

DR. THINGNAM KISHAN FOUNDATION
(DTKF)
(PUBLIC CHARITABLE TRUST)

1. PLACE

The principal office of the Trust shall be situated at Thangmeiband Sinam Leikai, Imphal West, Manipur State or such other places as the Trustees may from time to time decide. The Trust may also carry on its work at any other place or places as decided by the Trustees.

2. OBJECTIVES :

(a). EDUCATIONAL :

To establish ,conduct and organize educational seminars or programs informal (Primary / Higher / Technical / Professional /Vocational Training Courses) non-formal, scientific and social aspects of human beings to provide free education to economically and socially weaker sections irrespective of caste, creed and religion to fulfil the following aims and objectives related to knowledge:

- i) DTKF firmly believes in recovering, reinterpreting, re-presenting and circulating knowledge in its various forms and its application in economic, political, social, legal, and cultural spheres of life.
- ii) DTKF shall focus on knowledge which is marginal, emergent and residual.
- iii) DTKF believes in enhancing knowledge and information through the audio-visual mediums and intends to support and initiate undertakings in the field.
- iv) DTKF shall conduct and facilitate conferences, workshops, lectures, seminars, publications and exhibition related to research and socio-political issues.
- v) To build up indigenous knowledge system and set up an institute/academy for the enhancement of the Manipuri Indigenous Knowledge System.
- vi) DTKF shall work on archiving and preserving historical documents as well as current happenings for research purpose.
- vii) The DTKF shall work towards maintaining a library-cum-archive/oral archives

B. SOCIO-ECONOMIC WELFARE :

Keeping in line with the DTKF's belief in the need for a self-reliant economy, the Trust shall work on initiating and facilitating ventures for self-employment and co-operatives that enhance the productive capacity of the less privileged, and thus strive to undertake the followings:-

- i) To promote sustainable agriculture and ecological sound management of natural resources and support programs like integrated farming along the same line.

- ii) To promote socio- economic welfare of the weaker sections at the grass root level through community based approach.
- iii) To promote micro-enterprises for accelerating socio-economic development of the weaker sections.
- iv) To promote micro-enterprises for accelerating socio-economic development of women
- v) To bring women to the main stream through empowerment such as promoting Self Help Groups for socio-economic development.
- vi) To create employment opportunities for weaker sections un-employment women kind.
- vii) To disseminate information regarding issues such as health care, population education and the environment.
- viii) To promote a Corpus Fund of the Trust.

(c). MEDICAL RELIEF:

- i) To run Free Medical Clinic (s) for the benefits of the poor and needy people with free consultation including free medicines to the maximum extent possible.
- ii) To establish Health Centers with free Medical Aid for Medical Relief and to organize Medical Camps or programs especially in Rural /Urban/Tribal areas for the poor and needy

(d). OTHER OBJECTS OF GENERAL PUBLIC UTILITY:

A. COMMUNITY DEVELOPMENT:

- i) Support of sports and physical education to strengthen the spirit of cooperation among the youth and general public.
- ii) To bring social harmony among the different sections of the society and to protect human rights and social justice.
- iii) To institute Fellowship/Chair to promote research concerning the North East of India in general and Manipur in particular.
- iv) To collaborate with other institutions, organizations, Associations and Societies and Service organizations interested in similar objects.
- v) To institute an annual award (to be called Community and Social Upliftment Award) so as to encourage people to continuously contribute in community service in thoughts and deeds.
- vi) To provide legal aids and providing other necessary help, if and when deemed fit, to families who are victims of conflict

B. (i). To undertake projects which is defined in clause (b) of the explanation of sub-section 35ac of the income tax act, 1961.

(ii). If any of the objects above is found to be inconsistent with the object of public charitable institution exempt formerly under section 10 (22), (22A) and now under sections 10(23C) or 11 of the Income Tax Act 1961 or any other law applicable to public institution as now enacted or as may be amended from time to time, or any new enactment relating to public institutions, they will be treated as modified to accord with such law.

C. DTKF may assist / donate other Trusts to carry out various objects mentioned in the objective clauses in such manners and to the extent the Trustees may decide upon from time to time.

3. BOARD OF TRUSTEES :

- a) The trustees should be citizens of India.
- b) The Management and control of the Trust and Trust properties shall be vested in the Board of Trustees.
- c) The Board of Trustees shall comprise not less than (7) seven and not more than 9 (nine) Trustees including the Chairman and the Managing Trustee.

4. FUND

The Trustees may accept donations, grants, subscriptions, aids or contributions from any person, Government, Local authorities or any other charitable institutions, in cash or in kind including immovable property without any incumbrance, but the Trustees shall not accept any receipt with any condition or terms inconsistent with the objects of the Trusts. While applying such receipts to the objects, the Trustees shall respect the directions, if any, by the grantor. Any receipt with specific direction to treat the same as part of the Corpus of the Trust or separate fund shall be funded accordingly.

