भारतीय गैर न्यायिक

बीस रुपये

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भारत

Rs.20

TWENTY RUPEES

INDIA

INDIA NON JUDICIAL

उत्तर प्रदेश UTTAR PRADESH 09AA 093062

TRUST DEED OF MASTER HORI SINGH MEMORIAL TRUST

This Deed of Public Charitable Trust executed on this 8TH Day of SEPTEMBER, 2010 AT Village Thant Jut, Post Office Raja Ka Tajpur, District Bijnor, Uttar Pradesh between Smt. Shanti Devi, wife of Shri (Late) Hori Singh resident of Village Thant Jut, Post Office Raja Ka Tajpur, District Bijnor, Uttar Pradesh, herein after called the SETTLOR which expression shall, unless excluded by or repugnant to the subject/context, be deemed to include her heirs, executors, administrators, assigns and representatives of the one part, and

1. Shri Ashok Kumar Rana, son of Shri (Late) Hori Singh, resident of Village Thant Jut, Post Office Raja Ka Tajpur, District Bijnor, Uttar Pradesh
2. Shri Priyankar Rana, son of Shri Ashok Kumar Rana, resident of Village Thant Jut, Post Office Raja Ka Tajpur, District Bijnor, Uttar Pradesh
3. Smt. Jyoti Rana wife of Shri Ashok Kumar Rana, resident of Village Thant Jut, Post Office Raja Ka Tajpur, District Bijnor, Uttar Pradesh
4. Smt. Abha Singh, wife of Shri P. R. Singh, resident of village and post office Saindwar, Chandpur, District Bijnor, Uttar Pradesh
5. Mrs. Shushma Singh W/o Sh. Rajendra Singh, resident of village Shivpuri District Bijnor, Uttar Pradesh.

All Hindu Indian inhabitants, hereinafter referred to as trustees, which expression shall, unless excluded by or repugnant to the context on meaning thereof , be deemed to include their Survivors, heirs, executors, executors and the last surviving trustees of these present of the other part.

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श्रीमती भागवती देवी पत्नी स्व० श्री हीरा सिंह

पेशा खेती/व्यापार ग्राम-खाटखेत पो० पनखेत रामपुर

के कार्यालय उप - जिलाधिकारी रामपुर

तहसील-जिला के सामने दिनांक 13/09/2010

को मेरे द्वारा पहचाने गये व्यक्ति ने शपथ ग्रहण किया

13/9/2010

इसने हस्ताक्षर/अंगूठा लगाया है —

शपथकर्ता श्रीमती भागवती देवी पुत्र —

भागवती देवी

मैं श्री लोकेश सिंह पुत्र स्व० ठाकुर रघुवीर सिंह

पहचान निवासी ग्राम अमरदेव रामपुर पेशा सामाजिक

पहचान पुत्री श्री हरवीर पुत्र स्व० पहचान निवासी

हलफनामा रामपुर दिनांक 13/9/2010

Lokesh Singh

Malti Chauhan

अधिवक्ता के लिए उप जिलाधिकारी

जिला मजिस्ट्रेट रामपुर

13/9/2010



उत्तर प्रदेश UTTAR PRADESH 19AA 129967

WHEREAS

1. The Settlor is desirous of creating an endowment by setting apart and establishing a Fund for the Public Religious and Charitable objects and purposes in India in the memory of her late husband Sri Hori Singh, who was a very distinctive personality and led a very eventful life, which is a source of deep inspiration not only for the author but to many others who knew him closely. Keeping in view of the most laudable memory of her husband, the author is committed to perpetuate the core ideology, personality values and feelings by the establishment of this Trust.
2. The trustees have at the request of the Settlor, agreed to act as first trustees of these present as testified by their being parties to and executing these present.

