

AL-KARIM EDUCATIONAL AND WELFARE TRUST,
KATAHARI, SATHI, WEST CHAMPARAN.

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MEMORANDUM OF ASSOCIATION,
RULES AND REGULATIONS.

DEED OF TRUST.

This deed of trust known as "Al-Karim Educational & Welfare Trust", Katahari, Sathi, West Champaran is declared and founded in village Katahari, Sathi, West Champaran, the 12... day of FEBRUARY 1998 (The year one thousand nine hundred and ninty eight) by the following settlors of the Trust. This trust has been working in different shape since the year 1991, for example, has established and is running a school known as " Katahari Lodging School " since the year 1991.

1. Md. Karim S/o Late Sk.Subhan Ali... President.
2. Noor Alam son of Md. Karim .... Secretary,
3. Nafisa Khatoon W/o Noor Alam... Treaurer,
4. Rauful Azam Advocate son of Sk.Md.Arif- Member,
5. Maulana Ataur Rahman Quasmi S/o Late Sk.Tajbullah,
6. Shamsun Nessa wife of Md. Karim,

All residents of village Katahari P.O. & P.S. Sathi, District West Champaran.

7. Maulana Sajjad Hussain Quasmi S/o Late Md. Siddique resident of village Pakahi P.O. Andhra, District East Champaran.

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Whereas the said Settlors have appointed the following as trustees:

1. Md. Karim ... President.
2. Noor Alam ... Secretary,
3. Nafisa Khatoon ... Treasurer,
4. Rauful Azam ... Members,
5. Maulana Ataur Rahman Quasmi- Member,
6. Shamsun Nessa ... Member,
7. Maulana Sajjad Hussain Quasmi- Member,

Whereas the settlors have elected Sl.No. 1 as the President, Sl. No.2 as the Secretary, Sl.No. 3 as the Treasurer, Sl. Nos. 4 to 7 as Members, as indicated against their names above and founded " Al-Karim Educational and Welfare Trust,"Katahari, with each of the settlors contributing a sum of Rs. 700.00(rupees seven hundredonly) as donation for the trust functioning at the premises situated at Katahari.

Whereas , the office of the Trust may be shifted to such place or places as the Board of Trustees may from time to time determine.

Whereas the trust property constituted initially a sum of Rs. 4,900/-(rupees four thousand nine hundred only) which happens to be donations from the settlors forming the nucleous of the said Trust.

NOW THIS DEED WITNESSETH:-

1(a) AIMS AND OBJECTS OF THE TRUST:

Al-Karim Educational & Welfare Trust, Katahari, Sathi, West Champaran, Bihar will be purely independent Educational and Social Organization of Muslim Minority of West Champaran and it will have no relation with politics, trade unions or any such activities. It will function for the educational and social development and achievements of the legitimate rights of Muslim Minorities as envisaged in Art-29 and 30(1) of the Indian Constitution;

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Noor Alam - 12.02.98.

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Rauful Bari
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(b) TO ACHIEVE ITS AIMS AND OBJECTS THE COMMITTEE SHALL STRIVE:-

(i) To establish a Charitable fund to help and assist or itself establish and run educational and Charitable institutions for the benefit of the Muslims of Sathi in Particular and others in general.

(ii) To advance and promote the sceintific modern education to safeguard the linquistic heritage of Muslim Minority under Article 29 or 30 of the Constitution of India.

(iii) To organise, establish or maintain libraries, study circles and Publish books and Journals;

(iv) To organise and establish modern minority educational institutions to provide facilities for mental and physical development- with the latest educational techniques and infusing high moral character in them;

(v) To establish , run and maintain or give grants to any hospital, or charity dispensary.

(vi) To raise funds by membership, donations, grants and acquire land and property by donation or gift from any person or association either in India or abroad to run the institutions of the Trust;

(vii) To organise and manage primary as well as higher educational institutions for ~~educational~~ instance schools, Science College, Degree College, Training College, Technical College, Medical College, Agriculture College, etc, to prepare and promote higher academic abilities and competitive merits among the students of Muslim Minority and to impart higher education for the recruitment to the services of State and Union.

