

5/10/2020

TV-0368/2020



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पश्चिम बंगाल पश्चिम बंगाल WEST BENGAL

AD 772443

Certified that the document is admitted to registration. The signature sheet and endorsement sheet which are attached in this document are the part of this document.

30 SEP 2020  
A.D.S.R. M...

TRUST DEED

THIS INDENTURE is made this 30<sup>th</sup> of September 2020 (Two Thousand Twenty )

BETWEEN

(1) **RAM KUMAR SINGH PAN APYPS 4162 E AADHAAR NO.4369 4052 7279** son of late Sri Shiv Pujan Singh, by religion Hindu, occupation Business , resident of 8/1A, Dewangazi Road, P.O. & P.S.- Bally, Pin - 711201, District - Howrah, West Bengal,, (hereinafter Called as the "**Settler of this Trust**" which expression shall unless the context requires otherwise includes his heirs, legal representative, assignees, executors and administrators) on the **FIRST PART**

AND

(1) **SHRI MUKESH SINGH PAN BAIPS 2175K ADHAAR NO. 4193 7873 7754** son of Ram Kumar Singh , by faith Hindu, by occupation Business, residing at 8/1/A Dewangazi Road Post & Police station Bally District Howrah 711201 , (2) **SHRI DR MURLIDHAR SINGH PAN AXEPS 0722J ADHAR No.9141 2212 3694** son of late Sri Shiv Pujan Singh, by religion Hindu, resident of Behind Post Office, Bakhtiyarpur, P.S.- Bakhtiyarpur, P.O. Bakhtiyarpur, Pin - 803212, District - Patna, (3)**HARESHWAR PRASAD SINGH (PAN ANGPS 0746J AADHAAR NO. 2371 34 70 7590** son of Sri Shiv Pujan Singh, by religion Hindu, resident of 41, Abhoy Guha Road, First Floor, Lilluah, P.S. - Belur, P.O. - Belur Math, Pin - 711202, District - Howrah, West Bengal, (4) Shri **SANTOSH MISHRA PAN AIMPM6604N AADHAAR NO.4832 4255 8358**, son of Sri Lachhamandeo Mishra, by religion Hindu, resident of Urbana, Tower-6, Flat - 2504, 783, Anandapur Road, Madhurdaha, Near Ruby Hospital, E.K.T, Kolkata, P.S. New Town Pin - 700107, District - Kolkata, West Bengal, (hereinafter jointly called as the "**Trustees**" and unless the context requires otherwise includes their heirs, legal representative, assignees, executors and administrators) on the **SECOND PART.**

**WHEREAS** the Settler is desirous of establishing a Public Charitable Trust in the name and style of "JMT INTERNATIONAL SCHOOL " and of settling a sum of Rs. 51,000.00 (Rupees Fifty One thousand only) on trust for public charitable purposes as hereinafter expressed or contained in these presents which he has made over to the trustees in pursuance of such desire prior to the execution of these presents and delivered the sum of Rs. 51,000.00 (Rupees Fifty One thousand only).

**AND WHEREAS** the Trustees have at the request of settler agreed to

act as "Trustees" of these presents upon the terms and provisions hereinafter contained.

**NOW THIS INDENTURE WITNESSETH AS FOLLOWS**

1. In order to effectuate the said object of creating a Public Charitable Trust in the name and style of "JMT INTERNATIONAL SCHOOL", the settler has delivered to and made over to the trustees a sum of Rs. 51,000.00 (Rupees Fifty One thousand only), which the trustees shall irrevocably hold and stand possessed of the said money all of which are hereinafter for brevity's sake referred to as the "Trust Fund or Corpus", which expression shall also include cash and every other property, movable or immovable, investment of any kind whatsoever into which the same or any part thereof may be converted, invested or varied from time to time or such as may be acquired by the Trustees or come to their hands by virtue of these presents and as donations, bequests, endowments or by operation of law otherwise howsoever in relation to these presents upon the trust and with and subject to the power, provisions, agreement and declarations, hereinafter declared, contained and concerning the same. And it is hereby declared that this is an irrevocable Trust.

