

# **BAGEPALLI COOLIE SANGHA (amended) TRUST DEED**

## **1. DECLARATION**

This declaration of Trust is made by Ram Esteves, son of Esteves, aged 33 years, resident of 55 Serpentine Street, Richmond Town, Bangalore-560 025 India, on this 18th day of February, 1987.

## **2. NAME**

The name of the Trust shall be BAGEPALLI COOLIE SANGHA.

## **3. JURISDICTION**

The BAGEPALLI COOLIE SANGHA shall be a Charitable Trust extending its jurisdiction throughout India and in any part thereof.

## **4. TRUSTEES**

In order to give adequate representation to the beneficiaries of the Trust, the Board of Trustees shall have 12 (twelve) Trustees and shall be composed of 4 (four) Permanent Trustees and 8 (eight) Elected Trustees.

The present composition of the Board of Trustees shall be as under:

- |     |                           |                 |                     |
|-----|---------------------------|-----------------|---------------------|
| 1.  | Venkatashivappa           | President       |                     |
| 2.  | L. Nanjundappa            | Treasurer       |                     |
| 3.  | P.S. Rasheed              | Trustee         |                     |
| 4.  | Venkatanarasappa          | Trustee         |                     |
| 5.  | 015 033 Rangappa          | Elected Trustee | Bagepalli taluk     |
| 6.  | 134 013 Laxminarasamma    | Elected Trustee | Bagepalli taluk     |
| 7.  | 461 001 Rajamma           | Elected Trustee | Chickballapur taluk |
| 8.  | 359 001 Narayanaswamy     | Elected Trustee | Chickballapur taluk |
| 9.  | 767 002 P.M. Ramalingappa | Elected Trustee | Elected Trustee     |
|     | Siddalaghatta taluk       |                 |                     |
| 10. | 542 015 Rathnamma         | Elected Trustee | Siddalaghatta taluk |
| 11. | 501 017 KL Venkatarayapa  | Elected Trustee | Chintamani taluk    |
| 12. | 605 022 Susheelamma       | Elected Trustee | Chintamani taluk    |

## **5. AIMS AND OBJECTIVES**

- a. The aim of the BAGEPALLI COOLIE SANGHA which is based on the principle of conscious and responsible participation of the Coolies as the foundation for a secular, socialist and strong India, is to give a shape and structure to the organised unity of Coolies at village, cluster and taluk levels, and to provide a forum for the organised Coolies to meet, debate and decide on matters concerning their lives.
- b. In pursuance of this aim, the objective of the BAGEPALLI COOLIE SANGHA is to promote the economic interest and general welfare of the Coolies by organising, establishing, maintaining, supporting, developing and encouraging, without any motive of profit and irrespective of caste or creed, activities relating to Coolies in the rural areas:
  - In the promotion of literacy, numeracy, education, instruction and diffusion of knowledge in various fields including civil rights and duties.
  - In the building up of the necessary physical infrastructure like community halls, class rooms Coolie kendras, etc.
  - In the training and support of the human resources developed from among the Coolies,
  - In the promotion of employment generating activities,
  - In the promotion of women's development activities,
  - In the promotion of health services, and
  - In the promotion of charity.

## **6. INCOME**

The income of the BAGEPALLI COOLIE SANGHA shall be utilised in promoting the objects of the Trust and the distribution of such income or profits among the Trustees is strictly prohibited.

## **7. BENEFICIARIES**

The beneficiaries of the BAGEPALLI COOLIE SANGHA shall be Coolie Members, as defined in para 16 of this Trust Deed.

## **8. LOCATION OF OFFICE**

The registered office of the BAGEPALLI COOLIE SANGHA shall be at:

Plot No: 10, Sanjeevininagar Extension,  
(behind Sterling Apartments)  
Hebbal Post,  
Bangalore 560 024.

The field office of the BAGEPALLI COOLIE SANGHA shall be at:

ADATS Campus,  
Bagepalli 561 207,  
Kolar district, Karnataka.

#### **9. WORKING HOURS**

The working hours of the BAGEPALLI COOLIE SANGHA shall be from 10 a.m. to 3 p.m. from Monday to Saturday.

#### **10. ACCOUNTING YEAR**

The accounting year of the BAGEPALLI COOLIE SANGHA shall be from 1st April to 31st March every year.

#### **11. TITLES, DEEDS, EXECUTIONS**

All deeds of transfer, contracts, agreements, releases, leases, deeds and documents of whatsoever nature, relating to or affecting such properties or interest of the Trust shall be taken and shall stand in the name of the BAGEPALLI COOLIE SANGHA; all such deeds or documents shall be executed for and on behalf of the Trust by the Treasurer or on his authorisation by any other Trustee.

The BAGEPALLI COOLIE SANGHA will have branch beneficiary bodies in villages and clusters titled Coolie Sangha Units (CSUs) and Cluster Meets. Movable and immovable properties in that place where the branch beneficiary body is situated may be registered in the name of that particular village CSU or Cluster. The title shall read as "BAGEPALLI COOLIE SANGHA - (name) CSU" or "BAGEPALLI COOLIE SANGHA - (name) Cluster". Even such deeds or documents shall be executed for and on behalf of the CSU or Cluster by the Treasurer of the BAGEPALLI COOLIE SANGHA, and shall be considered to vest in the name of the BAGEPALLI COOLIE SANGHA.

All properties, movable and immovable, of the Trust shall therefore be implied to vest in the name of the BAGEPALLI COOLIE SANGHA.

