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DISTRICT MINERAL FOUNDATION TRUST DEED

THIS DEED OF TRUST IS EXECUTED AT KEONING ON THIS THE 11 44 DAY OF NOV. 2019

the Governor of Odisha, represented the Development Commissioner-cum-Additional Chief Secretary and Secretary to Government, by Planning and Convergence Department, Government of Odisha having its Headquarter at Bhubaneswar, hereinafter called "the SETTLOR", OF THE ONE PART.

IN FAVOUR OF

The following TRUSTEES of the OTHER PART which expression shall, unless repugnant to or inconsistent with the context, means and include

	successors occupying the posts by official des I. Official Designation or Public Office held o.	Designation in the Trust
ME U. SUNT	2	A STATE OF THE STA
8080 980101 98		Chairperson-cum- Managing Trustee
8 9	Project Director, District Rural Development Agency, Keonjhar	Ex-Officio, Member
	Chief Executive Officer, District Mineral Foundation, Keonjhar	Ex-Officio, Member
A EUN INVO	Vol. No. 23	feer - Au 520

Project Director, DRDA -cum- Chief Executive, D.M.F. Keonjhar

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Collector-cum Managing Trustee

Bidhu Bhusan Pattanayak

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Valid upto - 31-12-20 72



Registering Office Keonihar



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4	Additional District Magistrate, Keonjhar	Ex-Officio, Member
5	Deputy Director, Mines, Joda	Ex-Officio, Member
6	Divisional Forest Officer (Territorial), Keonjhar	Ex-Officio, Member
7,	Executive Engineer, Rural Works, Keonjhar	Ex-Officio, Member
8	Executive Engineer, Rural Water Supply and Sanitation, Keonjhar	Ex-Officio, Member
9	Executive Engineer, Roadsand Building, Keonjhar	Ex-Officio, Member
10	District Welfare Officer, Keonjhar	Ex-Officio, Member
101	Chief District medical Officer, Keonjhar.	Ex-Officio, Member
12	Sushree Chandrani Murmu, Hon'ble M.P. (Lok Sabha), Keonjhar	Ex-Officio, Member
13	Shri Premananda Nayak, Hon'ble MLA, Telkoi	Ex-Officio, Member
14	Shri Bhagirathi Sethi, Hon'ble MLA, Anandapur	Ex-Officio, Member
15	Shri Mohan Charan Majhi, Hon'ble MLA, Sadar Keonjhar	Ex-Officio, Member
16	Smt. Minakshee Mahanta, Hon'ble MLA, Champua	Ex-Officio, Member
17	Deputy Director (Planning and Statistics), District Planning and Monitoring Unit, Keonjhar	Ex-Officio, Member
18	Smt. Sukanti Khamari, Zilla Parishad Member, Zone No.25, Banspal Block	Ex-Officio, Member
H	Shri Biswajit Nayak, Vice Chairman, Joda Block & Panchayat Samiti Member, Bhadrasahi G.P.	Member
20	Smt. Dipika Naik, Sarapanch, Malda G.P., Jhumpura	Member
21	Shri Naran Purty, Sarapanch, Rasol G.P., Harichandanpur Block.	Member

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Collector-cum-Managing frust

- Com Cran Person



Endorsement of the certificate of admissibility

Admissible under rule 25: duly stamped under the Indian stamp (Orissa Amendment act 1 of 2008) Act 1899, Schedule 1-A No. Fees Paid: A18(x) & A(1)-520 ,, User Charges-505 ,Total 1025

Date: 11/11/2019

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Cicence No-1/2013, Keoninak Valid upto - 31-12-20 7



Registering blace Keonjbar

Signature of Presenter / Date: 11/11/2019

Signature of Region Al Wifficer. Keonibar

Endorsement under section 58

xecution is admitted	Photo	Thumb Impression	Signature	Date of Admission of Execution
SOVERNER OF ODISHA (GOVT)	Execution By GOVERNER OF ODISHA(GOVT) Who is Exempt from personal Appearance in this office-U/S 88 Act XVI of 1908 approved by	Execution By GOVERNER OF ODISHA(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	Execution By GOVERNER OF ODISHA(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by Signature of the Registering officer	
COLLECTOR KEOJHAR(GOVT)	Execution By COLLECTOR KEOJHAR(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	Execution By COLLECTOR KEOJHAR(GOVT) Who is Exempt from personal Appearance in this office U/5 88 Act XVI of 1908 approved by	Execution By COLLECTOR KEOJHAR(GOVT) Who is Exempt from personal Appearance in this office U/S 88 Act XVI of 1908 approved by	



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WHEREAS, section 9B of the Mines and Minerals (Development and Regulation) Act, 1957 (No. 57 of 1957) and rule 3 of the Odisha District Mineral Foundations Rules, 2015 provides for establishment of a District Mineral Foundation Trust by the State Government, as a non-profit body, with an objective to work for the interest and benefit of persons, and areas affected by mining related operations in such manner as may be prescribed by the State Government;

AND WHEREAS, the SETTLOR, for this purpose has set up the District Minerals Foundation, a trust as an entity under the State Government for "no profit" and for playing an important role for common good of the community and for using the fund of the trust for the interest and benefit of persons, and areas affected by mining related operations the manner as has been prescribed in the above mentioned Rules by the State Government;