2. The name of the Trust shall be "JMT INTERNATIONAL SCHOOL" which will be commencing from 1<sup>st</sup> March 2020.

3. At present the Trust has no immovable and landed property save and except the trust value amounting to Rs. 51,000.00 in its own name and no immovable and landed property is being settled in favour of this Trust by this document.

4. All aims/objects/purpose of the Trust herein stated above shall come into effects /force after necessary appointment of the competent government authority in the case where affiliation/permission/license/sanction is required.

5. Function of the Trust:

- a) The Trust will never acts which are illegal and unlawful in nature and also oppose to the public policy and contrary to the law of the Country. Section 4 of which the Trust and the Trustees are responsible for that and comes under the punishable law (Cr.P.C. & I.P.C.);
- b) The Trust will never acts like micro-financing and money laundering (Act, 2012) economic offence/crime in connection with Section 20 and in nature and shall not obtain any donation or like that from abroad without getting the permission of FCRA Act from Central Government/the competent government authority which the Trust and the Trustees are responsible for that and comes under the all punishable law (Cr.P.C. and I.P.C.).

6. Applicability of Trust - 1982 - Section 4 of the Indian Trust Act, 1982

**Lawful Purpose** - A trust may be created for any lawful purpose. The purpose of a trust is lawful unless it is (a) forbidden by law or (b) is of such a nature that it permitted it would not defeat the provisions of any law or (c) is fraudulent (d) involves or implied injury to the person or property of nature or (e) the court regards it as immoral or oppose to public policy. Every Trust of which the purpose is lawful is void. And where a Trust is created for two purposes, of which one is lawful and other unlawful and two purposes can not be separated, the whole Trust is void.

7. The Registered office of the Trust shall be at NH 31 Rawaich Post Bakhtiarpur District Patna Pin 803212 or at such other place as the Trustees may time to time determine.

8. It shall be lawful for the Trustees to receive by way of gifts, bequests, donations, contributions and legacies from any persons, firms, associations, Trusts or Corporations, Companies for all or any purpose of the "Trust", herein created upon and / or subject to such special conditions as may be attached thereto but not in any way variance with the purposes or the objects of this Trust and to make any investments and / or to deal with other properties so received to an addition to Trust and if so required, and to apply the same upon or subject to such conditions in accordance with the provisions herein contained.

9. OBJECTS OF THE TRUST

The Trustees shall hold and stand possessed of the "Trust Fund" and the income received and / or subject to availability of the fund and if the Trustees thereon think fit and proper, they may spend or utilize the same derived there from in the following manner :

- (i) To invest the Trust Fund that may from time to time be available for investment in any investment not forbidden by law.
- (ii) To manage the Trust Fund, and collect and recover the interest, dividend and other income thereof.
- (iii) To payout of the income of the Trust properties (Trust Fund) in the first place all costs and expenses for and incidental to the management of the Trust and the income thereof or the execution

of any of the Trusts or power of these presents.

(iv) To pay, utilize or apply in India, the net Income of the Trust, after meeting out all expenses, as provided in these presents and at the discretion of the Trustees, the "Trust Fund" or any part of the fund for such public utility or Public Charitable Purposes including relief to the poor, spread of education and improving the standard of education, medical relief and advancement of any other objects of charity and of the general public utility as the law (including Income Tax Laws and other Tax Laws) for the time being in force may regard as public charitable object or purposes and in such manner as the Trustees may think fit and for one or more such object or purposes to the exclusion of other or others as the Trustees may think fit.

