otherwise unable to attend to his duties he shall delegate his power in writing to one of the Vice Presidents to act as President in- charge during his absence.**
- d) **The President and/ or the Secretary shall be signatory for purpose of all Bank transactions.**

11. Vice-President:

In the absence of the President, the Vice-President shall preside over the meetings of the General Body and perform all the functions of the President.

12. General Secretary:

13. Secretary:

- a) The Secretary shall be incharge of all the records of the Trust and shall be responsible for their proper custody.
- b) The Secretary shall convene the Meetings of the General Body and the Governing Body Meetings as provided for in these Regulations.
- c) The Secretary shall convene the meeting of the General Body if a requisition is made to him in writing by the members of the General Body as per Clause 8 (c).
- d) The Secretary shall be the chief executive and shall carry out all the resolutions of the General Body and the Governing Body.
- e) The Secretary shall place all the Annual General Body meeting the budget estimates for the coming year and the audited accounts including the audited balance sheets of the Trust and the institutions managed by the Trust for the completed previous year.
- f) The Secretary shall be entitled to sue and is liable to be sued in the name of the Trust.
- g) The Secretary shall prepare the agenda for the meetings of the General Body and the Governing Body in consultation with the President.
- h) The Secretary shall also act as the Ex-officio correspondent of all the institutions owned by the Trust till independent correspondent or correspondents are appointed for the institutions.
- i) The Secretary shall maintain or cause to be maintained the minutes of the proceedings of all the meetings of the General Body and Governing Body which shall be signed by the president of the meeting. They constitute the permanent record of the Trust.
- j) The Secretary shall function, as correspondent or correspondents.
- k) The Secretary
 - i) Shall look after the day-to-day administration of the institutions managed by the Trust.
 - ii) Shall call for and obtain from the heads of the institutions information required from time to time by the Education

Department of the Government of Andhra Pradesh, the University, the University grants commission and States or Central authorities and the Governing Body.

iii) Shall be the appointing authority to all posts as sanctioned by the Governing Body and in accordance with the procedure laid down by the Governing Body except the selection posts which consist of heads of institutions, professors, readers, experts and examiners and any other posts declared as such by the body. Every appointment made by the Secretary shall have to be ratified or approved by the Governing Body.

iv) Shall have the power to award punishment such as suspension or withholding of increment to any of the members of the staff for whom he is the appointing authority. The affected party may appeal against the orders of the Secretary within 15 days of

receipt of such orders, to the Governing Body. The decision of the Governing Body shall be final. They shall follow the principles of Natural Justice in the exercise of these powers.

v) Shall carry out all government orders, proceedings of the Director of Higher Education,

vi) The Secretary shall be the chief custodian of all the properties of the Trust and the books of accounts of the Trust and the institutions managed by it.

vii) He shall be the authority to obtain loans and borrowings in the name of the Trust.

viii) The Secretary shall make payment of the bills.

ix) The Secretary/Treasurer shall supervise preparation of the accounts including balance sheet of the Trust and the institutions run by the Trust and submit them for audit.

x) The Secretary shall prepare Budget Estimates of the Trust and submit the same along with the audited statements of the Trust and institutions to the Governing Body and General Body.

xi) The Secretary shall not retain with himself more than Rs.500/- or within such other limits as may be prescribed by the Governing Body from time to time at any time, in cash, for more than one week.

14. No Confidence Motion:

a) All or any of the office bearers may be removed by 2/3rd majority of the members of the Governing Body in a meeting called specially for that purpose. No such resolution can be passed within one year from the date of election of such office bearers. Notice of such resolution of such a meeting shall be signed at least by 1/3rd or the total members of the Governing Body.

b) The successor in office shall be elected in the same meeting among the existing members of the Governing Body who shall hold the office for the unexpired portion of the term of the office bearers who vacate

under clause (a).

15. Funds:

- a) Funds of the Trust hereby constituted include the contributions of the members and the donations collected from the public and loans if any raised from the public.
- b) Funds of the Trust shall be deposited in a Scheduled Bank in the name of the Trust and the bank account shall be operated upto by the Secretary/Treasurer or the President.
- a) **If, for any reason, the Secretary/Treasurer is unable to operate the bank account, the President and vice- president in such case, will be the signatory to operate the bank accounts.**