AND WHEREAS, the SETTLOR in order to formalize the said Foundation is desirous to draw a Registered Trust Deed and has placed under the control of the TRUSTEES a sum of Rs.1,000/- (Rupees one thousand only), which sum is hereinafter referred to as the "INITIAL SETTLEMENT"-

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Page 2 of 5

NOW THIS DEED OF TRUST WITNESSETH AS FOLLOWS:

- INTERPRETATION & DEFINITIONS:
 - (1) IN THIS DEED OF TRUST wherever the context permits, the following word shall have the meaning mentioned herein :
 - (i) "Act" means the Mines and Minerals (Development & Regulation) Act, 1957 (No. 57 of 1957);
 - (ii) "Auditors" means the Chartered Accountant appointed by the Board for auditing the accounts of the Trust from amongst the Chartered Accountants empanelled by the Comptroller and Auditor General of India:
 - (iii) "Beneficiaries" means the persons and areas affected by mining related operations undertaken in the District of Keonjhar.
 - (iv) "Board" means Board of Trustees of the District Mineral Foundation constituted under rule 4, sub-rule(1) of Odisha District Mineral Foundations Rules, 2015;
 - (v) "Chairperson" means as provided in the rule 4, sub-rule(1), clause(i) and rule 6, sub-rule(1), clause(a) of ODMF Rules, 2015;
 - (vi) "Chief Executive Officer" means as provided in rule 4, sub-rule (1) and rule 6 of ODMF Rules;
 - (vii) "Collector" shall mean the Officer in charge of the revenue administration of a district and shall include Deputy Commissioner:
 - (viii) "Contribution" means the funds to be collected from the holders of :
 - mining lease or a prospecting licence-cum mining lease under the provisions of sub-section (5) of section 9B of the Act;
 - mining lease under the provisions of sub-section (6) of section 9B of the Act; and



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- (c) minor mineral concession under the provisions of section 15A of the Act in the District as may be prescribed by the State Government;
- (ix) "Government" means the Government of Odisha;
- (x) "Managing Trustee" means as provided in the rule 4, sub-rule (1), clause (iii) of ODMF Rules, 2015;
- (xi) "Panchayati Raj Institutions and Urban Local Bodies" means and includes the institutions and bodies constituted under the Odisha Panchayat Samiti Act 1960 (Odisha Act 7 of 1960), Odisha Grama Panchayats Act 1964, (Odisha Act 1 of 1965), Odisha Zilla Parishad Act 1991 (Odisha Act 17 of 1997), Odisha Municipal Act 1950 (Odisha Act 23 of 1950) and Odisha Municipal Corporation Act, 2003 (Odisha Act 11 of 2003);
- (xii) "PMKKKY" means the scheme as defined in rule 2 (c-a) of ODMF Rules;
- (xiii) "Rules" means the Odisha District Mineral Foundations Rules, 2015;
- (xiv) "Settlor" means Development Commissioner-cum-Additional Chief Secretary and Secretary to Government, Planning and Convergence Department, Government of Odisha and may include the successors occupying the post by official designation or public office;
- (xv) "The Trust" means the District Minerals Foundation, Keonjhar created by the SETTLOR under the Odisha District Mineral Foundation Rules, 2015;
- (xvi) "Year" means a financial year beginning from April 1 and ending on March 31 of the following year or part period thereof ending on March 31;



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- (2) Words in the singular shall include words in the plural and words in the plural shall include the singular.
- (3) Words importing the masculine gender shall include feminine and neutral gender.
- (4) The headings and sub-headings to this Deed are inserted only for reference to the provisions hereof and shall not affect the construction of such provisions.
- (5) The words and expressions used but not defined above shall have the same meaning as assigned to them in the Mines and Minerals (Development and Regulation) Act, 1957 (No. 67 of 1957) or, as may be defined under the provisions of the Mineral Concession Rules, 1960 or the Odisha Minor Mineral Concession Rules, 2014 and ODMF Rules, 2015.
- 2. NAME OF THE TRUST: The Trust shall be known as the District Mineral Foundation, Keonjhar and the office of the Trust shall be located in Keonjhar Town, Dist: Keonjhar-758001, Odisha.
- 3. OBJECTS OF THE TRUST: The object of the District Mineral Foundation shall be as follows, namely:-
 - (1) to prepare and implement various developmental and welfare projects or programs for the mining affected areas and also work towards complementing the same with existing ongoing schemes or projects being funded by the State as well as the Central Government;
 - (2) to minimize or mitigate the adverse impacts, during and after mining, on the environment, health and socio-economic condition of people in the mining affected districts; and
 - (3) to ensure long-term sustainable livelihoods for the affected people in the mining area, in such manner as may be prescribed by the State Government.
 - (4) Any other Object as may be specified by the Government.