#### **12. SUITS BY AND AGAINST THE BAGEPALLI COOLIE SANGHA**

All suits and proceedings by or against the Trust shall be filed and defended in the name of the BAGEPALLI COOLIE SANGHA and any Trustee shall be empowered to sign, make, verify, and present all complaints, written statements, appeals, revisions, and all applications and documents and to appoint or engage any advocate, lawyers, revenue agents or any other legal practitioners.

### **13. POWERS IN GENERAL**

- a. For all the above objectives, the BAGEPALLI COOLIE SANGHA will maintain, and manage and deal with movable and immovable properties of the BAGEPALLI COOLIE SANGHA and of others, extended financial support for the people irrespective of race, community, religion, caste or creed.
- b. To enter into arrangements and agreements with any Government, Voluntary Organisation, Authority or Bank, whether Central, State, District, Municipal, Local or otherwise, that may be conducive to the objects of the BAGEPALLI COOLIE SANGHA or to any of them, and to obtain from any Government or Authority such rights, grants, concessions and privileges as the BAGEPALLI COOLIE SANGHA thinks fit and desirable, and to comply with any such arrangements or agreements.
- c. To purchase, to take on lease, or in exchange or otherwise acquire any agricultural or other lands, buildings, easements, or other movable or immovable properties which may be required for the performance of the BAGEPALLI COOLIE SANGHA and to sell, demise, lease, rent out, mortgage, give in exchange, surrender or dispose of the same.
- d. To take or make grants, donations, voluntary Contributions, gifts of money or other property or any bequests or foundations for any one or more objects of the BAGEPALLI COOLIE SANGHA.
- e. To apply the moneys and properties of the BAGEPALLI COOLIE SANGHA generally for support and maintenance of the BAGEPALLI COOLIE SANGHA and for the objects of the BAGEPALLI COOLIE SANGHA.
- f. To borrow or lend, with or without interest, raise money and to make bank overdrafts for the purpose of support and maintenance of the BAGEPALLI COOLIE SANGHA with or without securities.
- g. To make by-laws not inconsistent with this Trust Deed for the proper administration of the BAGEPALLI COOLIE SANGHA its institutions, programmes, projects and activities.
- h. To plan at the grassroots and extend veterinary and other extension services to poor people and to train them in skills and management techniques related to dairy, piggery, and animal husbandry, at training sessions and camps held by the BAGEPALLI COOLIE SANGHA and also at the other training facilities.
- i. To plan at the grassroots and undertake the necessary activities for mixing of cattle and other livestock feeds for supply to poor people at cost price, without any motive of profit.

- j. To plan at the grassroots and undertake the necessary activities for collection, processing and sale of milk and meat products, without any motive of profit, provided that these activities are of a service nature to the poor.
- k. To plan at the grassroots and organise credit facilities to Coolies so that they may procure cows, chicken, pigs, etc. in order to improve their financial conditions by offering or not offering, partial or total securities for such financing.
- l. To plan at the grassroots and purchase agricultural lands and set up fodder farms to grow and provide fodder to the Coolies during the time of drought and famine, free of cost or at cost price, without any motive of profit.
- m. To plan at the grassroots and purchase agricultural lands and set up collective productive units, orchards and woodlots in order to provide employment for Coolies and also enhance their earnings, without any motive of profit.
- n. To plan at the grassroots and extend interest-free credit by organising Coolie Credit Funds in the villages for the Coolies to avail interest-free advances for petty-productive, productive and consumption purposes.
- o. To plan at the grassroots and set up a children's programme for the government schooling and supplementary education of children of Coolies.
- p. To plan at the grassroots and implement a housing program for the construction of low cost houses either free of cost or by financing through the BAGEPALLI COOLIE SANGHA or other sources, with or without low interest rate, for Coolies.
- q. To plan at the grassroots and implement a dry land development programme to develop the agricultural lands belonging to Coolies.
- r. To plan at the grassroots and implement feeding centres and undertake drought relief and other emergency works during times of drought, accidents and natural calamities.
- s. To set up adult literacy and adult education classes in the villages for the Coolies and their youth.
- t. To organise sports and outdoor games for Coolies, youth and other children.
- u. To plan at the grassroots and implement a women's programme for the education, emancipation, employment generation and providing of special facilities for rural women.

- v. To give shape to and set up internally evolved management systems to enable the continuous monitoring and self-evaluation of all the programmes, projects and activities by the Coolies themselves.
- w. To do or cause to be done all such lawful deeds and things as are not contrary to the constitution of the BAGEPALLI COOLIE SANGHA and conducive to the attainment of the objects of the BAGEPALLI COOLIE SANGHA.

#### **14. MANAGEMENT**

The management of the affairs of the BAGEPALLI COOLIE SANGHA shall vest in the Board of Trustees. It shall consist of 12 (twelve) Trustees, including the President and Treasurer. The Board of Trustees shall elect, once every 3 years and from among the Permanent Trustees, a President and a Treasurer.

The 8 Elected Trustees shall be elected for 3 year terms, on rotation, as under:

In the month of June 1998, the CSU Representatives have elected 2 Member Coolies (one woman and one man) each, at their respective Taluk Coolie Sangha Meetings at Bagepalli, Chickballapur, Siddalaghatta and Chintamani taluks, to be the Elected Trustees of the Board of Trustees for 3 year terms as under:

- 2 Elected Trustees from Bagepalli taluk shall retire in June 2001, at the end of their 3 year term, and be replaced by 2 other Trustees elected by the Bagepalli Taluk Coolie Sangha Meeting.
- 2 more Elected Trustees from Chickballapur taluk shall retire in June 2002, after completing 4 years in office, and be replaced by 2 other Trustees elected by the Chickballapur Taluk Coolie Sangha.
- 2 more Elected Trustees from Siddalaghatta taluk shall retire in June 2003, after completing 5 years in office, and be replaced by 2 other Trustees elected by the Siddalaghatta Taluk Coolie Sangha
- 2 more Elected Trustees from Chintamani taluk shall retire in June 2004, after completing 6 years in office and be replaced by 2 other Trustees elected by the Chintamani Taluk Coolie Sangha
- Thereafter, with 2 Elected Trustees retiring every year, all Elected Trustees will hold office for 3 years and there will be a healthy balance between fresh and experienced Trustees, with only 2 new Trustees on the Board at any given time.