(viii) To award Prizes or to grant loan to exceptionally meritorious and deserving students for encouragements and promoting their studies.

(ix) To endevour to provide relief to members, to their departments against sickness, old age, unemployment and death.

(x) To organise cultural programmes, Seminars, Symposiums, games, drammas and for any other entertainments.

(xi) To co-operate and federate other organisations having similar objects.

(xii) To purchase or hire or to take on lease buildings or other immovable or movable properties in the name of the trust.

(xiii) To pay all costs charges and expences incidental to the management, administration and execution of the Trust and to exercise power herein contained.

(xiv) To invest, dispose off, transfer or otherwise deal with the subject matter of the trust in such a manner as the trustees deem fit and proper to do in carrying out the objects of the trust.

(xv) To do all other such lawful acts and things as the board of trustees may think fit and proper for the fulfilment of its aim and objects.

FUNCTIONS OF THE BOARD OF TRUSTEES:

In Pursuance of the above objects the Trust May:-

(a) Acquire by purchase, lease, mortgage, Will, grant, legacy, bequest, exchange, right, title, previllage or otherwise from any person, Company, Society, Government Institutions, Organisations or anybody what-so-ever, movable or immovable properties of all descriptions deemed necessary or useful for any purpose of the trust.

(b) Erect buildings or structures what-so-ever to serve the purpose of construction of Schools, Libraries, hostels etc.

(c) To receive any gifts, whether money or property donated from public or any association for the construction of schools, College, Hostels, Libraries etc, for the betterment of the Muslims, in particular and others in general from time to time to be deemed expedient.

(d) To establish and organise model minority educational institutions and to impart through them adequate knowledge of English, Urdu, Hindi and Sciences, Arts besides curricular and over all development of mental and physical facilities of the students by latest educational techniques and infusing high moral character in them.

(e) To organise and manage schools, teachers-training and other vocational training- institutions, technical training institutions such as medical,

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Engineering, Polytechniques, D.Pharma, B.Pharma, M-Pharma, Leasure time coaching classes or referesher courses, Specialised courses etc, with a view to promoting higher academic ability and development of competition merit among the students and preparing them for various competitive examinations held in the country for technical and higher education as well as for the recruitment to the services of Union and State.

(f) To establish and maintain seperate schools and hostels for the girls, belonging to Muslim Minority in particular and others in general.

(g) To erect buildings or structures what-so-ever for furthering any purpose or purposes of the trust and to maintain, develop, improve, alter, repair, demolish or reconstruct the same or any portion thereof.

(h) To make rule for the better management of the Schools and other institutions run by the Trust and to decide the terms and conditions for the appointment and service of the teachers and other staffs and to dismiss any teaching staff if he or she acts against the rules framed by the trust.

(i) To take or receive any gifts whether money or property movable, immovable, donations by a person living or by an association.

(j) Alienate by way of sale, mortgage, lease, release, loan, charge, hypothecation, pledges gift or otherwise with or without security of properties thereof including the making or giving of subscriptions, contributions, assistance pecuniary or otherwise to such institutions, bodies of person as from time to time deem necessary or expedient.

(k) Borrow or raise funds with or without security in any manner the trust may think fit and repay the same.

(l) In general to do or cause to be done apart from all the acts stated above, all such other acts which are not contrary to or in-consistent with the spirit and principles of law under which trust has been established.

BOARD OF TRUST.

There shall be 7 trustees only. The founder trustees shall initially form the Board and shall remain trustees for life. The trustees shall elect amongthemselves a President, a

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Secretary and a Treasurer. In case of vacancy or vacancies caused by death, resignation or otherwise the remaining trustees shall fill up such vacancy or vacancies by any other person or persons of Indian Origin as member of the Board of Trustees within four months from the date of the occurrence of vacancy or vacancies. Till the vacancy or vacancies are ~~fully~~ filled up by the remaining trustees, shall constitute the Board of trustees. The trustees shall be at liberty to appoint more office bearers if so required to carry on the object of the trust.

MEETINGS.