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Print Endorsement Page 5 of 5 Execution By SMT SMT DIPIKA NAIK Execution By SMT DIPIKA NAIK(GOVT) Execution By SMT DIPIKA NAIK(GOVT) (GOVT) Who is Exempt from Who is Exempt from DIPIKA NAIK(GOVT) personal Appearance in this office U/S 88 Who is Exempt from personal Appearance in this office U/S 88 personal Appearance Act XVI of 1908 Act XVI of 1908_ in this office U/S 88 Act XVI of 1908 approved by approved by approved by Execution By SHRI Execution By SHRI Execution By SHRI NARAN PURTY NARAN PURTY NARAN PURTY (GOVT) Who is (GOVT) Who is (GOVT) Who is **SHRINARAN** Exempt from personal Exempt from personal Exempt from personal PURTY(GOVT) Appearance in this Appearance in this Appearance in this office U/S 88 Act XVI office U/S 88 Act XVI office U/S 88 Act XVI of 1908 approved by of 1908 approved by of 1908 approved by by profession of Admission of **Personal Information** Execution hidden **Personal Information** 1-Nov-2019 hidden **Personal Information** hidden Signature of Registering officer Date: 11/11/2019 Endorsement of certificate of registration under section 60 Registered and true copy filed in : Office of the District Sub-Registrar, KEONJHAR Book Number : 4 || Volume Number : 22 Document Number : 41001901064 For the year : 2019 Signature of Seal : Date: 13/11/2019 Print Keonihar

http://10.150.15.150/Admin/DSR/Endorsement/PrintEndorse... 13-11-2019

- (1) The SETTLOR hereby appoints the TRUSTEES as the trustees of the Trust which is hereby created and the TRUSTEES accept such appointment on the terms and conditions mentioned herein.
- (2) The TRUSTEES hereby appointed in their official capacity shall continue as TRUSTEES during the period they are in office and would be deemed to have ceased to be the TRUSTEES once they cease to hold the designated office by virtue of which they were so appointed and their successors in office shall be deemed to have been appointed as TRUSTEES in their place with effect from the date they are admitted to such office.
- (3) The SETTLOR may at any time subject to the approval of Government change the number of Trustees in any of the categories and for such term as may be deemed fit by the SETTLOR.
- (4) The SETTLOR may at any time subject to the approval of Government substitute or replace or remove any of the trustees at its discretion and the trustee so removed by the SETTLOR, shall cease to be a TRUSTEE with effect from the date of such removal.
- (5) The TRUSTEES shall have the possession of the Trust Fund which shall be subjected to the powers and provisions herein declared and contained concerning the same and the TRUSTEES shall have the power during the Trust Period to accept any Property from any person or persons by the provisions of any other trust or otherwise to the intent that the same shall be held by or on behalf of the TRUSTEES as an accretion to the Trust Fund.

MANAGEMENT OF THE TRUST: The Management of the Trust shall vest in a Board of Trustees, which shall consist of all the trustees including nominated trustees of the Trust. However, the day to day management of the Trust shall be managed by an Executive Committee, as defined in the rule 6 read with Clause 7.

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- (1) All decisions by the TRUSTEES shall be taken in the meeting of the Board of Trustees and every meeting of the Board of Trustees shall be deemed to be a meeting of the TRUST.
- (2) All decisions of the Board of Trustees shall be taken by the majority of the trustees present and if required by voting. In case of tie the Chairperson of the meeting shall have a casting vote.
- (3) Unless agreed to by the SETTLOR the TRUSTEES shall not amend any part of this TRUST DEED.
- 7. POWERS & FUNCTIONS OF THE BOARD OF TRUSTEES: The Board shall have the overall control over the management and functioning of the Trust and shall, subject to the guidelines or directions, if any, issued by the Government from time to time, have the following powers, namely:-
 - (1) Identify affected areas and affected people.
 - (2) Examine and approve the Annual Action Plan and the Annual Budget for the Trust with clear objective, targeted beneficiaries and focused intervention areas. The Annual Action plan shall be approved by the Board of Trustees at least one month before commencement of the year. The Annual Action Plan shall contain the list of schemes and projects with the tentative provisions thereof.
 - (3) Lay down the broad policy framework and approve the master plan or perspective plan for the functioning of the Trust and review its working from time to time. A perspective planning approach shall be adopted to address long term needs, sustainable investments, and future security. However pending formulation or approval of master plan or perspective plan, in order to address the immediate need, a shelf of projects shall be prepared for utilization of the Trust Fund.



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- (4) Decide the priority areas and sectoral allocations through proper assessment of the relevant socio-economic, human development and environmental parameters and capture the needs and aspirations of people by engaging them in the planning process.
- (5) Grant administrative sanction of individual projects exceeding the estimated cost of Rupees Ten Crores and monitor the proper functioning of the Trust.
- (6) Approve such other expenditure, for furtherance of the objects of the Trust from the available Trust Fund in such manner as may be prescribed by the SETTLOR.
- (7) Approve the recommendations of the Executive Committee.
- (8) Appoint the Auditors of the Trust.
- (9) Approve the annual reports and audited accounts of the Trust.
- 8. MEETINGS OF BOARD OF TRUSTEES:
 - (1) The Trustees shall meet at least twice in a year at such places and time as they may decide from time to time for efficient management of the Trust and for disposing of all such other matters as may arise in such meetings.
 - (2) The meeting of the Board of Trustees shall be convened as desired by the Chairperson.
 - (3) That a notice of 14 (Fourteen) days shall be given in writing for convening the meeting of the Board of Trustees. The notice may be served by hand, post or by e-mail to the address provided by the trustees for the purpose:

Provided, that, for urgent matters, a meeting of the Board of Trustees may be convened at a shorter notice: subject to the condition that at least fifty percent of the members of the Board of Trustees have given their consent for such meeting.