The quorum for a meeting of the Board of Trustees shall be 8 (eight) and it shall meet at least twice a year. A minimum of 2 (two) Permanent Trustees shall compulsorily be part of the quorum. All deliberations and decisions of these meetings shall be properly recorded.

The Board of Trustees shall oversee the election of CSU Representatives, Cluster Secretaries and Taluk Secretaries through Returning Officers appointed by the

President, and ensure that these elections are conducted in a fair manner, free from illegal and extra-legal considerations and practices.

On the request of the beneficiary Member Coolies to recall an elected functionary, the Board of Trustees reserves onto itself the right to suspend the election of any CSU Representative or Cluster Secretary or Taluk Secretary and hold fresh elections.

In case of death, resignation or retirement of a Permanent Trustee, or in the case of a Permanent Trustee being declared by a competent authority to be unfit to hold the post, such a vacancy shall be filled by the remaining 11 Trustees unanimously inducting a new Permanent Trustee.

In case of death, resignation or retirement of an Elected Trustee, or in the case of an Elected Trustee being declared by a competent authority to be unfit to hold the post, such a vacancy shall be filled by all the CSU Representatives electing a new Trustees at their respective Taluk Coolie Sangha Meeting.

Impeachment or removal of a Trustee can only be done by 3 of the 4 Permanent Trustees and 6 of the 8 Elected Trustees so voting at a special meeting of the Board of Trustees.

No Permanent Trustee shall derive any benefit from the BAGEPALLI COOLIE SANGHA. They are barred from receiving any remuneration or frees for any services rendered to the BAGEPALLI COOLIE SANGHA in any capacity. The families of Elected Trustees may, however, continue to receive normal benefits from the ongoing programmes, projects and activities carried out by the beneficiary bodies of the BAGEPALLI COOLIE SANGHA.

## **15. PARTICIPATION OF THE COOLIE BENEFICIARIES**

In order to involve the beneficiaries in the running of the BAGEPALLI COOLIE SANGHA, two instruments have been built into this amended Trust Deed:

- i. the election of 8 Elected Trustees, 2 from each taluk, and
- ii. the election of 4 Executive Committees, one each at Bagepalli, Chickballapur, Siddalaghatta and Chintamani taluks.

The Executive Committees shall follow up on decisions taken at their respective Taluk Coolie Sangha Meetings. They shall advise the Board of Trustees on policy direction and finance allocation and help conduct the day to day affairs of the BAGEPALLI COOLIE SANGHA, including the holding of weekly meetings, running of credit and other development activities.

Executive Committee Members, on being elected by the beneficiary Coolie bodies and their meetings, shall hold office for one year terms starting in the month of May every year.

## **16. MEMBERSHIP OF THE COOLIE BENEFICIARIES**

- a. Any small or poor peasant (landed or landless agricultural labourers who does not herself or himself employ wage labour), over the age of 18 years and introduced by a beneficiary Member Coolie of her or his village Coolie Sangha Unit (CSU) may be given beneficiary membership in the BAGEPALLI COOLIE SANGHA provided she or he subscribes to the ideals of the Trust and is approved by a majority of the beneficiary Member Coolies of the village CSU, and shall hereinafter be called beneficiary Member Coolie. Membership benefits will cover all the members of the family, especially wives, mothers, sisters and daughters. Any family member can represent the beneficiary Member Coolie at the weekly CSU Meetings, but only the person in whose name the membership stands can stand for elections within the BAGEPALLI COOLIE SANGHA.
- b. In the case of entire groups of small and poor peasants from brand new villages wanting to obtain beneficiary membership in the BAGEPALLI COOLIE SANGHA, then their village CSU will first have to be notified as such by the Executive Committee, in accordance with para 17.a. of this Trust Deed, and necessary entries made in the computer.
- c. The BAGEPALLI COOLIE SANGHA shall maintain a computerised Membership Register of all such beneficiary Coolie Members at the field office of the Trust. The membership of beneficiary Member Coolies shall stand in the name of the notified village, hamlet or settlement CSU where they reside.
- d. Only beneficiary Member Coolies thus inducted into the BAGEPALLI COOLIE SANGHA may benefit the projects, programmes and activities of the Trust. The benefits of the BAGEPALLI COOLIE SANGHA are not open for any and every Coolie, simply by virtue of her or his being a Coolie.
- e. Such an inducted Coolie shall be a beneficiary Member Coolie of the BAGEPALLI COOLIE SANGHA, shall have the right to vote in the annual CSU Representative election of her or his Coolie Sangha Unit, and also the right to stand as candidate for the various elections in the beneficiary Coolie bodies of the BAGEPALLI COOLIE SANGHA.
- f. Suspension and cancellation of a beneficiary Member Coolie of the BAGEPALLI COOLIE SANGHA shall be done by their respective Coolie Sangha Units (CSUs). Necessary entries shall then be made in the computerised Membership Register.
- g. The Board of Trustees reserves its right to cancel the membership of any beneficiary Member Coolie or CSU or Cluster at its discretion. Coolies and sympathisers of Coolies, by virtue of their beneficiary membership in the

Trust, cannot infringe on the powers and authority of the Trustees and the Board of Trustees in any manner.