Now this INDENTURE WITNESSETH as follows

1. In order to put into the effect the stated object of creating and establishing a public religious and charitable trust, the Settlor has delivered to and make over to the TRUSTEES a sum of Rs. 11,000 (Rupees Eleven Thousand Only) with the intent to part with all his right, title and interest, claim therein and vest the same in the TRUSTEES to have and to hold the same (which shall be referred in this document as the Trust Fund). This Trust Fund shall include cash and any movable or immovable property or investments of any kind whatsoever into which the same or any part of the Trust Fund may be converted, invested or varied or which may be acquired by the trustees or may come to their hands by virtue of these presents or by operation of law or otherwise in relation to these presents. The trustees shall hold and are in possession of the Trust Fund subject to the powers, provisions, agreements, declarations that are contained in this Trust Deed.
2. The name of the Trust shall be MASTER HORI SINGH MEMORIAL TRUST
3. The office of the trust shall, for the present, be situated at No. Village Thant Jut, Post Office Raja Ka Tajpur, District Bijnor, Uttar Pradesh and/or other places as the trustees may decide from time to time. The TRUSTEES may establish their office at such place or such places and may change such places from time to time as they think fit.

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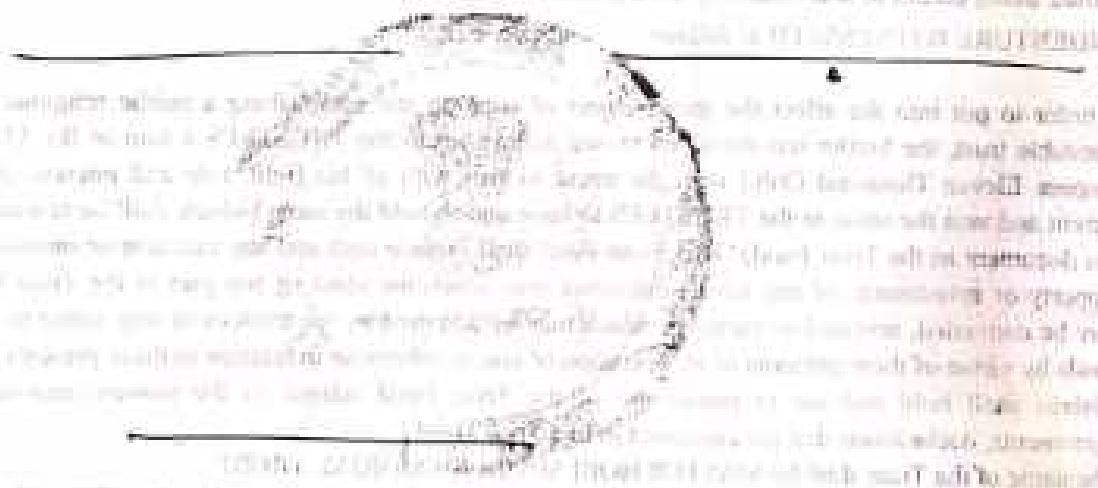
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OBJECTS OF THE TRUST

4. That the objects of the trust established are :

   a. To establish, set up, run, maintain or grant aid for the establishment and/or maintenance of, hospitals, medical research centers, medical colleges, nursing institutions, maternity homes, child welfare centers, dispensaries and laboratories and other similar institutions for philanthropic purpose.

   b. To establish, set up, run, maintain or grant aid for the establishment and/or maintenance of, institutions for higher education in the fields of medical, engineering, management, computer science, and in all vocational courses, polytechnics, other medical and educational institutions, schools, colleges, orphanages, widow homes, lunatic asylum, poor houses, maternity homes, dispensaries, child welfare centers and similar charitable institutions.

   c. To establish, maintain and run scholarships and render other kind of aid to students including supply of books, stipends, medals and other incentives to study, without any distinction, as to caste, colour, race, creed or sex.

   d. To promote, establish, support, maintain or grant aid to, institutions for the promotion of science, sports, literature, social welfare, music, drama and fine arts, and for the research and other institutions, in India, having similar objects for the benefit of the public in general.

   e. To establish, maintain, or grant aid for the establishment and/or maintenance of, parks, gardens, gymnasiums, sports clubs, sports complex, auditorium, community centers, dharamsalas and rest houses for the public in general.

   f. To establish, maintain, or grant aid for the establishment and/or maintenance of homes for the aged, orphanages or establishments for the relief and help to the poor, needy and destitute people, orphans, widows and aged persons

   g. To establish and develop or grant aid for the establishment and/or maintenance of institutions for the physically handicapped and disabled or mentally retarded persons and to provide them education, food, clothing or other help.