(v) To establish, promote, setup, open, run, maintain, assist, provide financial support and / or aid to or help in the setting up and / or maintaining and or running, manage and control all types of schools, colleges, institutes, training centers and even Universities to impart education and training from primary level to the highest classes and standards in Arts, science, Commerce, Science and technology including engineering of all branches and disciplines, computer sciences, Information Technology and other faculties like humanities, life science, ecology and environmental science, fine arts, economics and literature, trade and commerce, medical science through medical colleges, Masters and Bachelors courses of business administration and may also adopt system of Distance education through correspondence courses and may take assistance from Union or State Governments, and guidelines and affiliations from Indian Universities or foreign universities and may open, run and

manage training centers for any of the subjects and items noted above as well as for teachers training, vocational education, Arts and Crafts, Hotel Management, Industry finance and export management and other institutions, Orphanages, widow - homes, lunatic asylums, poor houses or other establishments for relief and / or help to the poor, old and infirm people and / or destitute.

**(vi)** To provide students with books, scientific instruments and other appliances and equipments and / or to give, provide and / or render financial assistance and help in cash or kind to the poor and meritorious students for the purposes of educations and / or to destitute people, widows, old and infirm people etc.

**(vii)** To establish vocational teaching centers and conduct skill development courses in dress designing, fashion designing, interior decorations, beautician, drama and acting in films and entrepreneurship, type writing, stenography, music, painting, modeling, Yoga and Physical education.

**(viii)** To undertake management of educational institutions of even those set up by the Central or State Government, Public Sector Undertakings and also of those of Private Sectors, Foreign agencies and others in fulfillment of the aims and objects of the Trust in respect of schools & colleges also at pre-primary level, middle, secondary, higher secondary level and for higher education.

**(ix)** To open institutes and Universities for all technical and non - technical education, grant affiliation, aid and assistance and donations to schools, colleges, training centers and universities promoted and run by private agencies and organisations including

NGOs in order to Universalise the education.

**(x)** To publish useful papers and literatures, magazines, books and periodicals for advancement of literacy, scientific and technical research and education.

**(xi)** To open, found, establish, promote, setup, run, maintain, assist, finance, support and or aid or help up in setting up and/or maintaining and or running hospitals, charitable dispensaries, maternity homes, diagnostic centers, research centers, rehabilitation centers, blood centers, clinics, poly clinics, laboratories etc. and other institutions such as maternity homes, child welfare homes, orphanages, old age homes, homes for disabled and / or mentally retarded boys and girls, convalescent homes, sanatoriums, hostels and similar other institution or centers for rendering or providing medical relief and /or aid to suffering humanities or for research centers for medical science including surgery.

**(xii)** To establish industrial training centers for entrepreneurship development and arrange for placement of trainees.

**(xiii)** To establish and run modern research centers, for earthquake problems, Medical Sciences, environmental Science, Information Technology, Bio-technology and Yoga etc.

**(xiv)** To arrange and manage educational tours/visits for students of India within and outside the country during vacations.

**(xv)** To obtain affiliation for the schools, colleges, Universities, training centers established by the Trust from competent authorities,

societies, state Government, Union Universities Grants Commission, Indira Gandhi National Open University and other Universities of India and also U.S.A., Russia or of any other foreign country.

**(xvi)** To raise funds by way of loan donations, grants, fees etc. from any individual or Body Corporate, Company, financial institutions, banks, other trusts, foreign funding agencies, NRIs, Central and State Governments subject to the provisional of this Trust deed.

**(xvii)** To give, provide, and / or render help and assistance in cash or kind to poor and/or destitute people. widows etc. and to implement any scheme for providing livelihood and up-liftment of the poor.

**(xviii)** To give, provide and / or render food, medicine clothes and other help in cash or kind in any shape or form to persons and animals affected by natural and other calamities such as flood, fire famine, cyclone, earthquake, storm, accident, pestilences, epidemic war, unbearable cost of living and like and to give donations, subscriptions or contributions to institutions, establishments, centers or persons doing relief work on such occasions or to the prime Minister's relief fund or any other statutory relief fund.

**(xix)** To establish, maintain or grant aid for the establishment of maintenance of wells, ponds, tanks, tube wells, water reservoirs and trees and constructions of and/or repairs of paths, roads, bridges, Dharmshalas etc. for the use of the general public.