## **17. MEETINGS OF THE COOLIE BENEFICIARY BODIES**

### **a. Coolie Sangha Units (CSUs)**

All the beneficiary Member Coolies residing in the same village, hamlet or settlement shall form themselves into a village level Coolie Sangha Unit (CSU). Each CSU shall meet on a fixed day every week and matters relating to Coolie development in the village, hamlet or settlement shall be discussed in these weekly CSU meetings. The proceedings of these meetings shall be recorded in their respective CSU Minutes Books.

Each CSU shall elect, from among themselves, 3 Representatives who shall represent their respective CSU at all levels within and without the BAGEPALLI COOLIE SANGHA. All the beneficiary Member Coolies of each CSU shall form the electorate for this Representatives election. CSU elections for Representatives shall take place every year in the presence of a Returning Officer specially appointed by the President of the BAGEPALLI COOLIE SANGHA for the purpose.

One post of CSU Representative is reserved for a woman Member Coolie, though this does not bar women from contesting all the 3 posts.

Beneficiary Member Coolies of the CSU shall also have the right to recall their elected Representatives at any time and re-elect new Representatives before their terms of one year is completed, should they be disappointed with the performance of any or all their elected Representatives. They shall do so by a simple majority in their CSU Meeting held in the presence of a Returning Officer specially appointed by the President for the purpose. For this and all the other CSU Meeting, the quorum shall be two-third of the beneficiary Member Coolies in that particular CSU as per the computerised Membership register of the BAGEPALLI COOLIE SANGHA.

The BAGEPALLI COOLIE SANGHA is not legally responsible for discussions held in the CSU Meetings and recorded in their Minutes Books since they are purely of an advisory nature and to provide a forum for Coolies to continually represent their aspirations, wishes and opinions on Coolie matters.

### **b. Mahila Meetings**

One woman from each beneficiary Member Coolie household shall meet separately on a fixed day every week in exclusive and *in camera* meetings of Coolie women, at each village. They shall discuss matters that are peculiar and particular to women of that village. Mahila Meetings are not separate bodies for Coolie women – i.e. attending Mahila Meetings does not take away from Coolie women's rights within the mixed Coolie Sangha Unit (CSU).

Mahila Meetings shall have a veto power over financial decisions taken by the mixed CSU Meetings. Any decision to give an interest-free loan from the Coolie Credit Funds (CCFs) can be blocked by the Mahila Meeting of that village, without assigning any reason. Similarly, Mahila Meetings can block the spending of Sangha Funds from the bank accounts of the CSUs.

The spending of Sangha Funds for community and referral health and for the schooling of Coolie children shall be an exclusive prerogative of the Mahila Meetings, with no male interference.

**c. Cluster Meets**

Groups of CSUs shall be clubbed together to form Clusters. The delineation of Clusters shall be made in the computerised data bank. Similarly, re-delineation with the addition/deletion of village CSUs shall also be notified.

All the elected Representatives from each CSU comprising the Cluster shall meet on fixed days every week in order to discuss matters relating to Coolie development. The Minutes Books of each village CSU Meeting shall be monitored in the weekly Cluster Meets.

All the newly elected Representatives from the several CSUs comprising a Cluster shall, from among themselves or from any of the Member Coolies of these CSUs, elect a new Cluster Secretary in the month of April every year, in the presence of a Returning Officer specially appointed by the President for the purpose.

The Cluster Secretary shall conduct the weekly Cluster Meets and record the proceedings in the respective Cluster Minutes Books. The Taluk Secretary and any other beneficiary Member Coolie who has a special interest in the agenda of a particular Cluster Meet may attend.

The BAGEPALLI COOLIE SANGHA is not legally responsible for discussions held in Cluster Meets and recorded in their Minutes Books since they are purely of an advisory nature and to provide a forum for Coolies to continually represent their aspirations, wishes and opinions.

**d. 4 Taluk Women's Committees**

All the Coolie women from each Cluster shall together elect a woman to be their Committee Member. All the Committee Members shall together form 4 Women's Committees, one each at Bagepalli, Chickballapur, Siddalaghatta and Chintamani taluks.

The taluk level Women's Committees will deal with larger issues pertaining to Coolie women, attract special funding and implement programmes that exclusively deal with the problems of Coolie women.

**e. 4 Taluk Coolie Sangha Meetings**

All the elected CSU Representatives from the individual villages, along with their elected Clusters Secretaries, shall meet on a fixed weekend of every month at the taluk headquarters. They will present their Cluster Reports, exchange information, share experiences and discuss matters relating to Coolie development at the taluk level. These discussions shall be recorded in the Taluk Coolie Sangha Minutes Books.

The Taluk Secretary shall preside over these monthly Taluk Coolie Sangha Meetings. She or he shall record the minutes of discussions held. The monthly Taluk Coolie Sangha Meetings shall advise the respective Executive Committee on matters relating to policies, programmes, projects, activities, financial allocations for individual Cluster and CSUs, etc. and also give a constant grassroots feed back on progress and developments.

The BAGEPALLI COOLIE SANGHA is not legally responsible for discussions held and recorded in Taluk Coolie Sangha Meetings since they are purely of an advisory nature.

At the same time the Executive Committees are barred from taking major decisions without the positive advice of the Taluk Coolie Sangha Meetings. Similarly, the Board of Trustees are also barred from taking major decisions on policy matters, programme/activity choice, finance allocation, etc. without a positive recommendation of the Taluk Coolie Sangha Meeting.

**d. 4 Executive Committees**

In order to advise the Board of Trustees on policy and finance allocation matters, and also in order to conduct the day to day affairs of the BAGEPALLI COOLIE SANGHA, 4 Executive Committees shall be formed through a bottom-up electoral process, one at each Taluk. Each Executive Committee will hold office for one year, starting from the month of May every year.