The Board of Trustees shall hold at least two meetings in a year to transact ~~the~~ business of the Trust. Five days clear notice shall be given of such meetings. The quorum for the meeting shall be four. However , for an adjourned meeting no quorum is required. Any decision taken by the majority of the trustees present in the meeting shall be final and binding. In case of equality of votes the Presidence shall have a casting vote. If, however, in the opinion of the Secretary, the calling of the meeting is impracticable, he can get opinions of trustees by circulating the files concerned on subject matter and shall take a decision in confirmity with the opinion of the majority of Trustees.

VESTING AND MANAGEMENT.

The right, title, interest, the management and control of the properties and affairs of the trust shall be vested inthe Board of Trustees. The trustees by themselves or through their agent or ~~agents employed by~~ them shall manage and deal with the trust properties in such manner as may be beneficial to the trust.

PRESIDENT.

The President shall preside every meeting of the Board and in his absence the senior most member of the trust shall preside over the meeting of Trust and in the event of any dispute among the members of the trust the President shall endevour to settle the dispute amicably.

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SECRETARY.

The Secretary shall be in-charge for the safe custody of all records relating to the administration of trust and its properties. He shall convene the meetings of the Board of Trustees and maintain regular record of all the proceedings of such meetings. All correspondence and financial statements and returns required in connection with the management of the trust will be carried and prepared by the Secretary. The Secretary shall be the Chief Executive Officer of the trust. In special circumstance, the Secretary may take important decisions and get them approved by the Board of Trustees later on. He shall be incharge of the vested funds and shall prepare and submit before the Board of Trustees for approval. He can make payment or receive money for and on behalf of the Trust.

TREASURER.

The Treasurer shall be responsible for preparing the annual budget of Trust for the approval by the Board of Trustees. He/she shall present before the Board of Trustee, the early audited accounts of the trust together with the annual report.

MISCELLANEOUS PROVISIONS:

OPENING OF BANK ACCOUNT.

The Trustees shall open an account inthe name of the Trust in a Bank and diposit therein all the moneyes payable to and receivable by them and shall keep and maintain or cause to be kept and maintained proper books of accounts subject to audit by a Chartered Accountant. All the Principal transactions in Bank shall be operated on cheques to be signed by the Secretary and the Treasurer or any other member specially authorised by the Board, jointly. The Trustees may open the account of the trust in more than one Bank.

AMENDMENT.

The Trustees by 2/3rd of majority may add, amend, alter or rescind any of the provisions of the deed of

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Trust, if they consider it necessary for the better management or administration of the activities of the Trust or for carrying out its object.

(i) The Board of Trustees shall be the final authority in making decisions relating to any matter of the said Trust not covered by this Deed of Trust.

(ii) The Office bearers of the Trustees shall be honourary but they are entitled to draw such allowances as to be prescribed by the Board for carrying out their duties.

(iii) (a) Any trustee who becomes a bankrupt, lunatic, convicted for a criminal offence involving moral turpitude or neglects to take interest continuously for a period of more than six months, or is physically incapacitated shall cease to be the Trustee.

(b) Any trustee may retire on giving notice of one calander month in writing of his intention to do so.

(iv) All deeds and other documents to be executed by or on behalf of the trust shall be done by the Secretary of the Trust and the Trust may sue or be sued in the name of Secretary of the Trust.

MANAGING COMMITTEE OF THE EDUCATIONAL INSTITUTIONS:

The Trust is the final authority for proper working and administration of its Institutions as also the Katahari Lodging School. Each Institution shall have a managing Committee which shall beunder the direct control of the Trust. The directions of the Education Department of the Government in regard to the formation of Managing Committee of Minority schools shall be followed. The Trust shall constitute the Managing Committee of its educational institutions. The Managing Committee of the educational institution shall consist of not more than twenty members. Every Managing Committee shall include the following; namely:-

(i) Director, who shall be appointed by the Trust from amongst the trustees. The Director shall be the head of the educational Institution;

(ii) Two Parents of the students in the school.

(iii) Two teachers of the school.

(iv) Two other persons, of whom one shall be a

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woman, who are or have been teachers of any other school or of any college, to be nominated by the Trust.

