



1. Minodhar Barthakur
2. Chandan Barthakur
3. Sreemanta Barthakur
4. Subimal Deb
5. Mohanram Bhuyan

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TRUST DEED

THIS DEED OF TRUST is made on the 1st Day of September, one thousand nine hundred ninety nine by :-

1. Dr. Minodhar Barthakur, son of Late Padmadhar Barthakur, residing at 'White House', N.H. Street, Jalukbari, Guwahati-781014 in the State of Assam.
2. Dr. Chandicharan Bhattacharjee, Retired Professor, Gauhati University, S/o Late T.C. Bhattacharjee and residing at Jalukbari, N.H. 37, Guwahati-781014 in the State of Assam.
3. Sri Sreemanta Sarkar, Retired Principal, Bidya Mandir H.S. School, Maligaon, Guwahati-781012, Son of Late Jogesh Chandra Sarkar, and residing at Tetelia, Guwahati- 781033 in the state of Assam.
4. Sri Subimal Deb, Son of Late Suresh Ch. Deb, Pandav Nagar, Guwahati-12.
5. Dr. Mohanram Bhuyan, Rtd. Registrar, Gauhati University, son of Late Boloram Bhuyan and residing at N.H. 37, Guwahati- 781014 in the state of Assam.

1. Min. of Education
2. Ch. of Education
3. Shri. Anil Kumar
4. Subinil Deb
5. Shri. Anil Kumar

Whereas the above named Trustees for the purpose of promotion and advancement of education were and are desirous of establishing an educational establishment which shall be managed and where education shall be imparted in the manner and in accordance with the principle hereinafter declared. For effectuating the said desire the founder members have created this "NILACHAL ACADEMIC TRUST" for the purpose of imparting Teacher education in West Guwahati College of Education and in any other academic institutions which might be created from time to time, where education is to be imparted in the manner and in accordance with the principles, rules and regulations of the controlling authorities of this country.

NOW THIS TRUST DEED WITNESSETH AS FOLLOWS :

1. The name of the trust is "NILACHAL ACADEMIC TRUST".
2. The commencement of the trust work will be 1st day of April, 1992.
3. The objects of the Trust are :
 - (a) To aim through all educational programme, to develop the students mentally and physically to a well balance personality than morally a good examinee.
 - (b) To seek affiliation with examining and statutory bodies so that after completion of education the student may be eligible higher education anywhere in India.
 - (c) To provide adequate academic facilities so that the students may pursue independent studies.
 - (d) To make the student conscious of their (a) place of members of the vast country, wide society rather as members of narrow community, (b) responsibilities as future voters.
 - (e)
 - (i) Responsibilities as future citizen and
 - (ii) Responsibilities as future planners and administrators of the affairs of the country.
 - (f) To encourage students interest and involvement in all worthy causes and problems in their immediate environment and to encourage social services.
 - (g) To develop in the students capacity for planning and execution of group activities and management of resources of the organisation.
 - (h) To acquaint the students with the teaching of great religious teachers, saints and sages of the country.

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1. Minadhar Barthakur
2. Sri C.C. Bhattacharjee
3. Sri Mahesh Bhuyan
4. Subimal Deb
5. Sri S. Sarkar

Subject to the primary obligation of the trustees to ensure that the said educational institution, managed, maintained, developed and extended and education therein is imparted in the manner and in conformity with the principles herein before set out in clause above, the said educational institution and its affairs shall be managed by a Board of Management ~~constituted~~ constituted and appointed and with such powers and duties as are hereinafter provided in the Deed.

(1) The income of the said educational institution whatsoever derived shall be applied solely ~~managed~~ to manage, maintain, develop and extend the said educational institutions and impart education therein in the manner and in conformity with the principles hereinbefore set forth and no portion or indirectly be way of profit to any trustee or any member of the Board of Management provided that nothing herein shall prevent the payment of reasonable and proper remuneration, salary, allowances to any trustee or to any member of the Board of Management employed as a teacher or in any other capacity in the said institution in return for service actually rendered or who otherwise renders any services or the payment of proper rent for the premises derived or let out for the purpose of the said institution or repayment of purchase expenses to any trustee or any member of the Board of Management.