**(xx)** To open, found establish, promote, setup, run maintain,

manage assist, finance, support and / or aid or help in setting up managing and maintaining and / or running schools, colleges, lecture halls and other establishments or institutions for advancement of education and / or knowledge in arts, science, commerce, engineering, technical institutes, literature, humanities and all other useful subject to in all their manifestations or running hospitals, boarding houses, libraries, reading rooms, gymnasium, health centers and other training and vocational institutions like Shilp Shikshalayas, Kala Kendras, Handicrafts for women and children and to provide social welfare works for them.

**(xxi)** To meet traveling, boarding and lodging expenses for students going abroad for higher technical, commercial and professional education and training.

**(xxii)** To grant, pay or give scholarship, stipends, prizes, rewards, allowances and other financial assistance or help in cash or kind to students with a view to help them in prosecuting their studies in schools, colleges, technical and / or non-technical institution, commercial, teaching, cultural and arts training etc. in India and abroad.

**(xxiii)** To acquire, purchase lands, buildings in the name of the trust for the purposes of the trust and/or to construct the buildings and to use the same as the Trustees deem fit and proper for the benefit of the trust.

**(xxiv)** To open, found, establish, promote, setup, run, maintain, assist, finance, support and/or help in setting up and / or maintaining and /or running by monetary gifts or otherwise, one or

more of the followings :

- (a) Centers, Stadiums, Playgrounds, auditorium and parks for public use, Sports, games and other social welfare works anywhere in India.
- (b) Any building or place of historical, archaeological or artistic importance including any place or building of public worship of any or all religious communities.
- (c) Preservation of any rare cattle and useful animals of importance.

Provided always also without prejudice to the generality of the foregoing clauses/ sub-clauses that any pecuniary payments or help in kind shall be given only when the Trustees consider it desirable.

**10.** If any one or more of the objects specified in the sub-clauses or clauses of these presents are held not to be object of a public charitable nature, the trustees shall not carry out such objects or objects as if the same are not incorporated in these presents but the validity of the Trust created by these presents as a Trust for public charitable purposes shall not be affected in any manner.

**11.** The financial year of the Trust shall end on 31<sup>st</sup> 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. The first financial year of "JMT INTERNATIONAL SCHOOL" shall close on 31<sup>st</sup> March, 2021.

**12.** 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 properties for the time being available shall be applied.

**13.** The trustees may accept any donation, contributions, grants, aid in cash or in kind from any person, trust (including the settler or the trustees or any of them), firms, company, corporations, associations, institutions, government of states and Union government or statutory authorities or Foreign Fund as per prescribed Norms for the furtherance of the objects of the Trust of for anyone 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. The trustees may also takeover the management of any other charitable or public institutions on such terms and conditions as they think fit and may manage such institutions.

**14.** The management and control of the "Trust" the Trust properties and the trust fund or corpus shall vest in the "Board of Trustees" which shall comprise not less than three and not more than seven trustees including the chairman.

The following shall be the first trustees:-

Sri Mukesh Singh  
SriDr. Murlidhar Singh  
Sri Hareshwar Prasad Singh  
Sri Santosh Mishra

**15.(a)** In case if any of the above trustees dies, his eldest son shall automatically take his place as trustee.

(b) The board of trustees will have full and unfettered power to regulate and manage the affairs of the trust and any of the institutions as it may establish, pursuant to these presents.

(c) The Board of Trustees shall have a regular chairman and in his absence a chairman will be elected at each meeting who shall be a member of the Board of Trustees.

(d) Shri Ram Kumar Singh, founder and settler of the trust shall be the first chairman and shall continue as such for his life. Upon his death, his eldest son, if not minor, shall continue as the life chairman. Thereafter the chairman shall be elected by the trustees who will hold office for a period of five years at a time. Provided if any of the adult male descendants of the founder/settler be alive and are on the Board the chairman shall be elected only out of them.