Provided further that such consent may be given through email or by circulation of a resolution to that effect.



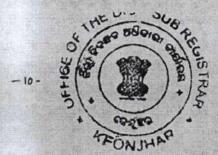


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- (4) The quorum for such meeting shall be fifty per centum of total number of Trustees.
- (5) The Chairperson or in his absence any trustee nominated by the Chairperson shall preside over all meetings of the Trustees. The decision of the Trustees shall be by majority vote and the Chairperson or his nominee as the case may be shall have a casting vote in case of equality of yotes.
- (6) The proceedings of the meeting of the trustees shall be recorded in writing in a Minutes Book kept for the purpose.
- (7) The Chairperson may invite other persons or officials or subject experts to the meeting as he may consider necessary as special invitees and the invitees shall not be eligible to vote.
- 9. EXECUTIVE COMMITTEE: The Executive Committee of the Trust shall consist of the following members, namely: -
 - (i) Collector, who shall be the Chairperson;
 - (ii) District level officers of Rural Development, Works, Forest and Environment and Steel and Mines Departments ... Members;
 - (iii) Project Director, District Rural Development Agency ... Member;
 - (iv) The Chief Executive Officer of the Trust shall be the Member Secretary of the Executive Committee;
 - (v) Government, may however, alter the composition of the Executive Committee, whenever exigencies arise.

10. MEETINGS OF EXECUTIVE COMMITTEE :

(1) That the Executive Committee shall meet at least once every quarter and at such places within the District and at such time as may be decided by the Chairperson for efficient management of the Trust and for disposing of all such other matters that may arise in such meetings. The meeting of the Executive Committee shall be convened as desired by the Chairperson.



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(2) That a notice of 14 (Fourteen) days shall be given in writing for convening the meeting of the Executive Committee. The notice may be served by hand, post or by e-mail to the address provided by the Members of the Executive Committee for the purpose:

Provided that, for urgent matters, meeting of the Executive Committee may be convened at a shorter notice subject to the condition that at least fifty percent of the members of the Executive Committee have given their consent for such meeting

Provided further, that, such consent may be given through email or by circulation of a resolution to that effect.

- (3) The quorum for such meeting shall be fifty per centum of total members.
- (4) The proceedings of the meeting of the Executive Committee shall be recorded in writing in a Minutes Book kept for the purpose. The minutes shall describe in sufficient detail, the proceedings of each meeting. The minutes of each meeting shall be circulated to each member upon the approval by the Chairperson.
- (5) The Chairperson or in his absence any Member nominated by the Chairperson shall preside over the meetings of the Executive Committee. The decisions of the Executive committee shall be by majority vote and the Chairperson or his nominee as the case may be shall have a casting vote in case of equality of vote.
- (6) The Chairperson may invite any other persons or officials or subject expert to the meeting as he may consider necessary as special invitee and the invitees shall not be eligible to vote.
- POWERS AND FUNCTIONS OF THE EXECUTIVE COMMITTEE: The Executive Committee shall be responsible for monitoring the day to day management and supervision of the activities of the Trust under the overall supervision and control of the Board and more specifically, shall have the following powers, namely:-

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- (1) Award contracts and works and sanction of payment for the same.
- (2) Grant administrative sanction for individual projects with estimated cost not exceeding Rupees Ten Crore.
- (3) Maintain accounts of the Trust.
- (4) Supervise the progress in discharge of contracts and execution of works.
- (5) Invest funds of the Trust in accordance with the guidelines laid down by the Government and the Board.
- (6) Prepare perspective plan, annual budget, annual action plan etc. for approval of the Board. The annual action plan and the annual budget of the Trust shall be prepared along with the proposed schemes and projects falling under the permissible activities prescribed in rule 10 read with rule 11 A:

Provided that while preparing the annual action plan for the next financial year, the sum total of the past commitment and liabilities spilling over shall be assessed. To maintain financial discipline and timely completion of project, the Committee shall make endeavour to complete the ongoing project in time and provide for the cost for new projects or schemes keeping in view the expected inflows of funds for the ensuing financial year.

- (7) Exercise due diligence in carrying out its duties for protecting the interests of the Trust.
- (8) Maintain records and ensure timely collection of Contribution from the concerned Mining Lease Holders in accordance with the provisions of the Act and Rules.
- (9) Prepare the Master Plan or Vision Document for the activities of the Trust with the assistance of Line Department, Expert Bodies, Agencies, to be placed before the Board.
- (10) Accord sanction to the projects, release and disburse the Trust Fund for the purpose.
- (11) Monitor the progress of the utilization of Trust funds.