Each Executive Committee shall comprise of all the Cluster Secretaries of that taluk and the respective Taluk Secretary. The President and Treasurer of the Board of Trustees shall be ex-officio Members of all 4 Executive Committees.

The quorum for an Executive Committee meeting shall be two-third the current strength, and shall be presided over by the Taluk Secretary. But for all major decisions, the quorum shall compulsorily include either the President or the Treasurer of the Board of Trustees.

Election of the Cluster and Taluk Secretaries shall be held as follows:

- i. Cluster Secretaries shall be elected for one year terms by all the newly elected CSU Representatives of their respective notified Clusters in the month of April every year, from among themselves or from any other beneficiary Member Coolie of the notified Cluster.
- ii. Taluk Secretaries shall be elected for one year terms by all the newly elected CSU Representatives and Cluster Secretaries in the month of May every year, from among themselves or from any other beneficiary Member Coolie, in each of the 4 taluks of Bagepalli, Chickballapur, Siddalaghatta and Chintamani.

The Executive Committees shall consider the wishes, aspirations and opinions expressed in the preceding Taluk Coolie Sangha Meeting of their respective taluk and draw suitable policy direction and finance allocation recommendations. They shall decide on matters concerning the notification of village CSUs and delineation of Clusters.

Since 2 Trustees (President and Treasurer) shall form part of the quorum for all major decisions, the ratification of the Board of Trustees shall deem to be granted for positive recommendations and decisions made and recorded in the Minutes Books of the respective Executive Committees, unless expressly denied by the Board of Trustees at its very next meeting.

The 4 Executive Committees shall not have any say or authority in matters concerning to election, recall and re-election of CSU Representatives, Cluster Secretaries and Taluk Secretaries since these are the exclusive prerogatives of beneficiary Member Coolies in their respective CSUs and Clusters, safeguarded by the Board of Trustees.

## **18. POWERS OF THE EXECUTIVE COMMITTEE**

### **a. President**

The post of President is reserved for a Permanent Trustee of the BAGEPALLI COOLIE SANGHA.

The President shall control, direct and take decisions on matters concerning the BAGEPALLI COOLIE SANGHA on the advice of the Executive Committee. She or he shall preside over the election meeting where the new Taluk Secretaries are elected every year in the month of May. She or he shall formally induct newly elected Cluster Secretaries into the respective Executive Committees.

The President shall appoint Returning Officers for the various elections for CSU Representatives and Cluster Secretaries and ensure that these elections are held in the free and fair manner.

The President shall, on the advice of the Executive Committees, appoint the staff of the Trust and remove or initiate disciplinary proceedings against them. She or he shall also similarly engage or remove lawyers, auditors and advisors.

The President shall enter into arrangements and agreements with the Agricultural Development & Training Society (ADATS) to maintain and supervise the books of accounts of the Trust and its various beneficiary bodies, the computerised data bank, including Membership Register, etc. Under such arrangements and agreements, ADATS shall depute Accountants to maintain the books of accounts of the Trust. Such Accountants shall observe directions of the Treasurer with great fidelity, accuracy and integrity.

**b. Treasurer**

The post of the Treasurer is reserved for a Permanent Trustee of the BAGEPALLI COOLIE SANGHA.

The Treasurer shall diligently look after the financial interests of the Trust and be responsible for seeing that the bank accounts of the Trust are kept in safe custody. The Treasurer shall arrange for the audit of accounts of the Trust.

The Treasurer shall operate the bank accounts of the BAGEPALLI COOLIE SANGHA jointly with the President. The Treasurer shall be a joint signatory, along with two other beneficiary Member Coolies, to operate the various CSU, CCF and Cluster bank accounts of the BAGEPALLI COOLIE SANGHA, as stipulated in para 23 of this Trust Deed.

In general, the Treasurer shall observe directions of the Executive Committee with great fidelity, accuracy and integrity regarding the above and all other works undertaken through such directions.

However, the Treasurer shall have the power to veto any decision of the Executive Committee regarding to finances if, in her or his opinion, this is necessary in order to safeguard the interest of the BAGEPALLI COOLIE SANGHA. The Treasurer shall exercise this veto power very cautiously and conscientiously, and get the ratification of the Board of Trustees at its very next meeting.

**c. 4 Taluk Secretaries**

4 Taluk Secretaries shall be directly elected to the Executive Committee by all the newly elected CSU Representatives and Clusters Secretaries of each of the 4 taluks of Bagepalli, Chickballapur, Siddalaghatta and Chintamani, in the month of May every year from among themselves or from any other beneficiary Member Coolie of the BAGEPALLI COOLIE SANGHA, in Taluk Coolie Sangha Meetings conducted by the President.

In the event of a Clusters Secretary being elected as a Taluk Secretary, she or he shall immediately resign from the post of Clusters Secretary and hold only one position and have only one vote in the respective taluk's Executive Committee.

### **Functions of the Taluk Secretaries**

i. Taluk Secretaries shall represent the current aspirations of the Coolies of their respective taluk within and without the BAGEPALLI COOLIE SANGHA. They shall maintain a cordial working relationship and liaise with various government offices, banks, authorities, voluntary agencies and others to represent specific problems of beneficiary Member Coolies and seek solutions for these problems.

ii. Taluk Secretaries shall have overall responsibility for the implementation of various programs, projects and activities that the BAGEPALLI COOLIE SANGHA agrees to undertake for the welfare and development of beneficiary Member Coolies in their respective taluks, through arrangements and agreements reached with Voluntary Agencies.

iii. Taluk Secretaries shall maintain the computerised Membership Registers of the BAGEPALLI COOLIE SANGHA and keep the lists up to date, entering new membership, suspension and cancellation, under the directions of the respective Executive Committee meetings.

iv. Taluk Secretaries shall arrange the logistics, preside over, and maintain the Minutes of the monthly Taluk Coolie Sangha Meetings. They shall receive the monthly Clusters Reports and represent the wishes, aspirations and opinions of the Coolie at the respective Executive Committee meetings.

