

12801

भारतीय गैर न्यायिक

पचास
रुपये

रु.50



FIFTY
RUPEES

Rs.50

INDIA NON JUDICIAL

उत्तर प्रदेश UTTAR PRADESH

E 516892

TRUST DEED

THIS INDENTURE is made on 12th day of May, 2008 at Modinagar Distt. Ghaziabad (U.P.)

BETWEEN

Mr. Gaurav Maheshwari, S/o Shri Vinod Maheshwari, R/o Anand Vihar, Near Jain Temple, Lower Bazar, Modinagar Distt. Ghaziabad (U.P.) hereinafter called "THE SETTLER" (which expression shall, unless executed by or repugnant to the context include his heirs, executors and administrators) of the ONE PART.

AND

Smt. Radhika Maheshwari W/o Mr. Gaurav Maheshwari R/o Near Jain Temple, Anand Vihar, Lower Bazar, Modinagar Distt. Ghaziabad (U.P.).

Hereinafter respectively described as "THE TRUSTEES" (which expression shall, unless executed by or repugnant to context include the Trustee or Trustees for the time being of these presents and their successors and survivors of the SECOND PART.

AND WHEREAS the settler owns and possesses a sum of Rs. 1000/- (Rupees one thousand only) in the form of cash of which he is the absolute owner and has fully disposing power under the law (hereinafter called "the said sum").

Radhika Maheshwari



Gaurav Maheshwari



Radhika Maheshwari

114 12/5/08

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Gowari Maheshwari st Vinod Maheshwari