5. INVESTMENTS

- i. All money, which shall not be immediately required for current needs shall be invested by the Trustees in eligible securities and investments, or in banks. Such investments shall be in the name of Trust or Trustees.
- ii. That the Trustees shall invest the trust fund, carry on any business with the trust fund and/or enter into partnership on behalf of the trust, as they may deem fit.
- iii. That the trustees shall manage the trust fund and investments thereof as a prudent man would do the same. They shall recover all outstanding dues and meet all recurring and other expenses incurred in the upkeep or management thereof.
- iv. That the trustees shall receive and hold the income of the trust on behalf and for the benefit of the beneficiaries under the trust.

6. RULES AND REGULATIONS OF THE TRUST:

1. It is provided that:
 - a) Membership of a Trustee shall be for lifetime. He/ She can resign or retire from the Trust with the formal approval of the rest of the Trustees.
 - b) There shall be a Chairman of the Trust for life. In case of a vacancy caused due to demise, the Board of Trustees, comprising of the permanent members, shall appoint from amongst them a new Chairman.

- c) All decisions of the Trust shall be taken in meetings presided over by the Chairman and thereafter formally endorsed by him/her.
- d) On the demise of any of the members of the Board of Trustees, the vacant post shall be duly filled in with due consultation among the remaining members of the Board of Trustees.
- e) The Trustees may from time to time frame schemes and rules and regulations to carry out the objects of the trust and for managing the affairs of the trust and otherwise for giving effect to the objects and purposes of the trust and to vary the same from time to time as the trustees may in their discretion deem fit and proper.
- f) The Board of Trustees shall appoint an Advisory/Managing Board for running the affairs/ activities/management of the Trust, whose position, tenure and profile of work, *et. al.* shall be fixed by the Board of Trustees.
- g) The Advisory/Managing Board may set up one or more Managing Committee for the routine and the day-to-day management or administration of any such institution under their ultimate supervision and control.
- h) Further, it is provided that the Chairman alongwith the Board of Trustees shall have the right to constitute or dissolve any temporary committee in due consultation with the Advisory/Managing Board for any mutually agreed purpose.
- i) A Trustee who is unable to be present at a meeting of the Trustees may send his views on the agenda in writing and such expression of opinion shall be taken to be his vote on the matter concerned.
- j) The minutes of the proceedings of every meeting of the Trustees shall be entered in a book to be kept for that purposes and signed by the Chairman/ Managing Trustee of such meeting or of the following meeting when they are read over and shall when so entered and signed be conclusive evidence of the business and other matters transacted at such meeting.
- k) The Board of Trustees may, by a unanimous vote of all the Trustees for the time being except the Trustee proposed to be removed, remove any trustee from office after finding the Trustee proposed to be removed guilty of serious misconduct in relation to or concerning the Trust estate or Trust affairs and after arriving at a definite conclusion that for the reasons to be recorded in writing the continuance of the trustee proposed to be removed as trustee or these presents was desirable keeping to the objects of the Trust in view and other related or connected matters provided however that no conclusion of such guilt shall be arrived at without giving to the trustee proposed to be removed a full and fair opportunity of explaining his conduct and/or the charges leveled against him for his removal. And the decision of the Board of Trustees in the behalf shall be final and binding and shall not be called in question anywhere.

It is, however, provided that any Trustee or Trustees wishing to retire from the First Trustee or subsequent Board of Trustees, may do so by giving at least 1 (one) month's prior notice expressing his/her desire to retire from the Board. All such resignation letters shall be placed before the First Trustee or otherwise before the expiry of 1 (one) month from the date of receipt of the resignation letter and the same shall be accepted by the First Trustee by a vote of majority and in that event

such Trustee/Trustees shall be deemed to have retired from the Trust, w.e.f., the date of acceptance of his/her resignation by the First Trustee. In case of vacancies arising due to the resignation, demise, or retirement of a Trustee, the Advisory/Managing Board can appoint a substitute as deem required.

2. That the trustees shall have the following powers :

- i. If any of the Trustees becomes bankrupt or found guilty by Court of an offence involving moral turpitude or become insolvent or remain desertion from India for a period of three months or resigns from his post or otherwise incapacitated physically, the remaining Trustees or as recommended by the Board of Trustees shall appoint his substitute.
- ii. In case, there is a difference of opinion among the Trustees, the decision of the majority of the Trustees shall be binding and be effectual and shall be carried out. However, Chairman/Managing Trustee has been authorized to apply any loan from financial institutions or any establishments including nationalised banks or other schedule banks. However, borrowing capacity from the said financial institution is to decide from time to time as when necessary.
- iii. In case of failure of the Trust for want of its objects or Trust having become impossible of performance, the Trustees shall move the Court for applying the remaining Trust fund for similar objects.
- iv. The Trustees shall in no case be liable for any loss to the Trust estate unless the Trustees are found guilty of fraud.
- v. This is a Public Charitable registered Trust. The property of the Trust shall be in no case reverting to the Settler or Trustees or their descendants or to any other persons.
- vi. No part of the Trust fund, other than either the Corpus or the income there from, shall be utilized for any activities to pursue the spirit and objects of the Trust hereby created.