(i) All properties movable, immovable, land tenant, leasehold properties, money Bank A/C. and all assets of whatsoever kind shall be vested in the trustee and they shall have the custody of all deeds and documents and shall be responsible for the same and subject to the provision of the Deed shall deal with the properties in accordance with the direction of the Board of Trustees.

4. There will be five (5) trustees of the said educational institution and the first trustees shall be (a) Dr. Minadhar Barthakur, (b) Sri C.C. Bhattacharjee (c) Subimal Deb (d) Sri S. Sarkar, (e) Sri Mahesh Bhuyan. The Trustees may in their absolute discretion appoint two other additional trustees, so that the total member of the trustees does not exceed seven (7).

5. Subject to the provisions of this Deed and the direction of the Management the trustees shall have the power to apply or expand any part of the institutions properties in the purchase of acquisition of movable or immovable properties for the purposes of the said institutions and also have the power to sell or otherwise dispose of or mortgage any part of the institution properties, movable or immovable and also have the power to enter into contracts or to apply or expand any part of the institutions properties for the purposes of the said institutions. The Trustees may from time to time invest any part of the capital or income of the said institutions upon such approved securities as the Board may direct. Save as otherwise provided the powers referred to in this clause shall be exercised or signified by resolution passed at a meeting of the trustees.

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6. All deeds, contracts and other documents relating to the said institutions properties may except as to transactions where it is deligatory under any law for all the trustees to sign and execute, be executed, by any two trustees.

8. Subject to the provisions of this Deed and directions of the Board of Management the trustees may apply any part of the institution properties in acquiring by purchase or lease or otherwise any land or buildings for the purposes of the said institution or as a site for the erection of a building to be used as institution premises and may ~~erect~~ erect such building or pull down or rebuild or alter or improve any existing buildings for the purpose of the institutions and may make provision for ~~hostel~~ hostel facilities for student of the said institution on the land or buildings so acquired.

9. The trustees shall meet together for the despatch of business and may adjourn and otherwise regulate their meeting as they think fit. The trustees shall ~~form among~~ themselves select a Chairman of their meetings and determine the period for which the Chairman is to hold office. The Chairman shall preside at all meetings of the trustees. Questions arising at any meeting shall be determined by a majority. In case of an equality of votes the Chairman shall have a second or casting vote. The trustees shall appoint from among their member Secretary, and determine the period for which the Secretary is to hold office and the duties to be performed by the Secretary.

10. Subject to the provisions of this Deed the trustees may make such regulations and provisions in regard to the conduct and procedure of their meetings as the trustees, may think proper and shall also have similar powers to make from time to time regulations and provisions with regard to any matters in respect of which any power or duty is hereby vested in the trustees. The trustees may alter, amend, vary or rescind such regulations and provisions as the trustees may think fit.

11. Any resolution decision, regulation or provision of the trustees may be altered amended varied or rescinded from time to time at a meeting of the trustees held after ~~xxx~~ not less than seven days notice specifying the object of the meeting.

12. The trustees shall hold their meetings as may from time to time be necessary on such day and at such hour as the trustees shall determine, but not less than four (4) meetings in a year.

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1. Minutes
E. Barker

2. Charles D.
B. Barker

3. Fremont
Barker

4. Subinul
Deb

5. Subinul
Deb

6. Subinul
Deb

13. There shall be a quorum when three trustees are present at any meeting. The trustees for the time being not less than a quorum may act for all purposes at a meeting of the trustees in the administration of the Trust.

14. A minute book shall be kept by the trustees and proper minutes of the entry into office of every new trustee and of all proceedings and all business transacted at every meeting of the trustee shall be entered in the said minute book and shall be signed by the Chairman of the meeting and all other trustees present at that meeting either at the conclusion thereof or at some future meeting if they have been duly confirmed.

15. Any one of the trustees may when there are more than two retire from the trust of this deed on giving one month's notice in writing of the intention to do so to each of the other trustees for the time being and the trustees shall at their next meeting after the receipt of the notice cause a note thereof to be entered in their minute book and the office of such trustee shall become vacant on the date of expiry of such notice unless in the meantime the notice is withdrawn.