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h. To grant relief and assistance to the needy victims during natural calamities such as famine, earth quake, flood, fire, pestilence etc. and to give donations, assistance to institutions, establishments or persons engaged in such relief work

i. To construct, repair and manage or grant aid for the establishment and/or maintenance of the marghats, cemeteries and burial grounds.

j. To organize or grant aid for organizing or to assist in programs for creating awareness regarding environment, wild life protection, science, education, medical related matters and the like.

k. To organize or grant aid for organizing or to assist in various social welfare acts such as organizing marriage programs for the needy class, upliftment of the weaker section of the society by granting aid and assistance in cash or in kind.

l. To grant aid or render assistance to other public charitable trusts or institutions.

m. To do all such acts as may be considered necessary and condusive for the attainment of the aforesaid objects.

5. That the Trust Fund may be added to, by the income from the initial fund and also by donations and other contributions from time to time.

6. The TRUSTEES shall from time to time after meeting the expenses of and incidental to the management of the Trust Properties and of the Trust decide the particular object or objects for which the income or corpus of the TRUST FUND or ESTATE for the time being available shall be applied

7. If any one or more objects specified in clause (3) of these presents are held not to be objects of a public charitable nature, the TRUSTEES shall not carry out such object or objects as if the same are not incorporated in the trust deed. The validity of the trust created by these presents as a public charitable trust shall not be affected in any manner.

8. That the Trust Fund shall not be applied for any purpose other than those specified in clause (3).

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9. The administration of the Trust and the control, regulation, management and application of the Trust Fund shall as far as reasonably possible be in the entire and unfettered discretion of the Trustees and the Trustees may at any time make, vary and rescind any rules for such administration, control, regulation and management
10. Without affecting the generality of powers and functions of the TRUSTEES to manage and administer the trust, the Board of Trustees shall have the following functions –

Powers relating to Managing the Trust Fund

Trust Receipts

i. To apply the whole or part of the income of the trust, or the trust fund or the accumulations to the Trust income, to any one or more of the purposes and objects of the trust, as the trustees may, in their discretion, deem fit from time to time.
ii. To set apart and or allocate the whole or any part of the income of the corpus of the trust fund or part thereof for any of the objects of the trust.
iii. To purchase, construct or hire or take on lease any immovable property for all or any of the purposes of the trust at such price, cost or rent and on such terms and conditions and for such period and with or without option for renewal as the trustees may deem fit.
iv. To sell, dispose off, alienate or otherwise deal with any property comprising of Trust Fund.
v. To convert and deal with the trust property and/or any investments for the time being.
vi. To let out, lease, devise, mortgage, change or license any property belonging to the trust for such rent or compensation and on such terms and conditions and for such period as the trustees in their discretion may deem fit.

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vii. To borrow or raise or secure payments of moneys and also to lend money either with or without security

viii. To adjust, settle, compromise, compound, refer to arbitration, all actions, suits, claims, demands and proceedings regarding the trust fund.

ix. To accept any donation or contribution in case or in kind from any person, firm, company, corporation, associations, institution of trust (including the SETTLOR or the trustees or any of them) in the name of the trust or in the name of any institution for the time being run by the trust, for the furtherance of the objects of the trust or for any one or more of them upon such terms and conditions as they may in their absolute discretion think fit and which are not inconsistent with the objects of the trust.

x. To apply for and accept grants from the Government of India, public bodies, district bodies, corporation, companies or persons for and to accept grant of money and of aid, donations, gifts, subscriptions, and other assistance so as to further the objects of the trust, and for discussion and negotiation with these bodies.

xi. To collect, recover and receive dividends, rents and profits and other income of the Trust, and to pay out of the Trust Income, all taxes, rates, assessments, expenses and outgoings for collection for the Trust Income, and for the management of the Trust Estate and for administering and carrying out the Trust hereof.