7. BANKING, ACCOUNTS AND AUDITS

- i. That, the Trustees shall have the power to invest the fund of the Trust in such manner as deemed fit and proper with additional power to sell or mortgage or to convert the property of the trust and to invest the proceeds at the discretion of the Board in the purchase of any property as shares or debentures of any joint stock company or in Gold securities or such properties subject to prior approval of the Chairman.
- ii. That, the Trustees may, if necessary, raise loans on behalf of the Trust with or without securities or on pledge or mortgage of any of the securities or other properties belonging to the Trust for the purpose of carrying out any object of the Trust.
- iii. That, a Bank account shall be opened in the name of the Trust and the same shall be operated by the Director (Finance) or one of the trustees as may be specifically authorized on his/her behalf by the Managing Trustee.
- iv. That, the Board of Trustees shall maintain regular books of accounts for day-to-day transactions and receipts and payment shall duly be recorded in the books of account. The book of account maintained by the Board shall be closed on 31st of March each year and thereafter a receipt and payment account and a balance sheet shall be drawn up as

on that date. Further, the books of accounts and other documents concerning the Trust shall be open to/for inspection by the trustee during all reasonable working hours.

- v. That, it is made clear that all the incidental expenditure incurred in the management or administration of the Trust shall be first defrayed by the First Trustee out of the income of the properties of the Trust. The trustee shall not be entitled to any fees or remuneration for any work done by them in connection with the Trust. However, they shall be entitled to the charge/ expenses incurred by them in connection with any work of the Trust.
- vi. In case, there is a difference of opinion among the Trustees, the decision of the majority of the Trustees shall be binding and be effectual and shall be carried out. However, Chairman/Managing Trustee has been authorized to apply for any loan from financial institutions or any establishments including S.B.I, U.B.I including Nationalised banks or other Schedule Bank. However, borrowing capacity from the said financial institution is to be decided from time to time as and when necessary.
- vii. That, the Trustees shall decide all questions arising in the administration of the Trust whereof, including all questions relating to the interpretation of this present. Decision of the Advisory/Managing Board on all or any of the acts concerning or connected or arising out of this present shall be final.
- viii. The Trustee shall keep proper books of account of all the assets, liabilities and income and expenditure of the Trust and shall prepare an Income and Expenditure Account and Balance Sheet for every year as on the last day of March. The books of accounts and other documents concerning the Trust shall be open to/for inspection by the trustee during all reasonable working hours.
- ix. The accounts of every year shall be audited by a Chartered Accountant/ Financial Consultant or a firm of Chartered Accountants who shall be appointed for that purpose by the Trustees and the audited accounts shall be placed at a meeting of the Trustees, which shall be held before the end of the succeeding year part of the Trust Fund to the credit or any such accounts.
- x. If in the opinion of the Trustees circumstances so require the Trustees may, unanimously make any amendment in the rules they may consider necessary for the better management of administration of the Trust activities or for carrying out the objects of the Trust.

In addition to the aforesaid rules, the Trustees shall from time to time, be entitled to make rules and regulations for the administration and management of the Trust of THESE PRESENTS and all matters incidental to or concerning the name PROVIDED, such rules and regulations shall not be repugnant to offend against or in inconsistent with the provisions of the purposes of the Trust hereof.

- xi. If in the opinion of the Trustees circumstances so require the Trustees may, unanimously make any amendment in the rules they may consider necessary for the better management of administration of the Trust activities or for carrying out the objects of the Trust.

- xii. The Board of Trustees may, by a unanimous vote of all the Trustees for the time being except the Trustee proposed to be removed, removed any trustee, permanent or otherwise, from office after finding the Trustee proposed to be removed guilty of serious misconduct in relation to or concerning the Trust estate or Trust affairs and after arriving at a definite conclusion that for the reasons to be recorded in writing the continuance of the trustee proposed to be removed as trustee or these presents was desirable keeping to the objects of the Trust in view and other related or connected matters provided however that no conclusion of such guilt shall be arrived at without giving to the trustee proposed to be removed a full and fair opportunity of explaining his conduct and/or the charges leveled against him for his removal. And the decision of the Board of Trustees in the behalf shall be final and binding and shall not be called in question anywhere.