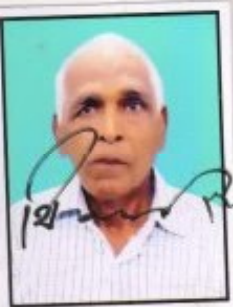


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उत्तर प्रदेश UTTAR PRADESH

AA 196336

**DEED OF TRUST**

This DEED OF DECLARATION OF TRUST executed at Lucknow on 10<sup>th</sup> August, 2018 by Shri jai Prakash Singh s/o Shri Shiv Bhawan Singh aged about 36 years, residing at 20, J P Market, Ramasrey Purwa, Gomti Nagar extn., Lucknow 226010 hereinafter called as **AUTHOR OF THE TRUST** which expression shall wherever the context so permits mean and include his heirs, successors, and executors of the FIRST PART and;

Shiv Bhavan Singh s/o Late Jiwrakhan Singh age about 68 years residing vill-Rakshapal Pur, Post-Khakhrreru, Tahesil-Khag District-Fatehpur Pin-212656

WHEREAS the **AUTHOR OF THE TRUST** is desirous of founding school, colleges, degree colleges, engineering college, polytechnic deemed and private universities for Basic,



**18. POWER TO ALTER RULES AND REGULATIONS:**

The Board of Trustees shall have full power and authority to make alter and rescind rules and regulations for the management and administration of the Trust. No

Amendment to the trust Deed or rules & regulations shall be made which may prove to be repugnant to the provisions of sections 2(15), 11, 12, & 80 G of the Income Tax Act 1961 as amended from time to time.

**19. APPLICATION OF INCOME AND TRUST FUND:**

The board of Trustees shall be empowered to invest the funds of the trust in movable or immovable properties, in such manner as they deem fit for the purpose of the objects of the trust provided that such investments shall be in accordance with the provision of section 13(I) read with Section 11(5) of the Income Tax Act, 1961 as well as of any other law for the time being in force as are applicable to charitable trusts.

**20. REMUNERTION TO THE TRUSTEES:**

The Trustees are not entitled to any remuneration. Further, the income and funds of the Trust will be solely utilized towards the objects and no portion of it will be utilized for payment of Trustees by way profits, interest, dividend or otherwise, PROVIDED that a Trustee may claim reimbursement of out-of-pocket expenses undertaken to further the activities of the Trust

**21. INDEMNITY:**

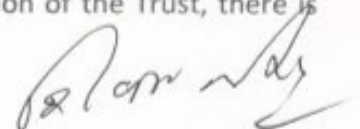
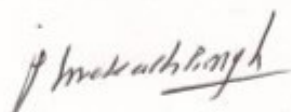
Every Trustees shall be indemnified out of the fund in respect of any loss arising from or contingent upon any investment made out of the monies of the Trust unless such loss shall have been occasioned by own negligence; and further every Trustee shall be indemnified out of the Trust against all proceedings, suits, claims, costs, damages and expenses occasioned by any claim in connection with the matters or affairs relating to the Trust created by these presents or in the exercise of powers or discretion vested in them by virtue of these presents.

**22. IRREVOCABILITY**

The trust is irrevocable.

**23. AREA OF OPERATION:**

The activities of the Trust shall be only within India and its Union territories and shall not be extended anywhere outside India. Further on the date of registration of the Trust, there is no immovable property in the Corpus Fund of the Trust.



**24. DISSOLUTION:**

In the event of dissolution or winding up of the trust the assets remaining as on the date of dissolution shall under no circumstances be distributed among the trustees but the same shall be transferred to another charitable, religious, trust, society, association or institution whose objects and faiths are similar to those of the trust and which enjoys recognition u/s 80 G of the Income Tax Act 1961 as amended from time to time.

**25. PROCEEDING OF THE TRUST:**


Any defect in the constitution of the trust shall not invalidate its proceedings.

**26. RESIDUARY:**

For matters not provided for in these presents, the provisions of the India Trust Act and the Income Tax Act, 1961 and rules made there under will apply accordingly. And at the time of registry of the Trust, there is no immovable property in the corpus of the Trust.

IN WITNESS WHERE OF THE AUTHORS OF THE TRUST HAVE SET THEIR HAND AND SIGNATURE ON THE DAY, MONTH AND YEAR FIRST ABOVE WRITTEN IN THE PRESENCE OF

**WITNESSES**

1- 

Arvind Kumar Singh  
s/o Shri Balgovind Singh  
E-192 sector I LDA Colony Kanpur  
Road Lucknow.

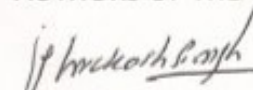
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2- 

Shri A k Sharma s/o J S Sharma  
SF-3, Block-A Benimadho Kunj Apartment  
J.L Nehru road 145/56, Tagore Town Allahabad. 211002.  
Mo. 9415347589

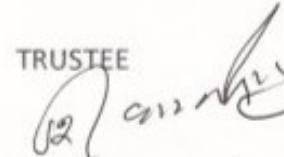


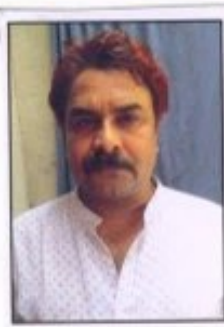
**AUTHORS OF THE TRUST**

  
Jai Prakash Singh



**TRUSTEE**

  
Shiv bhavan singh







उत्तर प्रदेश UTTAR PRADESH

(2)

Secondary, Higher secondary, higher and technical education including B.Ed./BTC./ Nursing/ paramedical colleges etc. or/and any other field including any type of degree and diploma courses, super specialty hospitals and medical care centers which are directly and indirectly related to promotion of education and medical care in the state of Uttar Pradesh and/or any other place in India for the education of boys and girls in the educative and vocational pursuits and the services in the field of medical health and education for the general public and government schemes for the welfare of the general public and for that purpose the settler hereby contributes Rs. 10,000 into the Trust Fund. The settler will also arrange suitable funds and other assets etc. from time to time for short term and long term uses, for the purposes of the objects as may be deemed necessary.