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Trust Banking Arrangements

xii. To open account in the name of the Trust, Trustees and/or Institutions run/conducted by the Trust with a Bank or Banks, to operate such account and to give instructions to the Bank and to provide for opening and operation of such account by one or more of the Trustees or by an agent as authorized by the Managing committee of the Trust. A certified copy of such resolution signed by any two of the Trustees for the time being shall be good and sufficient evidence to any bank or another person, firm or company transacting with the Trustees of the authority of the persons named in such a certified copy.

xiii. Unless and otherwise directed by the managing committee as specified above, the Manager of the Trust for the time being shall be the authorized person for all banking arrangements of the trust.

xiv. Any banking account shall be operable as the Trustees mandate by resolution.

Trust Investment

xv. To invest the Trust Fund either in the purpose of mortgage of immovable property or in shares, stock or debentures or other securities and investments, or in deposits with or loans to any company, bank, firm or any other person, and to alter, vary or transpose such investments, from time to time at the discretion of the trustees, provided that the investment is in furtherance of the objects of the trust

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xvi. To invest the Trust Estate either in the purchase of immovable properties or of mortgage immovable properties, or in such manner as allowed by law as may be in force from time to time and to convert, alter, vary, dispose of or transfer such investments from time to time provided that such investments shall not be made which are directly or indirectly for the benefit of any person referred to in sub-section (3) of Section 13 of the Income Tax Act, 1961, or any subsequent amendments as may be made from time to time

Application of Trust Funds

xvii. To spend any portion of the Trust income for purchasing any land and or constructing any building or buildings for and in the name of the trust for the purpose of carrying out, promoting and/or executing any or all the objects of the trust.

xviii. To authorize the trustees to make donations to the charities, societies, organizations, trusts in India in connection to the object of this trust

xix. To start, abolish, continue, restart any charity for the benefit of the general public and to impose any conditions to subscriptions or donations made to them

Powers relating to Managing Trust Estate

xx. To sell, dispose of, alienate or otherwise deal with any property comprising the Trust Estate or part of Trust Fund

xxi. To manage or supervise the management of any lands, premises etc. for the time being part of the Trust Estate, which includes ...

- to erect, pull down, rebuild, add to , alter and repair houses and other buildings and to build drains and make roads and fences and otherwise to improve and develop and to cultivate or cause to be cultivated all or any of the said lands, premises.

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Name

Address

Govt. Regd. No. 1002

Ramesh Kumar
Regd. Clerk
Dte. No. 47

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उत्तर प्रदेश UTTAR PRADESH 19AA 129974

- to insure houses and buildings against loss or damage by fire and/or other risks or to let, lease, and make allowances to and arrangements with tenants, farmers etc. and generally to deal with the said lands, premises etc. as they believe fit in their absolute discretion

xxii. To pay all charges and outgoing money payable in respect of any immovable property for the time being forming part of the Trust Fund and may carry out repairs required to be done to the same and keep the same insured against loss or damage by fire and may incur all other costs, charges, and expenses incidental to the administration and management of the Trust Estate and the properties for the time being belonging to the trust as they may in their absolute discretion think fit.

Powers relating to Managing the Trust and the Employees, Workers, Attorneys for the Trust

xxiii. To set apart and/or allocate the whole or any part of the income of the Trust, or corpus for any of the objects of the Trust.—

xxiv. To join, amalgamate and/or take over other trusts, societies, associations or institution having similar objects as this Trust and to purchase, otherwise acquire, manage, control or aid any existing institution or institutions having objects similar in whole or partially to the objects of this Trust and on such terms and conditions as agreed upon

xxv. To transfer all or any of the property, liabilities in the Trust Estate to any one or more of the trust, societies, institutions, or associations with whom the Trust is authorized to amalgamate

xxvi. To transfer and hand over the Trust to any other Society, Corporation, Institution, Trust or Organization on such terms and conditions as the Trustees believe fit, in their absolute discretion. The Trustees for the time being of these presents shall become discharged from the Trust after the transfer of the Trust and it's funds.