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- (12) Place the audited accounts along with an Annual Report before the Board for its approval within 60 days of close of financial year.
- (13) Lay down or approve rules and procedures for the day to day functioning of the Trust.
- (14) Do all other things which are necessary for smooth functioning and management of the Trust.
- (15) May delegate such of its power to the Chief Executive Officer as it may consider appropriate.
- 12. TRUST FUND: The Trust Fund of the District Mineral Foundation Trust shall include the following, namely:-
 - (1) The amount placed under the control of the Trustees by the Settlor;
 - (2) Any grant, contribution or other monies received from the Settlor or from any other Agency, Institution or Person;
 - (3) The Contributions to be collected from the holders of the following namely;-
 - (a) mining lease or a prospecting licence-cum-mining lease under the provisions of sub-section (5) of section 9B of the Act;
 - (b) mining lease under the provisions of sub-section (6) of section 9B of the Act; and
 - (c) minor mineral concession under the provisions of section 15A of the Act in the District as may be prescribed by the State Government;
 - (4) Investments and other deposits and the interest accrued thereon and any other income derived there from;
 - (5) All other properties of the Trust and the income derived therefrom or appreciation thereof;
 - (6) Voluntary contributions, if any, received by the Trust from any person or organisation;
 - (7) Funds transferred from contributions received by other districts as may be decided by the State Government in accordance with the provisions of rule 11A, sub-rule(6).

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- (1) All the receipts of the Trust shall be deposited or credited to the bank account(s) opened in the name of the Trust in one or more Scheduled Banks or a banking account in the Public Account of the State Government as may be prescribed by the State Government and maintained in accordance with the provisions of rule 8.
- (2) The bank accounts shall be operated under the joint signatures of the Managing Trustee and another member of the Executive Committee to be authorized by the Board of Trustees.
- 14. INVESTMENTS: The receipts or income of the Trust pending utilization for the purposes of the Trust may be invested by the Board with a purpose to generate income from the idle funds in accordance with rule 8, sub-rule(4) read with rule 14 and as contained in section 11, sub-section (5) of the Income Tax Act, 1961 (No 43 of 1961).
- 15. SCOPE OF DISTRICT MINERAL FOUNDATION TRUST:
 - (1) The District Mineral Foundation Trust shall at present work for the interest and benefit of persons, and for the overall development of the areas affected by mining related operations in the District in the manner provided below:

Provided that the scope shall include and be subjected to rules, as amended from time to time hereafter.

- (2) Affected areas and people to be covered shall be as under:
 - (A) Affected areas shall include the following namely:-
 - (a) Directly affected areas are areas where direct mining-related operations such as excavation, mining, blasting, beneficiation and waste disposal (overburdened dumps, tailing ponds, transport corridors etc.) etc. are taking place, which may also include the following namely:-



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- (i) villages and gram panchayats within which the mines are situated and are operational, which may extend to neighbouring village, block or district or even the State;
- (ii) an area within a radius of ten Kilometres from a mine or cluster of mines, irrespective of the fact whether this falls within the district concerned or adjacent district;
- (iii) villages in which families displaced by mines have been resettled or rehabilitated by the project authorities; and
- (iv) villages that significantly depend on the mining areas for meeting their economic needs and have usufruct and traditional rights over the project areas i.e. for grazing, collection of minor forest produce etc.
- (b) Indirectly affected areas are areas where local population is adversely affected on account of economic, social and environmental consequences due to mining-related operations and such operation may have the major negative impacts of mining by way of deterioration of water, soil and air quality, reduction in stream flows and depletion of ground water, congestion and pollution due to mining operations, transportation of minerals, increased burden on existing infrastructure and resources.

(B) Affected People

- (a) Directly Affected People shall include the following namely:-
 - (i) 'affected family' as defined under section 3, clause (c) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (No. 30 of 2013); and
 - (ii) 'displaced family' as defined under section 3, clause (k) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (No. 30 of 2013); or

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- (iii) any other family or persons as appropriately identified by the concerned Gram Sabha.
- (b) Persons affected by mining related operation may also include people who have legal and occupational rights over the land being mined and also those with usufruct and traditional rights.
- (c) Affected families may also be identified, as far as possible, in consultation with the local or elected representatives of Gram Sabha.
- (3) Utilization of Funds:- The funds of the Trust may be utilised for implementing the following activities, namely:-
- (A) High priority activities:
 - (i) Drinking water supply: centralized purification systems, water treatment plants, permanent or temporary water distribution networks including stand-alone facilities for drinking water, laying of piped water supply system;
 - (ii) Environment preservation and pollution control measures:
 effluent treatment plants, prevention of pollution of streams,
 lakes, ponds, ground water, other water sources in the region,
 measure for controlling air and dust pollution caused by mining
 operations and dumps, mine drainage system, mine pollution
 prevention technologies, and measures for working or abandoned
 mines and other air, water and surface pollution control
 mechanisms required for environment-friendly and sustainable
 mine development, except in so far as these responsibilities of the
 lessee in terms of relevant laws or conditions of clearances
 granted to the lessee;



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- (a) The focus must be on creation of primary or secondary health care facilities in the affected areas and the emphasis should not be only on the creation of the health care infrastructure, but also on provision of necessary staffing, equipment and supplies required for making such facilities effective.
- (b) To that extent, the effort should be to supplement and work in convergence with the existing health care infrastructure of the local bodies, State and Central Government.
- (c) The expertise available with the National Institute of Miners' Health may also be drawn upon to design special infrastructure needed to take care of mining related illnesses and diseases.
- (d) Group Insurance Scheme for health care may be implemented for mining affected persons not covered under other schemes;
- (iv) Education: construction of school buildings, Additional class rooms, Laboratories, Libraries, Art and crafts room, toilet blocks, drinking water provisions, residential Hostels for students or teachers in remote areas, sports infrastructure, engagement of teachers or other supporting staff, e-learning setup, other arrangement of transport facilities (bus or van or cycles or rickshaws etc.) and nutrition related programs;
- (v) Welfare of Women and Children: Special programmes for addressing problems of maternal and child health, malnutrition, infectious diseases etc;
- (vi) Welfare of aged and disabled people: Special programme for welfare of aged and disabled people. Provision of aids and appliances to disabled persons etc.