- b)** No members shall retain with himself any funds of the Trust for more than a week without being remitted to the Secretary/ Treasurer.
- c)** The funds shall be spent only for the attainment of the objects of the Trust and no portion thereof shall be paid, transferred, diverted directly or indirectly, to any of its members through any means.
- d)** In furtherance of clause (e) above, the funds of the Trust shall be utilized as follows:
 - i) To acquire, purchase or sell any or all movable or immovable properties and to acquire by purchase or otherwise any rights or privileges including rights on immovable properties for the Trust.
 - ii) To invest and deal with all monies of the Trust upon such securities and in such manner as may from time to time be determined by the Trust.
 - iii) To pay either in case or otherwise for any property or rights acquired and services rendered to the Trust.
 - iv) To borrow, guarantee, raise or otherwise procure monies on the security of movable, immovable or other assets of the Trust or otherwise for carrying on all or any of the objects of the Trust at the discretion of the Governing Body.
 - v) To do all or any of the above things, transactions or matters whether alone or in conjunction with others either by or through servants, employees or otherwise and to do all such other things as are incidental or conducive to the attainment of the above objects or any of them.
 - vi) Investment of funds of the Trust shall be made in accordance with the provision of Sec. 11 (5) of the Income Tax Act, 1961.

16. Accounts:

- a) The accounts of the Trust shall be maintained for the official years ending 30th June of each year.
- b) The accounts shall be compulsorily audited by a Chartered Accountant appointed by the General Body in its annual meetings.

17. General:

- a) If, at any meeting, both the President and Vice-President are absent any member from out of the members present shall be elected as Chairman of the meeting to conduct the proceedings of that meeting only.

- b) Any subject once disposed of either in General Body or the Governing Body shall not be reopened within six months of such disposal. But it shall be open to the President or the Secretary/Treasurer to have the subject reconsidered in the light of the special circumstances or new set of facts that may arise and require immediate consideration.

18. Dissolution:

On dissolution of the Trust, the assets of the Trust shall be transferred /handed over to a Trust having similar aims and objects and also registered u/s. 12A of the Income Tax Act.

19. We, the several individuals, whose names and addresses are subscribed herein below, are desirous of being formed into the first registered Governing Body of the Trust in pursuance of these Articles of Association and have signed against our names herein below:

S. no	Name	Occupation	Address	Signature
1	MR: ARVIND KUMAR SHARMA S/o – Ramnath Sharma President	BUSINESSMAN	MANJHWALIYA P.o- Dharahara, P.s- Kateya, Distt- Gopalganj	Sd/-
2	MR :DURGESHWAR NATH TIWARI S/o – Banka Tiwari Secretary & TREASURER	BUSINESSMAN	TIWARI CHHAPRA, P.o- Bhathawa Bazar, P.s- Kateya, Distt- Gopalganj	Sd/-
3	KUMARI REETU DWIVEDI D/o – Parasadhar Dwivedi VICE -President	BUSINESSMAN	TIWARI CHHAPRA, P.o- Bhathawa Bazar, P.s- Kateya, Distt- Gopalganj	Sd/-

and the award passed by Arbitrator will be final and binding upon all the trustees/members.

10- Addition /deletion/termination/resignation of a trustee/member etc will be as per rules and regulations.

11- One trust meeting in a month is mandatory

12- Resignation of any member trustee to be handed over to President and it will be kept in next meeting

13- AGM once in a year as per rules and regulations.

**DISHA EDUCATIONAL AND
CHARITABLE TRUST**
PANCHDEWARI, GOPALGANJ DISTRICT, BIHAR

Below are the Members in the trust:

- | | |
|---|---|
| 1. MR: ARVIND KUMAR RAMNATH SHARMA | President |
| 2. MR :DURGESHWAR NATH TIWARI | Secretary |
| 3. KUMARI REETU DWIVEDI | VICE -President |
| 4. MR.VINOD KUMAR N. SHARMA | TREASURER |
| 5. MR.RAMNATH J. SHARMA | Member |
| 6. MR.AMBESHWAR TIWARI | Member |
| 7. MR.ARVIND A SHARMA | Member |
| 8. MR. Advocate ANUP S. DHANNAWAT | Advisor to Trust &
Spl.Invitee as Arbitrator |

TRUST ADMINISTRATION AND POWER TO THE BOARD:

A. The Board of Trustees shall have power to:

- i. To administer the Trust, its properties and affairs and do all the things which will fulfill the performance of the objects for which the Trust is established and for this purpose the Board can apply the whole or any part of the Trust property towards the payment of the expenses of the Trust.**
- ii. The income and the properties of the Trust will be solely utilized towards the objects of the Trust and no portion of it will be utilized for payment to the Settler, or Trustees or their relatives by way of salary, allowances, profit, interest, dividend etc.**
- iii. To open one or more bank accounts and operate the same or provide for operation of the said accounts by any two among them authorized on their behalf.**
- iv. To invest the Trust funds in the manner not prohibited by any provisions of the Income Tax Act, 1961.**
- v. To buy, sell, mortgage, grant, lease, hire or otherwise alienate all or any of the properties of the Trust in its discretion for adequate consideration.**
- vi. To execute power of attorney or powers of attorney to any person for the purpose of executing, administering or managing the whole or any part of the Trust for the purpose of all or some among the objects of the Trust.**
- vii. To borrow money with or without security and to repay the same.**
- viii. To receive, collect and enforce recovery of all monies due or payable to the Trust and grant receipts and discharges therefore.**
- ix. To settle, compromise or compound any disputes or refer the same to arbitration or litigation.**
- x. To receive voluntary contributions from any person or persons from India or outside, after complying with the statutory formalities, by**

way of donation, gifts or in any other manner and to hold the same upon Trust for the objects set forth herein.