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उत्तर प्रदेश UTTAR PRADESH 19AA 129975

xxvii. To settle all accounts, to compromise, compound, abandon or refer any disputes or proceedings to arbitration etc. as the Trustees believe proper and to not be responsible for any loss that is then caused

xxviii. To grant receipts that, for any money, stocks, funds, shares, securities or investments paid, delivered or transferred to them in exercise of the trust or powers of the trust, shall effectually release and discharge the person(s) paying, delivering or transferring and from seeing, or from being bound to see the application of their moneys or being answerable for the loss or misapplication

xxix. To make, vary, alter or modify schemes, rules and regulations for carrying out the objects of the Trust and for the management of the affairs of the Trust, and/or running any institution in furtherance of the objects of the Trust and otherwise for giving effect to the objects of the Trust

xxx. To appoint constituted attorneys or agents and delegate to such attorneys or agents all or any of the powers vested on them under these presents and have the power to remove them and reappoint others

xxxi. To appoint or make provision for the appointment of any person (including all or any of the Trustees and committees or administrator or Managing Trustees or otherwise) for the purpose of administration of the Trust in such manner and subject to rules and regulations as the Trustees may prescribe and also to appoint or provide for the appointment of separate Trustees to hold any fund or investment subject to the provisions of this Deed in such manner and subject to such rules and regulations as the Trustees believe are required

xxxii. To appoint secretaries, managers, lawyers, auditors, architects, engineers, surveyors or other employees for the purpose of management and supervision of the Trust Estate, for collection of rents, effects and profits, for keeping the accounts and records and for other purposes of the trust .

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उत्तर प्रदेश UTTAR PRADESH 19AA 129976

xxxiii. To employ any officer, consultant or agent/servant to transact all or any business of whatever nature to further the objects of the Trust, including day to day management of the Trust, receipt and payment of money and shall be allowed and paid all charges and expenses incurred for employing such person(s) PROVIDED HOWEVER that the Trustees shall not be responsible for the default of any such officer, consultant, agent/servant or any loss occasioned by her or his employment, provided that reasonable supervision has been exercised.

ACCOUNTS OF THE TRUST

The TRUSTEES shall ensure that true and accurate accounts be kept of all moneys received and spent and of all matters related in course of management of the trust properties or in relation to the carrying out of the objects and purposes of the trust as well as of all the assets, credits and effects of the trust properties.

The accounts shall be maintained on financial year basis. The financial year of the trust shall end on 31st March, every year provided that the Board of Trustees shall be at liberty to change the same from time to time if they so deem fit and proper. At the end of the year the accounts of the trust shall be audit by a chartered accountant appointed by the managing committee of the trust.

If the income from the trust property in a particular year is not fully utilized, the unexpended income subject to the applicable provisions of the Income Tax Act, 1961 shall be carried over to the next year or years and spent in such subsequent year or years for achieving the objects of the Trust.

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INDEMNITY OF TRUSTEES

The TRUSTEES may reimburse themselves and pay and discharge out of the Trust Fund all expenses incurred by them in or about the execution of the trust, or any of their duties under these presents including traveling expenses, but will not be entitled to remuneration.

The TRUSTEES shall be accountable only for such moneys, stocks, shares and funds as shall actually come into their hands and a Trustee shall not be answerable or accountable for neglect, default, acts or omission or commission of the other Trustees, nor of any banker or other person with whom the trust properties or any securities may have been deposited or kept.

The Trustees, without prejudice to any other statutory or other right to indemnification that they may have, shall be jointly and severally indemnified out of the Trust Fund at all times in respect of each and every claim made against them or any of them whether in their capacity as Trustee or Trustees or personally in respect of any liability arising from or in respect of the Trust, its affairs, administration or activities or any aspect of any of the same PROVIDED ALWAYS that the right of a Trustee to an indemnity under this clause shall not extend to any claim arising from willful fraud or wrongdoing or wrongful omission on his part.

TRUSTEES

All the TRUSTEES unless they voluntarily resign or otherwise decide, shall continue to be the trustees during the term or their natural lives.

The number of trustees shall not be less than two and nor more than nine. If the number of the Trustees shall fall below two than except for the purpose of filling any vacancy, act so long as the number of trustees is below the said minimum.