At. Amarnath Vihar. Mathura

STC PL

12/5/08

मी. शंकर महेश्वरी
पुत्र मी. विनोद महेश्वरी
निवासी मदन विहार मीरठ
दि. 12/5/08

G Maheshwari

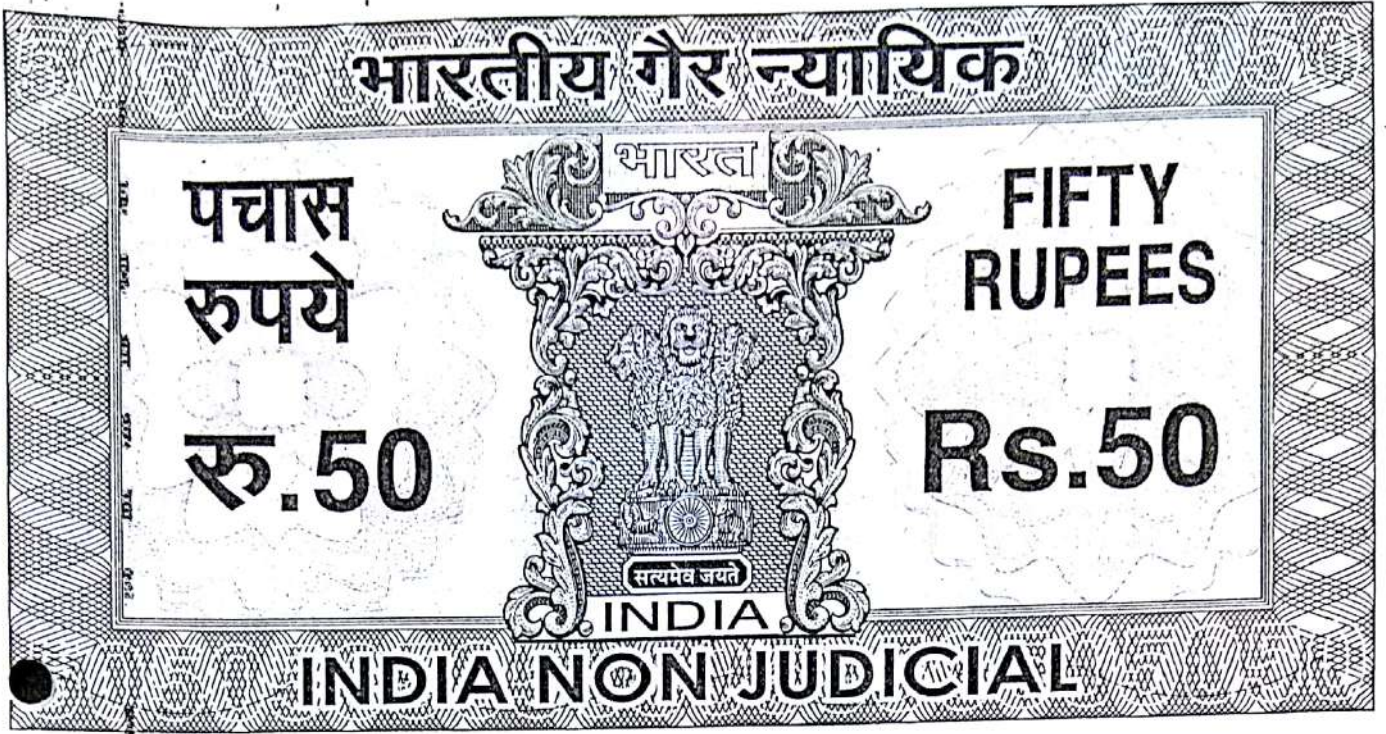
12/5/08

मैंने अपने पत्र का निम्नलिखित एवं समीक्षा
पत्रों पर हस्ताक्षर करके श्री शंकर महेश्वरी
को भेज दिया है।
आपकी माहेश्वरी नि. ठर मा.
वे श्री हरिण नि.

महेश्वरी पत्रिका श्री शंकर महेश्वरी
पुत्र श्री विनोद महेश्वरी
निवासी मदन विहार मीरठ
दि. 12/5/08



12/5/08



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AND WHEREAS

- a) The settler is desirous of establishing a FUND for Public Charitable purpose in India.
- b) The trustees have, at the request of said settler, agreed to act as the FIRST TRUSTEES of these presents as testified by their being parties to and executing these presents.
- c) The said sum has been set apart and handed over to the TRUSTEES.

AND WHEREAS it is necessary to declare the objects and terms of the public charitable trust, being constituted under these presents.

NOW, THEREFORE, THIS DEED HAS BEEN WITNESSED AND HEREBY DECLARED AS FOLLOWS:

1. SETTING UP OF THE TRUST:

- a. For effectuating the said desire and in pursuance of the premises hereinabove The SETTLER hereby makes a Trust of the said sum of Rs. 1,000/- (Rupees ~~One~~ Thousand only) by way of corpus and declares that its ownership together with all the estate rights, title and interest whatsoever therein and in every part thereof are transferred to and vested in the trustees

and irrevocable to hold the said sum in trust for Public Charitable purpose as defined in section 2(15) of the Income Tax Act, 1961 with all its subsequent statutory modification or replacement and as more particularly specified in para-5

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herein below and with and subject to the conditions, provisions, duties and powers expressed in these presents concerning the same.

2. NAME OF THE TRUST:

- a. The Trust shall be named and known as "BALAJI AND BANKEY BEHARI SOCIAL WELFARE TRUST" (hereinafter called the 'TRUST')

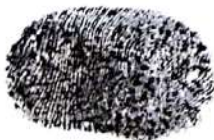
3. PRINCIPAL OFFICE:

- a. The office of the Trust shall be situated in the State of Uttar Pradesh at Anand Vihar, Near Jain Temple, Lower Bazar, Modinagar Distt. Ghaziabad (UP) or at such other place (s) as the Trustees may decide from time to time in writing.

4. TRUST FUND:

- a. The Trustee does hereby declare that they shall hold and stand possessed of the said sum of Rs. 5,000/- (Rupees Five Thousand Only) together with all accretions and additions thereto by income, donations or contributions received in future from the settler or other donors or

otherwise (all of which is hereinafter described as "THE TRUST FUND" which expression shall include cash, bank deposits, securities or any other form of property or investments and assets of any kind whatsoever, into which the same or any part thereof might be converted, invested or varied from time to time and by the Trustees in their discretion or by operation of law) upon trust for public charitable purposes and subject to the conditions, provisions, duties and powers expressed in these presents concerning the same.