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(vii) Skill development : -

- (a) skill development for livelihood support, income generation and economic activities for local eligible persons;
- (b) The projects or schemes may include training, skill development centre, self-employment, support to Self Help Groups and provision of forward and backward linkages for such self-employment economic activities;
- (viii) Sanitation: collection, transportation and disposal of waste, cleaning of public places, provision of proper drainage and Sewage Treatment Plant, provision for disposal of fecal sludge, provision of toilets and such other related activities;
- (ix) Housing:- Schemes for providing shelter to the persons not having pucca houses including group housing schemes, individual houses, old age homes etc.
- (x) Livelihood Programmes: Support for livelihood, incomegeneration and economic activities;
- (xi) Road connectivity:- Road connectivity to unconnected

(B) Other priority activities: -

- (i) Physical infrastructure providing required physical infrastructure such as road, bridges, railways and waterways projects;
- (ii) Irrigation developing alternate sources of irrigation, checkdams, diversion weirs, adoption of suitable and advanced irrigation techniques;

(iii)Energy and Watershed Development -

- (a) Development of alternate source of energy (including micro-hydel) and rainwater harvesting system;
- (b) Development of orchards, integrated farming and economic forestry and restoration of catchments.



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- (c) Improvement of quality of electricity supply through appropriate augmentation to the transmission and distribution nerwork.
- (iv) Afforestation Plantation of trees and regeneration of degraded forests, soil conservation measures etc;
- (v) Any other measures for enhancing environmental quality in the districts where mining operations are carried on.
- (C) Not less than 60 percentum of the funds may be utilised for high priority activities and upto 40% of the funds may be utilised for other priority activities:

Provided that if the Board is of view that it is necessary in the interest of welfare of the affected people and of the development of the affected areas so to do, it may take up projects for other priority areas in excess of the limits specified in this sub-rule.

(D) Not more than forty percentum of the funds may be utilized for taking up activities in the indirectly affected areas.

16. GENERAL GUIDELINES OF THE TRUST:

- (1) The developmental and welfare activities to be taken up by the Trust shall be in the nature of complementing the ongoing schemes or projects being funded by the State as well the Central Government.
- (2) Activities meant to be taken up under the 'polluter pays principle' shall not be taken up under the Trust.
- (3) Without prejudice to the powers of the Trust, efforts shall be made to achieve convergence with the State and the District Plans so that the activities taken up by the Trust supplement the development and welfare activities and are treated as extra-budgetary resources for the State Plan.
- (4) An amount not exceeding five per centum of the annual receipts of the Trust or such other limit not exceeding five per centum, as may be fixed by the Government, may be utilised for administrative, supervisory and overhead costs of the Trust.

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(5) As far as possible, no temporary or permanent posts shall be created by the Trust and for any creation of temporary or permanent posts and purchase of vehicle the Trust shall require prior approval of the Government:

Provided that minimum required staff can be engaged on contractual basis, with the prior approval of the Government.

- (6) If the affected area of a mine in one district also falls in the jurisdiction of another district, such percentage of amount collected from the mine by the Trust, as may be decided by the Government, shall be transferred to the Trust of the other district concerned for taking up the activities in such areas.
- (7) A project that is for benefit of the affected area or people, but stretches beyond the geographical boundary of the district shall be taken up by the Trust of the respective district.
- (8) Projects for development of common social and economic infrastructure like institutions of higher and technical education, sports infrastructure, science centres, health institutions in the secondary and tertiary sector, roads and bridges etc. in excess of the limits specified in regard to the priority for fund utilization, on a case to case basis, may also be taken up for projects of importance to the district.
- (9) Prior approval of the Government need to be taken, before taking up such works in excess of the limits of fund utilization.
- (10)A reasonable sum of the annual receipts as decided by the Board, may be kept as endowment fund for providing sustainable livelihood.
- (11) Any Scheme implemented in any Scheduled area shall be subjected to approval of Gram Sabha.
- (12) The works undertaken by the Trust shall be executed Government agencies or through any other competent and sound agency following a transparent process, after obtaining prior approval of the Board or Executive Committee:

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Provided that the guidelines for functioning of the Trust shall be subjected to ODMF Rules, 2015 as amended from time to time hereafter.