(v) Other members to be nominated by the Trust.

The terms of the members of the Managing Committee shall be of three years. However, a member can be re-nominated for another term. The Managing Committee can be dissolved by the Trust at any time before the expiry of its term, if it fails to carry out the directives of the Trust. The trust can remove any member of the Managing Committee at any time, if, he/she acts in violation of rules of the Trust.

POWERS AND FUNCTIONS OF THE MANAGING COMMITTEE:-

Subject to over all control of the trust the Managing Committee of the School shall have the following powers and functions:-

(i) To supervise the activities of the school for its smooth functioning.

(ii) To implement the specific directions of the Trust regarding the admission policy.

(iii) To work for the welfare of the teachers and other employees of the School.

(iv) To evolve both short term and long term programmes for the improvement of the School.

(v) To ensure that the norms given in the Act of Government and by B.T.C./C.B.S.E. regarding terms and conditions of service and other rules governing recognition/affiliation of the Minority School are strictly adhered to.

(vi) To ensure that the School gets furnitures, science equipments, library books and other teaching aids and the requisite sports materials in the adequate quantity and on time.

(vii) To review the budget prepared by the Director for forwarding the same to the trust for approval.

(viii) To discharge the duties and exercise the power conferred on it by the Trust from time to time.

(ix) The Managing Committee shall meet at least twice in an academic session.

(x) Save and except teacher members of the Managing Committee the other members shall be honourary.

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POWERS AND RESPONSIBILITIES OF THE DIRECTOR OF THE SCHOOL:-

The post of Director shall be honourary. He will be an important and necessary link between the trust and the School.

He shall ensure that the directions of the trust and are conveyed to the school Managing Committee properly. He shall control and direct the affairs of the school. He shall be responsible for the proper administration of the affairs of the managing committee and the school. He shall carry on correspondence with proper authorities on behalf of the Managing Committee. He will be the record keeper of all resolutions and proceedings. He shall fix up all the agenda, time and place of meeting of the Managing Committee. He shall prepare every year the amual report and the auditted statements of accounts of the school in consultation with the Principal of the School. If the Managing Committee acts against the directions of the Trust the Director shall at once report to the Trust.

The Director shall be incharge of all vested funds and prepare monthly and amual budgets. The Director shall make all payments and shall sign receipts, other than the receipts for fee and fines and receive the accounts from the clerk of the School and get it deposited in the account of the School. He shall maintain or get maintained all cash books, account books, vouchers etc, of the School.

The Director shall have the power of granting casual leave to the Principal and leave other than causual leave to other staffs and to make temporary arrangements in their place.

In special circumstance the Director can take important decisions and get them approved by the Managing Committee later on.

The Director in consultation with the Principal shall have the power to suspend any assistant teacher or a member of the Ministerial staff but shall report his action to the Managing Committee for approval. He shall have power to appoint, dismiss or punish in any way the menials employees of the School.

The Director in consultation with the Principal shall prepa-

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prepare the Annual list of holidays.

ACCOUNT OF THE SCHOOL.

The account of the school shall be opened in any Bank which will be operated by the Director of the School Treasurer/Principal.

DUTIES OF THE PRINCIPAL.

The Principal shall be responsible for the enternal control and management including supervision of classes, discipline, time table etc. He shall have to ensure that the teachers are adequately preparing and teaching the lessions. He shall advise the Director or important issues concerning the school. He shall have the right to grant causual leave to the Assistant teachers and other employees of the School. He shall report to the Director any case of the misconduct on the part of any employee or pupil of the School. He shall be competent to spend the sanctioned amount for contigencies. The Principal shall be responsible for the School Library, Furnitures, equipments and other assets of the School. He shall exercise all other powers and discharge the duties, from time to time conferred on him by the Managing Committee or the Trust.

IN WITNESS WHEREOF THE FOUNDER TRUSTEES HAVE SET THEIR RESPECTIVE HANDS HERETO THIS 12th DAY OF FEBRUARY 1998 AT BETTIAH, WEST CHAMPARAN.