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Radhika Maheshwari



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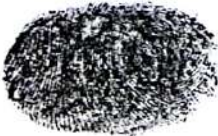
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5. OBJECTS OF THE TRUST:

- This trust is created for carrying out the following objects of Public Charity within India and for the benefit of the members of general public without any distinction of caste, religion, colour, creed, sex or any other natural or man made differences.
- To establish, run, maintain, support, grant and or other financial assistance to schools, Colleges, Institutions or Centres to impart education and spread literacy.
- To open Medical, Engineering and Technical Colleges and Institutes to spread, advance, science and technical knowledge.
- To organize, undertake, aid, assist professional, vocational, industrial, technical, physical intellectual and/ or moral education and to promote the advancement of education, art, literature, science and health.
- To assist and provide financial assistance to the deserving poor and needy students by granting studentships and other kind of aid including supply of books and to award stipends, encouragement medals and other excellence institute, incentives for achieving excellence in studies without any distinction on the basis of caste, colour, race, creed or sex.

Radhika Maheshwari


Radhika Maheshwari



संख्या ११२ दिनांक १२/११/१८

प्रमाण... १११. में महीना दिनांक ११/११/१८

स्थान १११ दिनांक ११/११/१८

स्थान १११ दिनांक ११/११/१८

स्थान १११ दिनांक ११/११/१८

प्रमाण १११ दिनांक ११/११/१८

दिनांक ११/११/१८ दिनांक ११/११/१८

स्थान १११ दिनांक ११/११/१८



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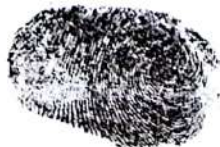
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- f. To establish health centres, hospitals, nursing homes, clinics, old age homes and convalescent homes with upto date facilities and to maintain and to give grants to any dispensary, hospitals, maternity homes, women hospitals, convalescent homes and child welfare centre or to aid in the construction of such dispensary, hospital and centres or to establish, provide and meet cost of beds in any such hospital/nursing homes, centres or dispensaries and to arrange for the maintenance thereof for the benefit of the public in General.
- g. To maintain, contribute or to give aid to any medical, educational, social institutions or any charitable institutions or any other service oriented organization/society with a philanthropic purpose to serve the society, which may be in general interest of the poor and the destitute and to do all such acts and things with the object of giving relief to the poor community and the public in general.
- h. To form, assist, support, establish and maintain libraries and reading rooms and to establish and maintain boarding houses and hostels and assist such institutions.
- i. To provide for endowments, old age allowance/pensions, poor widows aids and other deserving members of the society for their upkeep, promotion and encouragement of education for peaceful life.
- j. To educate the people about value of Indian culture and civilization as an order of life based on service to humanity and truthfulness.
- k. To build a Community Hall where religious discourses, bhajans, spiritual education and/or cultural activities can be conducted.

Kadwile Maheshwari



Kadwile Maheshwari



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1. To do all other such acts and things which are incidental or conducive to the attainment of the objects, specified herein above and promoting the general welfare and well being of the society and upliftment of the social, educational, cultural or economic conditions of the masses.

PROVIDED that if any one or more of the purposes or objects specified in this clause are held not to be the purpose or object of a public charitable nature, the Trustees shall not carry out such purposes or objects and the validity of the Trust created by these presents as a Trust for Public Charitable object or purpose shall not be affected in any manner.

6. HOLDING AND APPLICATION OF TRUST PROPERTY:

- a. The trustees shall hold the Trust property wholly for the aforesaid charitable purposes and objects and they shall have the power to apply the Trust property including corpus, additions, and accretions thereof for any one or more of the aforesaid objects provided always that any part of the corpus of the Trust shall be applied only in conformity with the conditions attached to the said part of the corpus by the donor thereof, if any and for the purposes and objects of the Trust specified here in above with the approval of majority of the trustee for the time being.