But Taluk Secretaries shall not preside over the Taluk Coolie Sangha Meetings held in the month of May of every year, when the new Taluk Secretaries are elected. These election meeting shall be presided over by the President.

v. Taluk Secretaries shall attend as many weekly Cluster Meets as possible and, wherever necessary, the weekly CSU and Mahila Meetings.

vi. Taluk Secretaries shall ensure that voluntary contributions are paid by the beneficiary Member Coolies and Sangha Funds built up for the posterity and self-financing of the Coolie Sangha.

vii. Taluk Secretaries shall arrange for cadre training, review meets, *Coolie Pandagas*, study tours and other activities to enhance the educational level and self confidence of beneficiary Member Coolies and their elected Representatives under the directions of the Executive Committees.

viii. Taluk Secretaries shall be remunerated a reasonable salary for their full time work from out of the funds of the BAGEPALLI COOLIE SANGHA. The Board of Trustees reserves the right to fix this salary.

ix. Taluk Secretaries shall maintain a high moral standard and enhance the prestige of Coolie by their own exemplary behaviour and life style.

**d. Cluster Secretaries**

Cluster Secretaries shall be directly elected by all the newly elected CSU Representatives of the respective Clusters in the month of April every year from among themselves or from any other beneficiary Member Coolie of that notified Cluster.

**Functions of the Cluster Secretaries**

i. Cluster Secretaries shall represent the problems of the beneficiary Member Coolies within and without the BAGEPALLI COOLIE SANGHA. They shall liaise with various government offices, banks, authorities, voluntary agencies and others to represent specific problems of beneficiary Member Coolies and seek solutions for these problems.

ii. Cluster Secretaries shall be specifically responsible for the implementation of various programmes, projects and activities that the BAGEPALLI COOLIE SANGHA agrees to undertake for the welfare and development of beneficiary Member Coolies in their respective Clusters, through arrangements and agreements reached with Voluntary Agencies.

iii. Cluster Secretaries shall maintain the attendance registers of their respective CSUs upto date.

iv. Clusters Secretaries shall attend all the village Meetings in their respective Clusters and ensure that proper quorums are present. They will also ensure that the minutes of these meetings are properly and fully recorded in the respective CSU and Mahila Minutes Books.

Cluster Secretaries shall preside over the weekly Cluster Meets of their respective Clusters. They shall ensure that all the CSU Minutes are read out and monitored.

But the Cluster Secretaries shall not preside over their respective Cluster Meets in the last week of April every year when the new Cluster Secretaries shall be elected. These election meetings shall be presided over by Returning Officers appointed by the President.

vi. Cluster Secretaries shall prepare monthly Cluster Reports to present at the monthly Taluk Coolie Sangha Meetings.

vii. Cluster Secretaries shall attend the monthly BCS meetings, review meets, cadre training, study tours, *Coolie Pandagas* and other occasions to represent their respective Clusters and enhance the position of their beneficiary Member Coolies.

viii. Cluster Secretaries shall attend the meetings of the Executive Committee and deliberate on all matters concerning the welfare and development of beneficiary Member Coolies in their respective Clusters.

ix. Cluster Secretaries shall be remunerated a reasonable salary for their full time work, as per the advice of their respective Cluster Meets, from out of funds in their respective "(name) Cluster" bank accounts.

However, the decisions of their respective Cluster Meets to fix their salaries shall have to be approved by the Executive Committee of the BAGEPALLI COOLIE SANGHA where the Treasurer has the right to veto.

#### **19. MEETING OF THE 4 EXECUTIVE COMMITTEES**

a. The 4 Executive Committees of the BAGEPALLI COOLIE SANGHA shall meet every fortnight at the respective taluk headquarters in order to implement decisions taken at Taluk Coolie Sangha Meetings. A meeting of the Executive Committee shall ordinarily be held without notice. The President shall, however, have the power to call for a special meeting of the Executive Committee with one day's oral notice.

b. The Executive Committee shall hold office for one year terms from the month of May every year.

Cluster Secretaries shall be directly elected in the month of April every year, one from each notified Cluster, by the newly elected Representatives of the village CSUs that form the respective Clusters.

The Taluk Secretary shall be elected in the month of May every year by an electorate comprising all the new CSU Representatives and Cluster Secretaries of the taluk.

c. The quorum for the Executive Committee shall be two-third and shall be presided over by the Taluk Secretary. But for all major decisions, the quorum must compulsory include either the President or the Treasurer. The Treasurer shall have the power to veto even majority decisions of the Executive Committee pertaining to finances if, in her or his opinion, this is necessary in order to safeguard the interests of the BAGEPALLI COOLIE

SANGHA. Such decisions have to be ratified by the Board of Trustees at its very next meeting.

## **20. ELECTIONS & ELECTORATE**

Elections to various positions in the beneficiary bodies of the BAGEPALLI COOLIE SANGHA shall normally be held in the months of March and April every year so that the newly elected office bearers (CSU Representatives and Cluster Secretaries) can be formally inducted into their positions before May by the President. The Taluk Secretaries shall be elected in the month of May every year. The Returning officer/s to conduct these various elections shall be specially appointed by the President of the BAGEPALLI COOLIE SANGHA.

All elections shall be conducted by show of hands alone, and the results shall immediately be entered in the respective Minutes Books.