If and whenever the number of Trustees is reduced to less than three, the continuing trustee(s) shall appoint new Trustee(s) so as to make up the total number of Trustees for the time being to three.

(e) The meeting of the Board of trustees will be held often as may be necessary from time to time in accordance with the requirements of business in this behalf, provided that a meeting of the Board of trustee shall be held at least every six calendar months. Reasonable advance notice in writing of each ordinary meeting shall be delivered or sent by post to each trustee at his usual address.

(f) That first meeting of the Board of Trustees shall be held within three months from the date of registration of Trust deed on the date fixed by the Chairman, after notice to the trustees.

(g) The Chairman may at any time and shall forthwith upon the request in writing of any two Trustees, specifying in such request the object of the meeting, hold a special meeting.

(h) That for the present, there shall be a quorum of the two



Additional District Sub-Registrar  
Howrah

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trustees at any meeting. Pending any vacancy the trustees for the time being not less than a quorum may act for all purposes for the administration of the trust and may exercise all or any of the powers and discretions vested in the Board of trustees by these presents.

(i) Every matter shall be determined by majority of the trustees present at a meeting. In case of Trustees equally divided in any matter, the Chairman will have a casting vote provided however that notwithstanding herein stated no question dealing with the disposal of the corpus or any of the Trust properties and/or investment out of the Trust corpus shall be decided except with the consent of the Chairman of the Trust.

(ii) Any resolution of the board of trustees may be rescinded or varied from time to time by majority of the Trustees present at a meeting.

(k) Any proposed resolution of the Board of Trustees may be circulated to all the trustees, who may be in India and approved by at least two third of them shall be as valid and effectual as if it had been passed at the meeting of the Board of Trustees duly convened and constituted.

16. Any trustee may retire at any time without assigning any reason and without being responsible for any costs occasioned by such retirement.

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

18. No person being :-

(i) an undischarged solvent; or

- (ii) convicted to an offence involving moral turpitude; or
  - (iii) of unsound mind; or
  - (iv) A minor shall be eligible to be a trustee.
- 19.** A person shall cease to be a trustee in any of the following events
- (a) If he dies; or
  - (b) If he becomes bankrupt; or
  - (c) If he becomes insane or otherwise becomes incapable to act; or
  - (d) If he resigns his office.

**20.** On a new additional trustees being appointed and or his signifying his acceptance in writing to the effect of his accepting the appointment, the trust properties and trust fund shall automatically vest in him along with other trustees for the time being and he or she will be entitled to carry out all the duties and functions of a trustee without any other deed in writing.

**21.** The board of trustees shall be entitled to sue in the name of the trust and may similarly be sued in the name of the trust.

**22.** The board of trustees may by unanimous vote of all the trustees for the time being except of the trustees 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 or concerning the trust estate or trust affairs and after arriving at a definite conclusion that for the reasons, to be recorded in writing the continuance of the trustee proposed to be removed as Trustee of these presents was not desirable keeping to

the objects of the trust in view and other related or connected matter 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 his/her removal, and the decision of the Board of Trustees in this behalf shall be final and binding and shall not be called in question anywhere.

**23.** Without affecting the generality of powers and functions of the trustees to manage and administer the Trust the Board of Trustee shall have the following powers and functions :-

- (a) To borrow, if needed against the security of the assets of the trust by way of bank overdraft, loan or otherwise and to do any business to increase the income of the Trust as may be necessary for the benefit of the Trust and for more effectively carrying out the objects of the trust provided however the trustees unanimously agree on such borrowing and limited to the terms of their decision or agreement and to authorize two or more of the trustees to execute such documents, deeds, papers etc. as may be necessary in connection therewith.
- (b) To arrange for and/or authorize the signing or execution of any agreement, contract, instrument, document or any other paper or writing required to be signed or executed on behalf of the Trustees by anyone or two of the Trustees to be nominated in this behalf by the Board of Trustees and to make the same effective and binding as if the said agreement, contract, instrument or document or paper or writing were signed by all the trustees.
- (c) To appoint or make provision for the appointment of a sub

committee of Trustees and or other to attend or to supervise or conduct specified jobs or functions of trust matters in such manner and subject to such rules and regulations as the Trustee may prescribe.