7. NUMBER OF TRUSTEES:

- a. The number of Trustee shall not be less than two or more than twelve. For the time being, the following shall be the trustees of the trust.
- Mr. Gaurav Maheshwari, Managing Trustee
 - Mrs. Radhika Maheshwari

G Maheshwari

Radhika Maheshwari



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8. APPOINTMENT OF TRUSTEE:

- a. Any person/or persons who directly or indirectly helps the trust in collecting the funds for the trust or helps in its smooth running or are expert in their own fields and are committed to the upliftment of the humanity, the Board of Trustees may co-opt such person/s for the benefit of the Trust. Such Trustee shall hold the office for such period and on such terms as the Board of Trustees may decide.

9. CESSATION:

- a. A person shall cease to be a Trustee in any of the following events:
a) If he/she dies.
b) If he/she becomes insolvent/bankrupt; or if he/she becomes insane or otherwise become incapable to act; or
c) If he/she resigns his/her office; or if he/she acts in any manner prejudicial to the interest of the Trust or otherwise guilty of breach of Trust.
d) If he/she is held guilty of any offence, involving moral turpitude.
e) If he/she is removed by the Board of Trustees in their meeting with two third majority.

10. OFFICE BEARERS:

- 1) The Board of Trustees shall constitute of following office bearers:
a) Chairman cum Managing Trustee.
b) Secretary cum Treasurer

G Maheshwari

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- 2) Sh. Gaurav Maheshwari shall be the first and life time Chairman Cum Managing Trustee of the Trust. If he resigns or feel himself incapacitated or incapable of performing the duties, or if he dies, the person nominated by him shall be his successor. In the absence of such nomination, his chief legal heir shall be the Chairman-Cum-Managing Trustee of the Trust.
- 3) The terms of the office bearers of the Board of Trustees, except Chairman to the extent specified under para 12 hereabove, shall be of three years or such extended period till the next annual general meeting is held there after. Election for the office bearers of the Trust shall be amongst trustees themselves and they shall be elected as per election rules framed by the trustees from time to time.

In the event of any vacancy arising on account of resignation or any other cause of any office bearer, the chairman shall nominate new office bearer in his place from amongst the Trustees.

MANAGEMENT OF THE TRUST:

CHAIRMAN CUM MANAGING TRUSTEE:

The chairman shall preside over all the meetings of the Board of Trustees. The business of the Trust shall be conducted under his directions and guidance.

SECRETARY CUM TREASURER:

The Secretary shall issue notice for all meetings of the Board of trustees, in consultation with or under the directions of the Chairman and/or the Board of Trustees. He shall maintain records and minutes of the proceedings of the meetings.

G. Maheshwari

Kadhika Maheshwari



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He shall co-ordinate the activities of various Committees and/or institutions being run under the control of the Trust and shall ensure the implementation of the decisions of the Board of Trustees. He shall conduct the day to-day business of the Trust.

The Treasurer shall be responsible for supervising, controlling and maintaining accounts of the Trust fund / properties and perform such financial duties as may be entrusted to him by the chairman or Board of Trustees from time to time.

POWERS AND RIGHTS OF BOARD OF TRUSTEES

In furtherance of all or any of the objects of the Trust, Board of Trustees shall have the following powers:

- i. To receive and accept contributions, subscription, offerings, donations, grants, presents, gifts and other assistance in cash or in kind from any Organization, institution, Trust, Society, individuals and other person from India and overseas.
- ii. To construct, acquire, renovate, furnish, demolish or alter any building(s), which may be necessary or expedient for the attainment of the objects of the trust.
- iii. To acquire, construct, renovate, furnish and maintain homes for old aged and places of meditation and spiritual activity.