- x. To appoint, suspend, dismiss or otherwise deal with the staff required for the administration of the Trust, to frame rules relating to their salaries and other benefits and generally to exercise all powers ancillary and incidental to effectively carry out the objects of the Trust.
- xi. The Board shall have power to make and rescind rules and regulations for the management and administration of the Trust.
- xii. No Trustee shall commit any act or breach of Trust of the Trust fund or property or cause any loss to the Trust property or commit fraud in the administration of the Trust fund / property.
- xiii. The Trustees shall hold honorary office and shall not be entitled to any Salary, allowances or perquisites, except for the reimbursement of actual expenses incurred in connection with attending to the Trust matters.
- xiv. The Board of Trustees will follow the instructions given by any donor who makes substantial contribution towards furtherance of the objects of the Trust, so long as such instructions are not detrimental to the attainment of the objects of the Trust and are in conformity with the provisions of the Income-tax Act, 1961.
- xv. For the management and administration of the Trust, the Trustees shall elect one amongst themselves for each of the offices of Vice President, Secretary and Treasurer. The term of office for Vice President, Secretary and Treasurer shall be for a period of one year from their date of appointment and they may be re-elected for further terms. The persons holding these offices of Vice President, Secretary and Treasurer shall be under the administrative guidance and supervision of the Managing Trustee and will report to him directly.

B. ROLES AND RESPONSIBILITIES AND POWERS

The Roles, Responsibilities and powers of all these officers is defined below. In addition to these, the Managing Trustee may grant additional roles, responsibilities and powers to any of the Trustees.

i. MANAGING TRUSTEE:

- a. In addition to discharging normal duties of a trustee, the Managing Trustee shall preside over meeting of the Board of Trustees. The Managing Trustee is authorized to sign all documents, including bank documents, acknowledgements for the contributions received, and agreements with individuals, Government Institutions and other organizations, on behalf of the Board of Trustees. The Managing Trustee shall have all the residuary powers, not explicitly assigned to any of the other officers in these presents.**
- b. The Managing Trustee is authorized to sign along with the Treasurer bank cheques, deposit release vouchers etc. The Managing Trustee is empowered to remove any Trustee from the Trust and its offices, if he/she finds that his/her activities are not congenial to the activities of the Trust.**
- c. The Managing Trustee is responsible for ensuring that the Trust pursues its Objects and for maintaining the dignity of the Trust organization and shall use his/her influence to promote the activities of the Trust.**

ii. VICE PRESIDENT:

The Vice President shall discharge the duties of the Managing Trustee, in the absence of the Managing Trustee of the Trust and shall have the power and authority delegated and assigned to him/her by the Managing Trustee.

iii. SECRETARY:

- a. The Secretary shall maintain the records of the organization prepare and circulate agenda and minutes of Board of Trustee meeting for the approval of the Managing Trustee.**
- b. The Secretary shall be also responsible for the day to day administration activities of the Trust. The Secretary shall deal with correspondence received by the Trust, send replies in consultation with the Managing Trustee and/or Vice President and/or the Treasurer where necessary. He/she is responsible for the safe custody of all the properties and records of the**

Trust. The Secretary shall represent the Trust in all legal matters, sign the papers related to legal cases, attend to courts or represent the Trust in Government offices.

iv. TREASURER:

- a. The Treasurer will prepare Annual Budget, monthly and yearly expenditure statements get the expenditure audited by auditor duly appointed by the Board of Trustees and place them before the Board of Trustees for approval. The Treasurer is responsible to maintain cash book and prepare vouchers for the payments made, receive contributions, sign acknowledgements for the amounts or articles received by the Trust and prepare monthly and yearly statements of revenue and expenditure, as well as, the register of assets of the Trust and place them before the Board of Trustees for their approval.**
- b. The Treasurer is authorized to sign bank cheques, application for drafts and payment instructions jointly with the Managing Trustee and draw money from the bank, upto the limits defined by the Board of Trustees in their meetings. The Treasurer is responsible for safe custody of cash, bonds, securities etc. of the Trust.**

MEETING OF THE BOARD OF TRUSTEES:

The Board of Trustees should meet atleast once in every calendar quarter and may meet more often when required.