(c) To spend any portion of the Trust fund or corpus or the income of the Trust fund 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.

**24.** The trustees shall cause true and accurate accounts to be kept of all moneys received and spent and of all matters in respect thereof in courses of management of Trust properties or in relation to the carrying out of the objects and purpose of the trust as well as of all the assets, credits and effects of the trust properties.

**25.** The trustees may 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 after vary dispose of or transfer such investments from time to time provided that such investment shall not be made which are directly or indirectly for the benefit of any person, referred to in subsection 3 of section 13 of the Income Tax Act or any subsequent amendment as may be made from time to time.

**26.** If the Income from the trust property in a particular year is not fully utilized, the unspent income subject to the applicable provisions of the Income Tax Act 1961, as amended from time to time,

subsequent year of years for the advancement of any of the objects of the trust.

**27.** The trust shall be at liberty to sell such portion or portions of the movable or immovable properties forming part of the Trust Estate either by public auction or by private contract at such price or prices and on such terms and conditions relating to title or otherwise in all respect as they may in their absolute discretion think fit and to rescind or vary any contract for the sale thereof and to recall the same without being answerable for any loss occasioned thereby and to execute all conveyance or other assurances and to pass valid and effectual receipt and discharges for all moneys received by them.

**28.** The trustees shall keep an account or accounts with any Bank or Banks, to operate such account or accounts whether in debit or in credit and to give all appropriate instructions to the Banker or Bankers concerning the operation of such account or accounts and to authorize by appropriate resolutions three or more of the trustees jointly with an agent appointed by the Board of Trustees in this behalf to operate such accounts.

**29.** The trustees may pay all charges and outgoings 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 other costs, charges and expenses incidental to the administration and management of the Trust Estate and properties for the time being belonging to the Trust as they may in their absolute discretion think fit.

**30.** The trustee may manage or supervise the management of any lands, hereditaments, and premises for the time being comprised in the Trust estate or any part thereof with power 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 cultivate or cause to be cultivated all or any of the said lands, hereditament and premises and to insure houses and building against losses or damages by fire and/or other risks or to let, lease and make allowances to the arrangements with tenants, agriculturists and generally to deal with the said lands, hereditaments and premises as they may deem fit in their absolute discretion.

**31.** The Trustees may appoint Secretaries, Managers, Lawyers, Solicitors, Auditors, Architects, Engineers, Surveyors, gomastas 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 purpose of the trust.

**32.** The trustees may establish their office at such place or places and may change such places from time to time as they may think fit.

**33.** The Trustees may demise the immovable property or properties for the time being and from time to time belonging to the trust either from year to year or for any fixed term or for any term of years on monthly tenancies at such rent and subject to such covenants and conditions as they may think proper and also accept

**30.** The trustee may manage or supervise the management of any lands, hereditaments, and premises for the time being comprised in the Trust estate or any part thereof with power 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 cultivate or cause to be cultivated all or any of the said lands, hereditament and premises and to insure houses and building against losses or damages by fire and/or other risks or to let, lease and make allowances to the arrangements with tenants, agriculturists and generally to deal with the said lands, hereditaments and premises as they may deem fit in their absolute discretion.

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**33.** The Trustees may demise the immovable property or properties for the time being and from time to time belonging to the trust either from year to year or for any fixed term or for any term of years on monthly tenancies at such rent and subject to such covenants and conditions as they may think proper and also accept

surrenders of lease and tenancies and generally manage the same in such manner as they think proper.