G Maheshwari

Radhika Maheshwari





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- iv. To purchase, take on lease, exchange, hire, accept as a gift or otherwise, acquire land and/or buildings or deal in any movable or immovable property or rights therein or privileges attached thereto which may be necessary or expedient for the attainment of its objects.
- v. To publish books, journals, literature, newspapers and reprint scriptures.
- vi. To manage the trust property, collect and recover rents, interests and other income there from and to pay the expenses of managing the Trust property and all other outgoings, if any.
- vii. To spend, utilize the balance of rents and interests or other income of the trust property (hereinafter called the net income of the Trust property) and the accumulations thereof as well as the corpus of the Trust property in pursuit of the objects of the Trust.
- viii. To sell lease, mortgage, charge, surrender, let on hire, exchange, dispose-off or otherwise transfer for consideration all or any portion of the property, rights and assets of the Trust.
- ix. To invest, deposit and otherwise deal with the money of the Trust not immediately required for the purpose of the Trust in accordance with the provisions of the Income-tax Act, 1961 including deposits in Banks, mutual funds, bonds and other approved securities.
- x. To charge tuition fees and otherwise recoup itself for the outlay and expenses incurred in the upkeep and maintenance of schools, colleges, centre and/or institutions established or about to be established under this deed.

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- xi. To borrow, raise or secure the payment of money or to receive money as loan for the objects of the Trust from any person, firm, bank, financial institution or company whether with or without any security of the property of the Trust.
- xii. To reimburse the trustees out of the Trust Fund all expenses legitimately incurred by them in execution of and for the purpose of the Trust. However they are not entitled for any remuneration.
- xiii. To incorporate a society under the Societies Registration Act, for carrying out the objects of this Trust. The society so formed shall not be entitled to incur any liability or obligation on behalf of the Trust, Society shall merely carry on the objects of the Trust with such funds as may be made available to it by the trust. The society shall render the accounts to the trust.
- xiv. To appoint various committees/subcommittees and frame rules and regulations thereof from time to time and may alter or rescind any one or more of them.
- xv. The Trustees shall be responsible and answerable for their own respective acts, omissions, neglects and defaults and not for others.
- xvi. To appoint attorneys or agents and to delegate to such attorneys or agents all or any of the powers vested to them and from time to time remove such attorneys or agents and to appoint other or others in his / her or their places.
- xvii. To appoint such staff on such terms and remuneration as they may consider necessary and expedient and may terminate or suspend them any time at their discretion.
- xviii. To open account/ accounts in the name of Trust, Schools or Institutions run/conducted by the Trust with any one or more scheduled banks, Post office, co-operative banks and/or financial institutions. Such accounts shall be operated in the manner as may be decided by the Board from time to time.

G. Maheshwari

Radhika Maheshwari



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- xix. To enter into contracts and arrangements of all kinds.
- xx. To institute, conduct, intervene in or compromise, suits and other legal proceedings of any kind by and against the trust or its officers.
- xxi. To do all such other things as may be deemed incidental or conducive to the attainment of objects of the Trust hereinabove mentioned.

HOLDING OF TRUST PROPERTY:

Properties of the Trust, for and on behalf of the Trust, shall be held in the name of Chairman-Cum-Managing trustee or in the name of two trustees jointly authorized for this purpose by the Board of Trustees.

The trustees shall cause regular account books to be maintained for the incomings and outgoings on trust account at the end of March 2009 (For the first broken period), and thereafter at the close of 31st March, of every year. The annual account of the trust shall be getting audited from an approved Chartered Accountant as may be appointed by the Board of Trustees.

MEETINGS

ANNUAL GENERAL MEETING

The Board of Trustees shall hold at least four meetings in each year, one of which shall be called "Annual General meeting" wherein accounts shall be approved, auditors will be appointed and elections/co-option of the office bearers of Board of Trustees etc, if any due, shall also be held.

The Chairman/General Secretary, however, may call a meeting of trustees at any time, if considered necessary.