### **a. Elections for CSU Representatives**

All the beneficiary Member Coolies of the respective CSUs shall have voting rights and shall form the electorate for the election of their Representatives.

New beneficiary Member Coolies shall be inducted into the BAGEPALLI COOLIE SANGHA at the CSU level. The fate of suspended beneficiary Member Coolies shall then be decided by either revoking their suspension or cancelling their membership. This shall be done in the month of March every year, so that necessary entries are made in the computerised Membership Register.

3 Representatives shall be elected by majority from among the beneficiary Member Coolies of each Coolie Sangha Unit (CSU) by a show of hands. The resolutions of this meeting shall immediately be entered into the respective CSU Minutes Books, in the presence of the Returning Officer.

### **b. Elections for Cluster Secretaries**

All the newly elected Representatives of the several CSUs comprising the notified Clusters shall form the electorate for electing their Cluster Secretaries from among themselves or from any other beneficiary Member Coolie whose Membership stands in any of the CSUs of that notified Cluster. The Cluster Secretaries so elected by the CSU Representatives, in the presence of the Returning Officers, shall be formally inducted into the Executive Committee of the respective taluk by the President.

### **c. Elections for Taluk Secretaries**

All the newly elected CSU Representatives and Cluster Secretaries of each taluk shall form the electorate for electing their new Taluk Secretary in the month of May every year from themselves or from any other beneficiary Member Coolie of the

BAGEPALLI COOLIE SANGHA. The Taluk Secretaries so elected by the CSU Representatives and Cluster Secretaries shall immediately be inducted into the Executive Committee of the BAGEPALLI COOLIE SANGHA.

## **21. SUSPENSION AND CANCELLATION OF COOLIE BENEFICIARIES**

Suspensions of individual Member Coolies or of particular Coolie Sangha Units or of entire Clusters shall normally be done only by the next higher body – i.e. Coolie Member by her or his CSU; CSU by the Cluster; Cluster by the Executive Committee.

Suspension shall mean a temporary halt to enjoying the benefits of the BAGEPALLI COOLIE SANGHA. Cancellation shall mean a permanent withdrawal of voting rights at all levels in the Coolie beneficiary bodies of the BAGEPALLI COOLIE SANGHA. The converting of suspension into cancellation shall be done only by a majority of the beneficiary Member Coolies of a village CSU.

However, in exercise of powers under para 16.g. of this Trust Deed, the Board of Trustees can, at their discretion, cancel the membership of any beneficiary Member Coolie.

## **22. REMUNERATION AND BENEFITS**

Cluster Secretaries elected by the CSU Representatives of a notified Cluster shall be remunerated a reasonable salary for their full time work from out of the funds of the BAGEPALLI COOLIE SANGHA in the respective "(Name) Cluster" bank accounts. Elected Representatives of each Cluster shall recommend the remuneration they suggest for their Cluster Secretary. The Executive body shall take the final decision after receiving this recommendation.

Taluk Secretaries elected by all the CSU Representatives and Cluster Secretaries, shall be remunerated a reasonable salary for their full time work from out of the funds of the BAGEPALLI COOLIE SANGHA.

Elected CSU Representatives may be paid a fixed or per diem travel allowance as per the advice of the respective CSUs and Cluster Meets, through resolutions in the Minutes Books, from out of the funds of the BAGEPALLI COOLIE SANGHA in their respective "(Name) CSU" bank accounts.

Any staff specially appointed by the President for the running of the Trust may also be paid a reasonable salary from out of the funds of the BAGEPALLI COOLIE SANGHA.

## **23. BANK ACCOUNTS**

The BAGEPALLI COOLIE SANGHA shall operate several bank accounts in order to implement its various programmes, projects and activities. Specific resolutions shall

be passed by the Board of Trustees on the style of operation of these various bank accounts and they shall be intimated to the banks from time to time.

- a. The Main bank account styled "BAGEPALLI COOLIE SANGHA " shall be operated jointly by the President and the Treasurer.
- b. The bank accounts styled "(taluk name) COOLIE SANGHA" shall be operated jointly by the President and the Treasurer.
- c. The bank accounts styled "(code, cluster name) CLUSTER" shall be operated jointly by any two of the following three:
  - i. the Treasurer of the BAGEPALLI COOLIE SANGHA,
  - ii. the respective Cluster Secretary, and
  - iii. the respective Taluk Secretary.
- d. The bank accounts styled "(code, village name) CSU" shall be operated jointly by any two of the following three:
  - i. the Treasurer of the BAGEPALLI COOLIE SANGHA,
  - ii. a Cheque Signatory elected by the Coolie Sangha Unit, and
  - iii. the respective Taluk Secretary.
- e. The bank accounts styled "(code, village name) CCF" to run the interest-free Coolie Credit Fund activity in the different CSUs shall be operated jointly by any two of the following three:
  - i. the Treasurer of the BAGEPALLI COOLIE SANGHA,
  - ii. a Cheque Signatory elected by the Coolie Sangha Unit, and
  - iii. the Executive Assistant of the Agricultural Development & Training Society (ADATS).
- f. The styling and operation of any other bank accounts shall be intimated to the banks by simple resolutions of the Board of Trustees.

The balance in these various bank accounts of the BAGEPALLI COOLIE SANGHA and also the statement of transactions shall be inspected from time to time by the Treasurer of the BAGEPALLI COOLIE SANGHA, and the banks shall make the same available on request.

The Board of Trustees will exercise a veto, through the Treasurer, if in their opinion it is not advisable that any particular individual should operate any bank account of the BAGEPALLI COOLIE SANGHA at any level. The banks shall honour such a letter from the Treasurer immediately and without question.