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The managing Trustees for the time being will be able to appoint additional trustees only by unanimous vote, within the number mentioned above for such period, or on terms regarding reappointment and retirement as the trustees for the time being consider proper. Any trustee may retire at any time without assigning any reason and without being responsible for any costs occasioned by such retirement after giving one month's notice.

No person who is

a. an undercharged insolvent; or
b. convicted of an offence involving moral turpitude, or
c. of unsound mind
d. a minor .....shall be eligible to be a trustee.

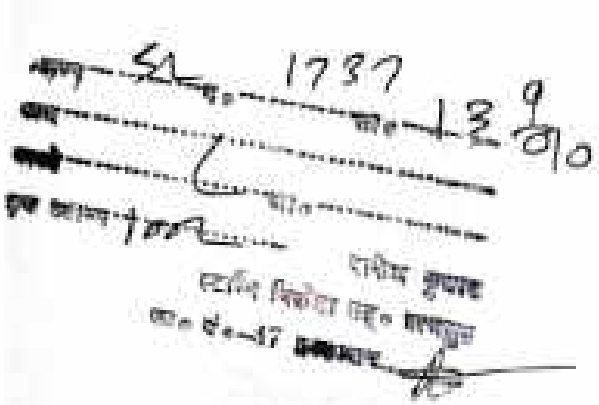
A person shall cease to be a trustee in any of the following events:

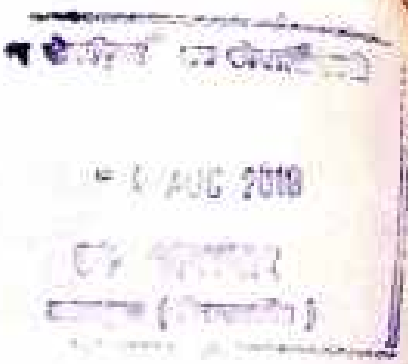
a. if s/he dies, or
b. if s/he becomes bankrupt, or
c. if s/he becomes insane or otherwise become incapable to act, or
d. if s/he resigns her/his office

On the appointment of an additional trustee, and on her or him accepting the appointment in writing, the Trust Property shall automatically vest in her or him along with the other TRUSTEES for the time being and he will be entitled to carry out all the duties and functions of a trustee without any deed or writing.

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REMOVAL OF TRUSTEES

The Board of Trustees may by a unanimous vote of all the TRUSTEES for the time being except the trustee proposed to be removed, remove any trustee, permanent or otherwise, from office after finding the trustee proposed to be removed guilty of serious misconduct in relation to the affairs of the trust, or related to matters concerning trust estate. After this the TRUSTEES, apart from the trustee proposed to be removed, have to arrive at a definite conclusion that for the reasons to be recorded in writing the removal of the trustee proposed to be removed as trustee or these presents was desirable keeping in mind the objects of the trust, and other related matters PROVIDED HOWEVER that no conclusion of such guilt shall be arrived at without giving to the trustee proposed to be removed a full and fair opportunity of explaining her or his conduct and/or the charges leveled against her or him for removal. The decision of the Board of Trustees shall be final and binding and shall not be called into question anywhere.

VOTING AND PROCEEDINGS OF THE TRUST

The TRUSTEES may from time to time frame rules for the conduct and regulations of the meetings of trustees. In the absence of such regulations :-

a. Two third of the Trustees shall form a quorum for a meeting of the Trustees
b. All matters will be decided mutually by the Trustees
c. Resolution passed without any meeting of the Trustees but by circulation amongst trustees and evidenced in writing under the hands of 2/3rds of the trustees shall be as valid and effectual as a Resolution duly passed at a meeting of Trustees.

The Trustees shall have the power to determine in case of doubt whether any money or property shall for the purpose of the charity be considered as capital or income and whether out of income or capital any expenses or outgoings ought to be paid or borne every such determination shall be binding and conclusive provided that nothing contained shall be deemed to authorize the Trustees to spend the income or corpus of the Trust for any purpose not authorized by these presents.

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The Trustees for the time being shall elect from amongst themselves one Chairman and s/he shall hold office for years, unless s/he resigns or refuses to act as Chairman or otherwise ceases to be trustee.