16. If and whenever any of the trustees shall ~~xxxxxx~~ refuse or become unfit or unable to act or become incapable of acting, the trustees shall at their next meeting cause a note thereof to be entered in their minute book and thereupon the office of such trustee shall become vacant on the date of such entry.

17. If and whenever for any reason the number of trustees is reduced below the number of five the continuing trustees shall appoint another person to be a trustee by a resolution passed at a meeting of the trustees to be held within two months from the occurrence of the vacancy to be filled up. Provided however, if any trustee who is also a Founder Trustee gives notice of retirement under Clause 15 of this Deed, the trustees may before the retiring trustee retires select a person to be a trustee in place of the retiring trustee and the person so selected shall be appointed as a trustee in place of the retiring trustee after the office of the retiring trustee shall have become vacant. No person appointed as a new trustee shall be entitled to act as trustee until the new trustee shall have signed a declaration in the minute book of the trustees to the effect that the new trustee accept the office of trustee and is willing to act in the trust of the Deed.

18. Upon the appointment of a new trustee it shall not be necessary to vest the trust properties in the new trustee or otherwise unless and until the number of trustees in whom the same shall for the time being be vested shall have become reduced below the number of three in which case the same shall upon such appointment and upon the new trustee signing the declaration referred to in clause 17 of this Deed be vested in the whole body thereof as well as continuing and all such acts and things as the trustees shall direct shall be done for the purposes of vesting in the new trustee jointly with the continuing trustees the said trust properties.

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19 The trustees shall execute the trust and conduct the affairs of the trust in accordance with the provisions of this Deed and with fidelity and ~~xxx~~ reasonable diligence and with due regard to the financial resources of the said trust and shall not take any decision or do any act which is likely to jeopardize the trust properties or affect adversely the functioning of the said trust or expose the trustees and the said trust to any financial burden or liability not warranted by the financial resources of the said trust.

20. If the trustees consider it expedient they may alter the name of the said trust retaining however as part of the name the word "Nilachal Academic Trust".

BOARD OF MANAGEMENT

21. The Board of Management (hereinafter referred to as "the Board") shall consist of two trustees for the time being of this Deed, who shall be ex-officio members (hereinafter referred to as "the trust members of the Board") two persons nominated by the trustees (hereinafter referred to as "the nominated members of the Board"), the principle of the institution who shall be ex-officio member of the Board.

21(A) The Capital of the trust board shall be Rs 12,500/- which shall be contributed equally by the trustees.

22. The Board shall be constituted in the manner hereinafter provided and shall be constituted for a period of three years and the members of the Board shall hold office for a term of three years to be reckoned from the date of constitution of the Board for three years. All the members of the Board including the nominated members and the trustee members shall cease to be members of the Board at the end of the term of three years but all of them shall be eligible to be nominated or appointed as members of the Board for the next term.

22.A Two persons shall be nominated by the trustees for the time being of this Deed for a period of three years as nominated members of the Board at a meeting of the trustees and upon such nomination being made the trustees shall cause a note thereof to be entered in the minute book of the trustees and the Board shall be deemed to be constituted as from the date of such nomination with the said two nominated members of the Board, the two trustees for the time being as ex-officio members of the Board and the principal of the institution as ex-officio members of the Board. As soon as possible after the constitution of the Board the trustees shall call the first meeting of the Board.

23. Vacancies occurring among the nominated members of the Board shall in every case be filled up by ~~the~~ appointment made by the Board and in each case such appointment shall be made by a resolution passed at a meeting of the Board.

24. A Board shall be constituted for a period of three years and the members of the Board whatever be the date of their appointments shall hold office for a term of three years reckoned from the date of nomination by the trustees of two nominated members of the Board and all members of the Board consisting of all nominated members. The two trustees of the Board and the Principal shall cease to be members of Board on completion of three years from the date of the said nomination and within two weeks from the date of member ceasing to be members of the Board as aforesaid the trustees shall at a meeting of the trustee held for that purpose cause a note there to be entered in the minute book of the trustees and shall within two weeks from the date of such entry nominate two persons to be nominated members of the Board and

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Handwritten notes:
1. Minister
2. Secretary
3. Treasurer
4. Subordinate
5. Subordinate
6. Subordinate
7. Subordinate
8. Subordinate
9. Subordinate
10. Subordinate

until such nomination is made all the function of the Board including the functions of the Secretary and Treasurer so appointed by the Board shall vest in the trustees.