- 17. CHARGING OF EXPENSES: The Trustees shall be entitled to charge the Trust Fund with the following expenses, namely:-
 - (1) all expenses properly incurred in the operation or execution of the Trust and for the realization, preservation or benefit of the investments and assets comprising the Trust Fund and for the protection of the interests of the Trust;
 - (2) all expenses (including expenses incidental to execution or registration of any agreement or other deeds) incurred by the Trustees for obtaining the contributions and or any other resources; which may accrue;
 - (3) all expenses in connection with any legal proceedings by or against the Trust or concerning the affairs of the Trust including professional fees and costs of any legal adviser;
 - (4) all legal and statutory expenses incurred in the operation or execution of the Trust including all levies, duties and other charges paid or payable in connection with the affairs of the Trust; and
 - (5) all expenses in connection with the holding of its meetings, and other proceedings and expenditure incurred on planning, execution, inspections, reviews and preparation of projects, hiring of consultants, third party inspections, auditors and such other expenses incidental thereto.

18. ACCOUNTS AND AUDIT:

(1) (i) The Executive Committee shall maintain or cause to be maintained proper books of accounts, documents and records of the Trust in accordance with such accounting procedures as the Government may notify in the official gazette.



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- (ii) The accounts of the Trust shall be audited every year by the Chartered Accountant(s) appointed by the Board from amongst the Chartered Accountants empanelled with the Comptroller and Auditor General of India, on such terms and conditions as may be decided by the Board. The audit report shall be placed in the Board alongwith the annual report and shall also be placed in public domain.

 (iii) The auditors may be removed and replaced by the Board.

 Notwithstanding the provisions of clause (1), the Sattley may
- (2) Notwithstanding the provisions of clause (1), the Settlor may appoint an auditor or auditors on such terms as the Settlor may so decide.
- (3) Every year, within three months from the date of its closure, the Board shall cause to prepare and approve an Annual Report on the activities of the Trust for the respective year. The Annual Report will be submitted to the Government within one month from the date of its approval by the Board and will also be hosted on the website of the Trust. The Annual Report of each Trust shall also be laid before the Odisha Legislative Assembly.

19. MAINTENANCE OF TRANSPERENCY:

- (1) The Executive Committee shall disclose information relating to the Trust as prescribed in the rule 17 of the rules and display the same in the website.
- (2) The Executive Committee shall update the website to maintain transparency in respect of its activities.
- (3) The Trust shall make voluntary disclosure of the information under the Right to Information Act, 2005 (No. 22 of 2005)

20. ADMINISTRATIVE ARRANGEMENTS:

(1) The State Government shall provide services of the personnel under their control including employees working in the District Rural Development Agency for management of the Trust and for execution of the Annual Action Plan as may be required for the purpose.



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And the Development Commissioner-cum. Additional Chief Secretary

- (2) The Trust may request the SETTLOR or State Government to provide required number of personnel from Departments of Government or such other cadre, for providing administrative and technical assistance to the Trust. Services of such personnel shall continue to remain in their own respective cadres. The Trust may bear expenditure within 5% of the Annual receipt of the trust or such other limits of the annual not exceeding five percentum, as may be fixed by the Government, which may be utilized for administrative, supervisory and overhead costs of the Trust.
- (3) The Trust may also ask service providers to provide such services as may be needed for smooth functioning of the Trust and may provide forincurring contingent expenditure for its functioning within the limit prescribed.

LIABILITY OF TRUSTEES:

- (1) The TRUSTEES shall not be liable on account of anything done in good faith, bonafide with due diligence. The TRUSTEES shall also not be liable or responsible for any banker, broker, custodian or other person in whose hands the same may, in good faith, be deposited or placed nor for the deficiency or insufficiency in the value of any investments of the Trust Fund nor otherwise for any involuntary loss.
- (2) The TRUSTEES and every attorney or, agent appointed by the TRUSTEES shall be entitled to be indemnified out of the Trust Fund in respect of all liabilities, losses and expenses incurred in execution of the Trust or any of the powers, authorities, and discretions vested in or delegated to them other than those arising out of gross negligence or willful misconduct.
- TRUSTEES REMUNERATION: The TRUSTEES shall not be entitled to any remuneration for their services.
- AMENDMENT: This Trust deed may be amended from time to time by SETTLOR only with the prior concurrence of the Government and not otherwise.

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- CLARIFICATION: The SETTLOR may issue such clarifications as may be 24. necessary for smooth functioning of the Trust.
- THE SEAL OF THE TRUST: The TRUSTEES shall have power from time to 25. time to destroy the Seal and substitute a new Seal in lieu thereof. The Seal of the TRUST shall remain in the custody of the Board of Trustees who shall have the authority to use the same for and on behalf of the TRUST.
- REVOCABILITY: This Trust is revocable by SETTLOR with prior 26. concurrence of the Government. The Trust shall continue to exist till such time as may be decided by the SETTLOR. At the time of extinguishment of the frust, all the assets and liabilities of the Trust shall be transferred to the State Government.

IN WITNESS whereof the parties hereto have executed this deed on the day and year first hereinbefore appearing.

Signed and Delivered on behalf of the Governor of Odisha, the SETTLOR.

Development Commissioner-cum Addissoral Chief Secretary to Government, Planning valous Convergence Department, Odisha, Bhuban causha

Name with Official Seal.

Witnesses:

(i) Signature

SPECIAL SECRETARY TO GOVT.