The Trustees for the time being shall also elect from amongst themselves one Manager and One treasurer and s/he shall hold office for years, unless s/he resigns or refuses to act as Manager/Treasurer or otherwise ceases to be trustee.

All proceedings and questions and matters arising at the meeting of the TRUSTEES shall be decided by a majority of votes and in case of equality of votes the Chairman shall have a second or casting vote PROVIDED HOWEVER that the consent of the Chairman is essential for deciding any question dealing with the disposal of the Trust Income or corpus which includes trust properties and investments.

The Board of Trustees shall be entitled to sue in the name of the trust, and similarly be sued in the name of the trust.

MEETINGS OF THE TRUSTEES

Notice of meetings of the TRUSTEES and all communications may be sent to the TRUSTEES at their addresses registered for the time being in the records of the trust.

All meetings of the trust shall be held at such place and at such time as the Chairman of the trust shall decide.

A trustee who is unable to attend a meeting of the TRUSTEES may send her or his views on the agenda in writing and such expression of opinion shall be taken to be his vote on the matter concerned

The minutes of the proceedings of every meeting of the TRUSTEES shall be entered in a book kept for keeping minutes of meetings of the Trustees. This book shall be signed by the Chairman of such meeting or the following meeting when they are read over and shall when so entered and signed be conclusive evidence of the business and other matters transacted at such meeting .

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AMENDMENT OF TRUST DEED

The Trustees may only by unanimous agreement and by deed or deeds alter any of the provisions hereof PROVIDED ALWAYS that no such alteration shall be valid if it would cause the Trust to cease to be a non-profit organization by law.

WINDING UP THE TRUSTEES

The Trustees acting unanimously shall have power by deed to revoke the trusts herein declared and thereupon (or so soon thereafter as shall be practicable) and after discharge of or provision for all the debts and liabilities of the Trust, the Trustees shall transfer the residue of funds to such other non-profit organizations, societies, trusts having Objects similar to the Trust or in default to such non-profit purposes as the Trustees choose.

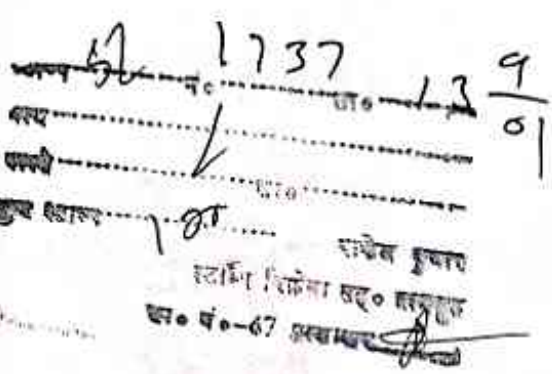
The Trust and the Trust Funds shall be and irrevocable for all times

It is expressly declared that no part of the Trust property or its income or any accretion thereto shall be applied for any purpose which is not a charitable purpose in law, and all provisions that are in this trust deed should be accordingly constructed.

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Total Stamp Value which is enclosed with deed is Rs. 600.

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30 AUG 2010

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उत्तर प्रदेश UTTAR PRADESH

19AA 129981

In WITNESS WHEREOF the SETTLOR and the TRUSTEE have executed these presents on the day, month and year above mentioned.

Signed and delivered by the SETTLOR at Dhampur in the presence of :

Signed and delivered by the TRUSTEES

1) _____
2) _____
3) _____
4) _____
5) _____

at Lakhaur in the presence of:

WITNESSES

1. Lalit Veer Singh S/o late Sh. Rahabir Singh Res. Allahapur Dhampur

2. मालती चौहान W/O श्री जगदीश चन्द्र चौहान पहाड़ी दरवाजा श्रमन्त देवी चांदपुर जिला बिजनौर

18/18

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82 1737

13 7
010

1022

आज दिनांक 13-9-10 को
पुस्तक संख्या VI ~~1050~~ 242
के पृष्ठ 365-398 ~~1050~~ 101
रजिस्टर करण किया गया।

उप-निबंधक
रामपुर