24A. The Board shall be vested with powers to nominate the Secretary and the Treasurer for a period of three years from amongst the Board Members and the duties and responsibilities of the two Offices shall be defined by the Board in its first meeting of the Board.

25. The Board shall meet monthly or oftener if required on such day and at such hour as the Board shall determine for the despatch of business, and may adjourn or otherwise regulate the meeting of the Board as it thinks fit. The Board shall appoint from among the members of the Board a Chairman of the meeting of the Board and shall determine the period for which the Chairman is to hold office. At every meeting of the Board the Chairman shall preside and in his or her absence a Chairman shall be nominated by the members of the Board present and he or she shall preside at the meeting. Each members of the Board shall have one vote and question arising at any meeting shall be determined by a majority of votes. In case of an equality of votes the chairman shall have a second or casting vote.

26. There shall be a quorum when three members of the Board are present at any meeting.

27. Subject to the provisions of this Deed the Board shall make such regulations and provisions with regard to the conduct and procedure of the meetings of the Board as the Board may think proper.

28. Any resolution decision, regulations and provisions of the Board may be altered amended, varied or rescinded from time to time at any meeting of the Board held after not less than seven days notice in writing has been given to the members of the Board specifying the object of the meeting.

29. The Principal of the institution shall be ex-officio Secretary of the Board and the Board shall determine the duties to be performed by Secretary. The Board shall appoint from among the members of the Board a Treasurer and determine the period for which the Treasurer shall hold office and the duties to be performed by the Treasurer. The Treasurer shall be a trustee member of the Board.

30. A Minute Book shall be kept by the Board and proper minutes of the appointment of every member of the Board and all proceedings and business transacted at every meeting of the Board shall be entered in the said minute book and shall be signed by the Chairman of the meeting either at the conclusion thereof or at some future meeting if the minutes have been duly confirmed.

31. The Board may from time to time delegate any of its powers to committee consisting of such member or members of the Board as the Board may think fit.

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1. Minors
2. Trustees
3. Board
4. Subordinate
5. Subordinate
6. Subordinate
7. Subordinate
8. Subordinate
9. Subordinate
10. Subordinate

32. There shall be a President of the said Trust who shall be an honorary office bearer and the Chairman of the Board shall be the President. The Board may appoint a Vice-President or such other honorary office bearer of office bearers as it thinks fit. If any nominated or co-optive member of the Board or Office bearer communicates in writing to the Board his or her wish to resign the Board shall at their next meeting cause a note hereof ~~will~~ to be entered in their minute book and thereupon such resignation will become effective from that date.

33. A banking account for the purposes of the Trust shall be opened in the name of the Trust and kept with some bank to be from time to time selected by the Board. Every sum of money received on account of the Trust shall be forthwith paid into the credit of that account unless otherwise expressly ordered by the Board. Provided that the Board shall from time to time allot and make provision for such sums as the Board may think fit to be kept and utilised by the Principal in connection with day to day administration of the trust.

34. All cheques and orders for the payment of money on such banking account shall be signed by the Treasurer and by such other member or members of the Board as the Board may from time to time direct.

35. The Board shall cause proper accounts of the said trust properties and income and expenditure thereof to be kept and in the month of January every year shall cause such accounts to be audited by auditor to be appointed by the Board on such terms and on such remuneration as the Board may think fit.

36. If any grant, donation, subscription, legacy devise, gift of movable or immovable property or money shall be made, given or paid for the purpose of the said trust it shall be lawful for the trustees and the Board to accept and apply the same for the purposes of the trust in accordance with the provisions of this Deed and if the same is made given or paid upon or subject to condition it shall be lawful for the trustees and the Board to accept and apply the same upon or subject to such conditions.