## **24. FUNDS**

- a. Funds for the implementation of various programmes, projects and activities to further the aims and objects of the BAGEPALLI COOLIE SANGHA and for the management thereof shall be collected from Coolies and sympathisers of Coolies in India and abroad.
- b. Revolving fund capital for running the decentralised, village level, interest-free credit activity (the Coolie Credit Funds or CCFs) shall be given as grants by the Agricultural Development & Training Society (ADATS).
- c. In the case of contributions from individuals and organisations abroad, the BAGEPALLI COOLIE SANGHA shall scrupulously comply with the provisions of the Foreign Contributions (Regulation) Act, 1976 and the rules framed thereunder. Grants from ADATS shall be reported as secondary receipts under the FCRA.
- d. Proper books of accounts, vouchers, receipts and supporting vouchers shall be maintained for all the various accounts of the BAGEPALLI COOLIE SANGHA, including the accounts of the various branch beneficiary bodies. The Treasurer shall arrange for the annual audit of the Main account of the BAGEPALLI COOLIE SANGHA, all the Coolie Sangha Unit accounts, Coolie Credit Fund accounts, and Cluster accounts by a Chartered Accountant. The Treasurer shall arrange for the incorporation of all these audited accounts in to the final consolidated Accounts Statements and consolidated Balance Sheet of the BAGEPALLI COOLIE SANGHA and the filing of these, along with the final Audit Report, with various authorities, as per law.
- e. All receipts shall be through the banks, and payments shall be made only by the issue of cheques. There shall be no cash transactions in the BAGEPALLI COOLIE SANGHA, except for the operation of the petty credit activity (*Vokkaku Sanchi Duddu*) by the Mahila Meetings. Only the authorised signatories may operate a particular CSU or Cluster bank account, provided that each and every expenditure is supported by a resolution in that particular CSU or Cluster Minutes Books. General or specific powers of attorney to empower the authorised signatories to expend the funds shall not be executed by the Coolie Sangha Units or Clusters.
- f. Beneficiary Member Coolies shall be encouraged to contribute to their posterity and the self-financing of their village CSUs through voluntary contributions called Sangha Funds.
  - Member Coolies from the newer CSUs shall be encouraged to contribute 10% of their family incomes, from whatever source, into *Hundis* placed in their villages. These *Hundis* will be opened periodically in the presence of

all the Member Coolies, and the proceeds will be credited into their respective CSU bank accounts.

- Member Coolies will be encouraged to contribute 10% of benefits obtained from Voluntary Agencies and interest-free loans taken from their village CCFs into their respective CSU bank accounts.
- Member Coolies from the more mature CSUs shall be encouraged to declare their annual family incomes and pay a certain percentage of it, as fixed every year in their Taluk Coolie Sangha Meetings, as Sangha Fund voluntary contributions to their respective CSU bank accounts.

After meeting their various organisational, charitable and other expenses, the bank balance at the end of every financial year in each village CSU shall be placed in Fixed Deposit in Scheduled Banks only, in the name of the respective CSU. These Fixed Deposits shall accumulate to form the decentralised village level Corpus Fund of the BAGEPALLI COOLIE SANGHA, and shall be renewed in perpetuity for the life of the village CSU.

Interest accrued from these Fixed Deposits will be credited back into the same village CSU bank accounts and shall accrue to the Sangha Fund income of the respective CSUs for the next financial years.

- g. Grants and donations made by other donors for supporting specific programmes, projects or activities may be into the Main BAGEPALLI COOLIE SANGHA account.

The Board of Trustees is empowered to allocate funds from the Main bank account of the BAGEPALLI COOLIE SANGHA to specific Cluster and CSU accounts, on the advice of the Executive Committees.

- h. Funds from the various Coolie Sangha Unit and Cluster bank accounts cannot be transferred, in whole or in part, to any other Coolie Sangha Unit or Cluster bank accounts by the Executive Committees.
- i. However, in the event of a Coolie Sangha Unit or a Cluster getting permanently cancelled, the Board of Trustees may transfer the balance remaining in such CSU or CCF or Cluster's bank account, Fixed Deposit or Bond or proceeds thereof to any other CSU or CCF or Cluster or to the Main bank account of the BAGEPALLI COOLIE SANGHA.
- j. Funds in the various Coolie Sangha Unit bank accounts, Cluster bank accounts and the Main BAGEPALLI COOLIE SANGHA bank account may be invested in Fixed Deposits with Nationalised Banks or Government Companies and in Government Bonds, provided that the interest earned by these Fixed Deposits and Bonds is credited back into the same Coolie Sangha Unit or Cluster or Main Account from where the deposit or bond was made. The funds of the BAGEPALLI COOLIE SANGHA shall be invested in the

modes specified in Section 13(1) (d) r/w Section 13(5) of the Income Tax Act, 1961, to the extent necessary.

**25. ASSETS**

The assets of the Trust are as shown in the consolidated Balance Sheet of the BAGEPALLI COOLIE SANGHA as at 31 March 1998.

**26. AMENDMENT**

Any amendment to this Trust Deed can only be made by 3 of the 4 Permanent Trustees and 6 of the 8 Elected Trustees so voting at a special meeting of the Board of Trustees.

**27. WINDING UP**

In case of the BAGEPALLI COOLIE SANGHA being wound up, the property of the BAGEPALLI COOLIE SANGHA and the funds that may remain after full satisfaction of the liabilities of the BAGEPALLI COOLIE SANGHA shall be transferred or paid to some other Trust or Institution with similar aims and objects as the Trust, but shall in no event be distributed among the beneficiary members or the Trustees.

**CERTIFIED TRUE COPY**

**(Venkatashivappa, President)**