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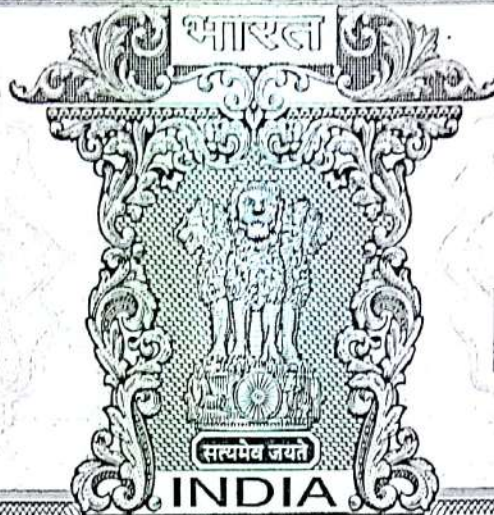
Ladhika Maheshwari



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NOTICE:

The meeting shall be called by giving Eight days notice specifying time, date and venue of such meeting, as may be decided. An emergent meeting may, however, be called at a shorter notice.

REQUISITIONED MEETING

The Chairman/Secretary shall call a meeting of the trustees on the requisitions made to either of them in writing by any three-fourth of the trustees, for the time being, specifying the purpose for which such meeting is desired to be held. In the event of no meeting being called and held within 21 days from the receipt by them of such requisition, the requisitionists may themselves meet.

QUORUM

Three trustees or one third of total strength of trustees, whichever is higher, are personally present, shall form quorum of a meeting.

ADJOURNED MEETING

If at a regular meeting no quorum is present within half an hour of the time fixed for the meeting, the meeting shall stand adjourned to the next day to be held on the same time and the same place. At such adjourned meeting, trustees personally present shall be the quorum. In the case of a requisition meeting, if the quorum is not present within half an hour from the time fixed for the such meeting, the same shall stand cancelled automatically.

DECISIONS OF BOARD OF TRUSTEES:

All matters shall be decided by the board of trustees at a meeting by majority of the votes of trustees present and in the case of a tie, the Chairman will have a casting vote.

G Maheshwari

Radhika Maheshwari



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RESOLUTION BY CIRCULATION:

Any resolution passed by circulation must have the consent of atleast two third of the total number of the trustees for the time being.

GENERAL

TRUST IRREVOCABLE

The trust hereby declared and created shall be and the remain irrecoverable for all time. However, by a unanimous decision of all the trustees, the same any be dissolved and or merged into/amalgamate with any other charitable /trust or society etc. Having, interlaid the same or similar objects. in no case, Trustees and settler shall be entitled to share in the fund of the trust at any stage.

POWER TO MODIFY RULES AND REGULATIONS:

The trustees shall have the power by majority of not less than three-fourth of the total number of the trustees, to frame, alter, modify repeal or substitute any provision of this trust deed or any rules and regulations made there under; provided, however, that such rules, regulations, and provisions shall not offend the objects and purposes of these presents or be inconsistent therewith. Amendments in these presents can be at the own accord of the trustees or at the direction of Income Tax authorities to fulfill the conditions for seeking registration, recognition of the trust or its continuation under the provision of Income Tax Act or any stationary modification for the time being in force.

RESTRICTION FOR APPLICATION OF TRUST FUND:

It is expressly declared that no part of the trust, property or its Income shall be applied for any purpose outside India or for any purpose which is not a public charitable purpose under Income Tax Act 1961.

G Maheshwari

Radhika Maheshwari

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ACTS DONE IN GOOD FAITH:

The Board of trustees and any committee/sub-committee shall, in good faith, carry out the purposes or functions which the exigencies of the situation may demand or require and any act, deeds or things so done by the trustee shall not be called in question.

IN WITNESS where of the parties hereto have executed these presents at Modinagar on the day, month and year first above written.

This Deed has been drafted by Mr. Alok Goel (F.C.A.) & Mr. S. P. Singh (Advocate) jointly

WITNESSES



1.

Sanjay Kumar Jain

नेत्र

Sh. Rajendra Singh

Mo. Rajendra Singh

2.

Purushottam

Prashant Singh

Mo. Satyendra Singh

G Maheshwari

GAURAV MAHESHWARI
(SETTLER)

Radhika Maheshwari
RADHIKA MAHESHWARI
(TRUSTEE)



Purushottam

बहुमल गाल सिंह

एडवोकेट

बहुमल-मोदीनगर (बहुमल)