37. The Board shall manage the affairs of the said Trust in accordance with the provision of this Deed and with reasonable diligence and with due regard to the financial resources of the said trust and shall not take any decisions or do any act which is likely to jeopardize the trust properties or affect adversely the functioning of the said trust or expose the trustees and the said trust to any financial burden or liability not warranted by the financial resources of the said Trust and if as to any decision taken by the Board of Directors gives the trustees are satisfied that the same is contrary to or not in accordance with the provisions of this Deed or this Clause it shall not be obligatory on the part of the Trustees to comply with such Director or decision.

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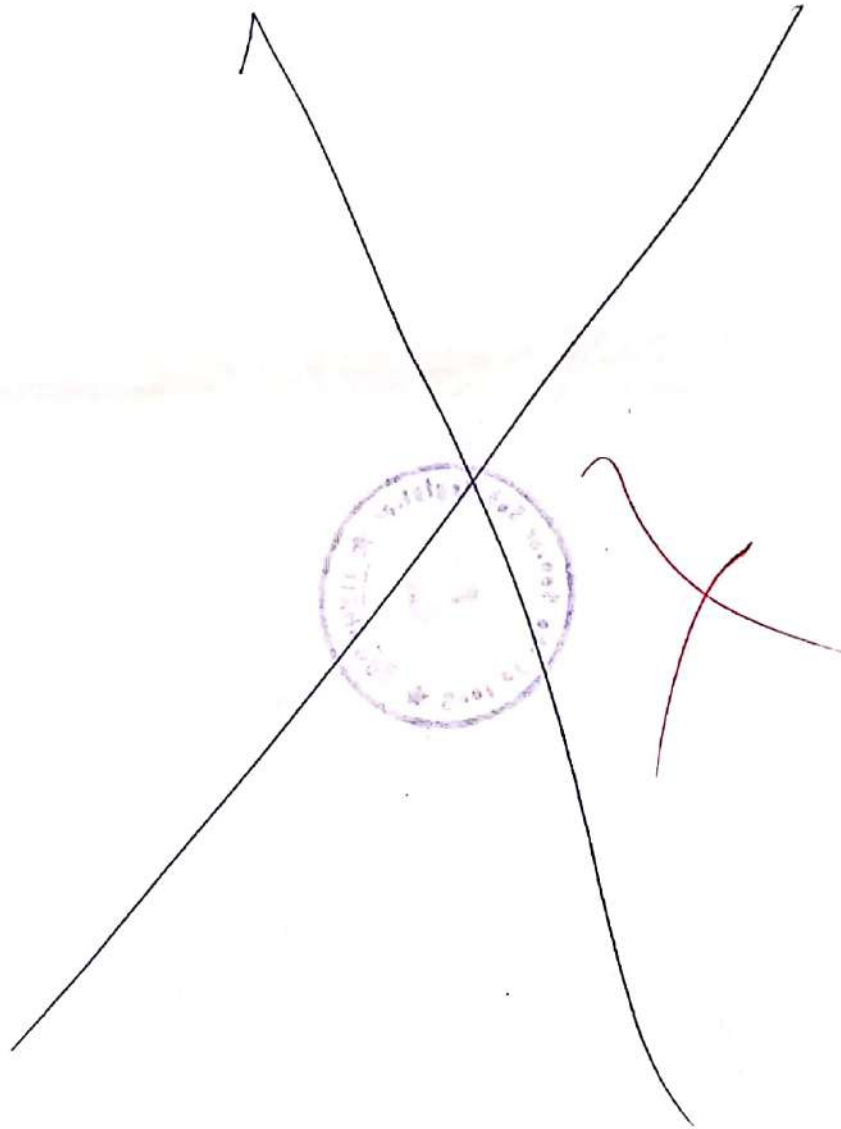
38. Subject to the provisions of this Deed and direction of the Board of Management, a Trustee may nominate any one of his/her relative to take over his/her responsibilities as trustee after his/her demise.

IN WITNESS WHEREOF we put our hands on this Trusteeship Deed on this date of 1st September, One thousand nine hundred ninety nine.

WITNESSES :

1. Purandhar Banerjee Advocate
Gumasthanti
2. Sri Bijay Kulita
Azambazar, Guwahati
- 3.

1. Minsdhar Baruah
2. Gandhi Choudhary
3. Sreenantha Sarker
4. Subimal Deb
5. Induchandran



20 Rs.