- i. The meeting of Board of Trustees shall be convened by the Managing Trustee and he shall preside over the meetings. In his absence, the Managing Trustee may authorize the Vice President to be the Chairman of such meetings. In the event the Managing Trustee or Vice President are not able to attend the meeting already convened, any of the Trustees present in the meeting may elect one amongst themselves to be the Chairman of the meeting.**
- ii. One half of the Board of Trustees or a minimum of two trustees, whichever is higher, shall constitute the QUORUM for the Board of Trustee meetings.**
- iii. All decisions shall be carried out by the majority decision of the Board but in the event of equality of votes, the Chairman presiding over the meeting shall have a casting vote.**

- iv. Any resolution in writing signed by all the Trustees by circulation shall have equal force as though it has been passed at a meeting of the Board of Trustees.
- v. The meeting of the Board shall be conveyed after giving at least a week's notice unless all the Trustees agree to accept a shorter notice.
- vi. The Board of Trustees may invite other persons interested in the objects and functioning of the Trust to attend the meetings of the Board, but they shall not be entitled vote in the meetings of the Board.

BANK ACCOUNT:

The Managing Trustee and the Treasurer shall jointly & severally operate Bank Accounts on behalf of the Trust. In their absence, any of the Trustees may be authorized by the Board of Trustees, by a resolution, to operate the bank accounts. One or more Bank Accounts may be opened in any Bank and or Banks in the name of the Trust.

INVESTMENT OF TRUST FUNDS:

- i. The Board of Trustees shall have the power to invest the funds, assets and properties of the Trust at their discretion in accordance with the provisions of the Income Tax Act, 1961.
- ii. The Board shall also determine from time to time, the amount it shall spend on the various activities of the Trust.

ACCOUNTS AND AUDIT:

- i. The financial year of the Trust shall be from 1st April to 31st March of the following year, unless otherwise decided by the Board of Trustees.
- ii. The Board of Trustees shall maintain true and correct accounts of the Trust.
- iii. The accounts of the Trust shall be annually audited by a Chartered Accountant appointed by the Board of Trustees and the audited statement

of account shall be placed before the Board for its approval within three months of the close of the financial year.

AMENDMENTS:

- i. While this Trust shall be irrevocable, the Board of Trustees may amend any of the clauses except those relating to objects of the Trust, the First Managing Trustee and First Trustees, at a duly convened meeting of the Board and by a resolution passed by atleast three-fourths majority of the Board of Trustees present and voting. The amendments to the Trust deed can only be passed by a resolution of the Board of Trustees in an actual meeting and not by circulation.
- ii. If any alteration or amendment is necessary, the same shall be affected through supplementary deed/deeds with the approval of the Commissioner of Income Tax and these shall be read together with the main Trust deed.

INDEMNITY:

- iii. The Board of Trustees shall be indemnified for any act done by them in good faith in the course of the administration of the Trust.

APPLICATION OF INCOME TAX ACT:

All clauses herein are intended to secure exemption from Income Tax on the income of contributions and donations to the Trust and any clause or portion of this Deed of Trust which is inconsistent with or repugnant to the sections of the Income Tax Act, 1961 as amended, substituted or modified from time to time, shall be deemed to be deleted or modified with effect from the date on which the sections to which the clause or part of a clause is repugnant or inconsistent comes into force.

POWER TO FRAME RULES:

The trustees shall have power from time to time to frame such rules and regulations, as they may think fit and proper, for the management and administration of the Trust, its institutions, and funds and its properties and also alter or vary the same provide that such rules and regulations shall not be inconsistent with any of provisions of the scheme and /or of the Bombay Public Trust Act, 1950 or the rules made there under.

DISSOLUTION:

In the event of dissolution of the Trust, the entire Trust funds shall be realized and first be used for payment of liabilities of the Trust. The assets left if any, shall be disbursed to other Trusts or Associations having similar objectives after obtaining previous approval of Commissioner of Income-tax and in no event it shall be distributed in any manner, to any of the Board of Trustees or their relatives or related concerns.

SCHEDULE

At present, the Trust has no property or assets, either movable or immovable, other than the Trust Fund and the immovable properties, donated by the SETTLOR, as described in the Schedule below:

Cash contribution to the Corpus Fund of the Trust of Rupees _____
(Rupees _____ only)

IN WITNESS WHEREOF THE SETTLER AND THE FIRST TRUSTEES here to have set their hands on the day, month, and year first above written.

SIGNATURE OF SETTLOR

Signature:

Name:

Name: ()

SIGNATURE OF FIRST TRUSTEES

1. Signature:

Name: ()

2. Signature:

3. Signature:

Name: ()

Witness 1

Witness 2