Name:

P& C DEPARTMENT

Address:

PLANNING LIONVERHENCE SEPT OBISHA

(ii) Signature

Name:

PRADYUMNA KUMAR MAHTIKUD

Address:

JUINT SECRETARY TO GOV., PLANNIGE CONVERGENCE DEPT.

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SIGNATURE OF TRUSTEES

(i) Signature Andrew

Name: Ashish Thakare, IASCollector-cum-Managing Trustee Address: Collector, Keonjhar. DM.F., Keonjhar At/PO: Keonjhar, Dist: Keonjhar-758001.

(ii) Signature on Undollaba ahanalra Majhi

Name: Dr. Udhhab Chandra Majhi, OAS(SAG) Address: Project Director, DRDA, Keonjhar At/PO: Keonjhar, Dist: Keonjhar-758001.

(iii) Signature Dr. Uddhala chandra Maphi

Name: Dr. Udhhab Chandra Majhi, OAS(SAG)
Address: Project Director, DRDA, Keonjhar-cum-Chief
Executive Officer, DMF, Keonjhar.
At/PO: Keonjhar, Dist: Keonjhar-758001.

(iv) Signature Blok to Claron Pradlan

Name: Dr. Bhakta Charan Pradhan, OAS(SAG) Address: Addl. District Magistrate, Keonjhar. At/PO: Keonjhar, Dist: Keonjhar-758001.

(v) Signature Laxmidhas Hoyer

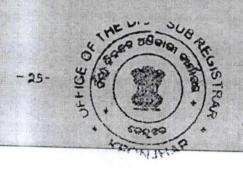
Name: Shri Lakshmidhar Naik, Address: Deputy Director, Mines, Joda. At/PO: Joda, Dist: Keonjhar.

(vi)Signature

Name: Shri Santosh Joshi, IFS Address: Divisional Forest Officer(Territorial), Keonjhar. At/PO: Keonjhar, Dist: Keonjhar-758001.

(vii) Signature Tohan Luras Poul

Name: Er. Jiban Kumar Pal Address: Executive Engineer, Rural Works, Keonjhar. At/PO: Keonjhar, Dist: Keonjhar-758001.



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Development Commissioner-cum-Additional Chief Secretary

Damprolli Salo (viii)Signature _

> Name: Er. Dayanidhi Sahoo, Address: Executive Engineer, RWS&S, Keonjhar. At/PO: Keonjhar, Dist: Keonjhar-758001.

(ix) Signature Pradeep Kumor

Name: Er. Pradeep Kumar Rath Address: Executive Engineer, R & B, Keonjhar. At/PO: Keonjhar, Dist: Keonjhar-758001.

Poodung kine Del (x)Signature

> Name: Shri Pradyumna Dash Address: District Welfare Officer, Keonjhar. At/PO: Keonjhar, Dist: Keonjhar-758001.

(xi)Signature

Name: Dr. Ashok Kumar Dash Address: Chief District Medical Officer, Keonjhar. At/PO: Keonjhar, Dist: Keonjhar-758001.

box Kumar Dash.

Chambrani Hewmu (xii)Signature

> Name: Sushree Chandrani Murmu, Address: Hon'ble M.P. (Lok Sabha), Keonjhar. At: Tikargumura, PO-Keonjhargarh, Dist: Keonjhar

(xiii) Signature Premande Nogal

Name: Shri Premananda Nayak, Address: Hon'ble M.L.A. Telkoi. At/PO- Akul, PS-Telkoi, Dist: Keonjhar.

(xiv)Signature

Bhagisalle Self-Name: Shri Bhagirathi Sethi Address: Hon'ble M.L.A. Anandapur.

At: Fakirpur, PS: Anandapur, Dist: Keonjhar



Development Commissioner-cum-Additional Chief Secretary Odisha

(xvi)Signature

Name: Smt. Minakshee Mahanta, Address: Hon'ble M.L.A. Champua. At: Bhandaridihi, PO-Belda, PS-Bamebari, Dist: Keonjhar

(xvii) Signature Rasendralum or Pellera

Name: Shri Gajendra Kumar Behera Address: Deputy Director(Planning & Statistics), District Planning and Monitoring Unit, Keonjhar, At/PO: Keonjhar, Dist: Keonjhar-758001.

(xviii) Signature Scekondi khamosi

Name: Smt. Sukanti Khamari, Address: Zilla Parishad Member, Zone No. 25, Banspal Block At/PO: Kanjipani, PS-Kanjipani Dist: Keonjhar.

(xix) Signature Biswait Noik

Name: Shri Biswajit Nayak, Address: Vice Chairman, Joda Block & P.S. Member, Bhadrasahi G.P. At-Jhadgaon, PO- Bhadrasahi, Dist: Keonjhar.

(xx) Signature Defeka Nack

Name: Smt. Dipika Naik, Address: Sarapanch, Malda G.P., Jhumpura Block. At/PO- Malda, Dist: Keonjhar

(xxi) Signature Navan Purty

Name: Shri Naran Purty, Address: Sarapanch, Rasol G.P., Harichandanpur Block. At/PO- Baliparbata, Dist: Keonjhar.

3. M.F. Kenishare (3) Osisirem Charlog Pattheory 1000, DMF, yeorisher

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Development Commissioner-cum. Additional Chief Secretary

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