**34.** The trustees shall have full power to compromise or compound all action, suits or other proceedings and settle differences and disputes touching the Trust Estate and / or the trust properties and to refer any such difference or disputes to arbitration and to adjust and settle all accounts, relating to the Trust Estate and/or the Trust properties and to do all other acts and things fully and effectually without being liable or answerable for any bonafide loss occasioned thereby.

**35.** The trustees may join, co-operate and amalgamate the Trust created by these presents or any portion thereof with any trust or institutions having allied or similar objects upon such terms as they may in their absolute discretion think fit.

**36.** The trustees may from time to time frame schemes and rules and regulations to carry out the objects of the Trust and for managing the affairs of the trust and otherwise for giving effect to the objects and purposes of the trust and to vary the same from time to time as the trustees in their discretion deem fit and proper and may make rules for formation of sub committee.

**37.** The receipts granted by the trustees or any one or more of them for any moneys, stocks, funds, shares, securities, or investments paid, delivered or transferred to them in exercise of the trust or powers thereof shall effectually release and discharge the persons or persons paying delivering or transferring the same there from and from seeing or from being bound to see the application

thereof of being answerable for the loss or misapplication thereof.

**38.** The trustees shall be entitled at their discretion from time to time to start, discontinue, abolish and restart any charity or charitable institution, to impose any condition or conditions to any subscription or donation made by them and to earmark any portion of the trust property or income for any particular object or objects.

**39.** The trustees may reimburse themselves and pay and discharges out of them 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 any remuneration.

**40.** The trustees shall have power to determine by majority in case of doubt, whether any money or property for the purpose of these presents be considered as capital or income and whether out of income or capital any expenses and outgoings shall or ought to be paid or borne and any/ every determination shall be binding and conclusive provided that nothing herein contained shall be deemed to authorize the trustee or trustees to spend the income or corpus of the trust fund for any purpose not authorized by these presents.

**41.** The trustees, if they think fit and proper may purchase, hold or sell any kind of equipment for fulfilling any purpose of the trust.

**42.** The trustees may enter into contracts on behalf of the trust for the fulfillment of any object of the trust, if the trustees think it fit and proper in their discretion.

**43.** The trustees at their discretion and at their pleasure may delegate all or any of their power to any individual or sub-committee or committees and to vary and/or revoke such power and delegations.

**44.** The trustees may create subsidiary trusts on such terms and conditions as the trustees may deem fit for the objections of the trust.

**45.** A balance sheet and income and expenditure account of the trust shall be prepared and audited once at least every year through a Registered firm of Chartered Accountants and auditors to be appointed by the trustees and laid before the Board of Trustees at a meeting to be held as far as possible not later than nine months of the date upto which the said accounts have been made.

**46.** Subject to aforesaid, the Board of Trustees may from time to time make and alter such resolutions and provisions with regard to any matter in respect of which any power or duties hereby vested in it as it may think fit and proper.

**47.** The settler hereby reserves the power and may confer such or any of such powers upon the trustees to alter any of the above clauses only in case and only in so far as the alterations is required by the tax authorities (including income tax authorities) to grant tax exemptions to this trust and in order that the donation/ contributions to the trust fund could qualify and continue to qualify for deduction under section 80G of the Income Tax Act, 1961 and / or other relevant provisions of the Act.

However this trust shall always be irrevocable and shall work for public charitable objects only.

In witness whereof the parties hereto have set their respective hands the day month and year first before written in the presence of witnesses.

Signed sealed and delivered by  
The **SETTLER** at Howrah in  
Presence :

*Ram Kuman Singh*

**SIGNATURE OF THE SETTLER**

Witnesses

Signed sealed and delivered by  
The **TRUSTEES** at Howrah in  
Presence of :

*Munish Singh  
Munish Singh  
H.P. Singh  
S. Mishra*

Witnesses

*Drafted by me,  
Arijit Chatterjee*

*Arijit Chatterjee*

Advocate

High Court, Calcutta

Bar Association

Room No. 16

2nd Floor, Kolkata-1

**SIGNATURES OF THE TRUSTEES**

*WB 814/792/2002*