**WHEREAS** it is necessary and desirable to declare and constitute the said Trust and to record the objects and constitution of the trust,

**NOW THIS DEED OF DECLARATION OF TRUST WITNESSETH AS FOLLOWS;**

*J. Prakash Singh*

*श्री वाराणसी*





उत्तर प्रदेश UTTAR PRADESH



(3)

1. **NAME:** the Trust shall be called "Shiv Sai Educational Trust."

2. **CREATION OF THE TRUST:**

In pursuance of the intention, the **AUTHOR OF THE TRUST** has settled the sum of Rs. 10,000 by cash unto and in favour of the **TRUSTEES** herein to be held by them for and on behalf of the Trust hereby created, the receipt of which sum is hereby acknowledge by the **TRUSTEES**, who accept the appointment as such Trustees of the said Trust, under the terms and conditions, set out hereunder for the fulfillment of the objects of the Trust, more fully and particularly described and set out hereunder.

3. **REGISTERED OFFICE OF THE TRUST:**

The registered office of the Trust is situated at 20, J P Market, Ramasrey purwa, Gomti Nagar Extn., Lucknow-226010.

4. **TRUSTEES:**

*J. Makorh Singh*

*Ram Chandra*





उत्तर प्रदेश UTTAR PRADESH

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(4)

The founder trustees who shall hold the office of the trust for life unless they resign their trusteeship and inform the other trustees in writing or are removed for indulging in activities inimical to the Trust are as follows:

1. Shri Jai Prakash Sing s/o Shri Shiv Bhawan Singh aged about 36 years, residing at 20, JP Market, Ramasrey Purwa, Gomti Nagar Extn., Lucknow-226010 hereinafter.
2. Shiv Bhavan Singh s/o Late Jiwrakhan Singh age about 68 years residing vill-Rakshapal Pur, Post-Khakhru, Tahesil-Khag District-Fatehpur Pin-212656

#### 5. OBJECTS OF THE TRUST:

The objects of the Trust are:

- a. To open run and manage an school/ college/ university for the education of boys and girl in arts, commerce, B.T.C and B.Ed. etc other vocational pursuits and to develop character of students as well as to educate them in physical culture.
- b. To establish recognized technical/medical/dental/law colleges etc. for the benefit of the students in particular and society in general.
- c. To establish recognized institutions to impart degree and diploma courses in any field of educational and vocational pursuits.
- d. To establish, run and manage super specialty hospitals and other allied activities solely for philanthropic purposes and not for the purposes of profit.

*Jai Prakash Singh*

*Shiv Bhawan Singh*



(5)

- f. To give donations to other charitable Trust and Institutions which are running for the purposes similar to this Trust or other charitable purposes.
- g. To provide financial assistance to the poor and needy/weaker section of the society for promotion of education by way of scholarships, grants, loans, books, uniforms etc...
- h. To provide services in the field of medical services to the general public.
- i. To manage, execute, promote all government schemes including construction of public toilets; environment protection, development and maintenance of rural and other roads and infrastructure; skill development of boys and girls and unskilled labour etc. for the benefit of the general public at large.
- j. To develop old age homes and provide all the requisites for running and managing of these set ups.
- k. To do any activity which is directly or indirectly related to or incidental to any of the objects of the trust as above mentioned.

#### 6. BENEFIT OF THE TRUST:

The Benefits of the Trust are open to all irrespective of caste, religion, race, sex etc.

The trust will not carry on any activities with an intention of earning profit.

## 7. THE PROPERTIES OF THE TRUST

The properties of the trust shall be:

- (a) the said sum of Rs. 15,000 above referred to the receipt of which is hereby acknowledged by the Trustees;
- (b) any properties movable or immovable, that may be acquired by the trust either by purchase or otherwise (presently, however, there is no immovable property in the Trust Corpus);
- (c) all additions and acceptations to the Trust fund;
- (d) all voluntary donations both towards corpus or otherwise gifts, legacies or grants in cash or in kind accepted by the trustees;
- (e) all grants and contributions made to the Trust by the Government, Government bodies, Non-Government organization, Trust or Institutions, Trade Unions or Societies etc; and
- (f) all sums and assets which by ethical and legal means become the property of the Trust.

### 8. CESSATION OF TRUSTEESHIP:

A Trustee shall cease to be the trustee of the Trust if:

J. M. Leachman

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(6)

(a) he or she resigns;

(b) he or she is diagnosed with mental illness leading to loss of insight;

(c) he or she is removed by a simple majority of the members of the Trust, if it is found that the trustee (s) activities are detrimental to the activities or administration or funds of the Trust

#### **9. APPOINTMENT OF TRUSTEES:**

The TRUSTEES may co-opt additional Trustees with a simple majority in the meeting of Trustees, whose term of office may be renewable every year.

Any vacancy in the Board of Trustees shall be filled up by the remaining members of the Trust selecting a suitable person by special resolution.

#### **10. ADMINISTRATION OF THE TRUST;**

The administration of the TRUST shall vest with Board of Trustees, which may consist of:

a) One Chairperson:

b) One Secretary:

c) One Treasurer

#### **11. POWER OF THE TRUSTEES:**

The Board of Trustees shall have the control and management of the Trust and exercise the following powers:

a) to determine from time to time to commence and to take up in the object and purposes for which the funds of the trust shall be used and allot and allocate to each of the objects such portion of the funds as they deem fit;

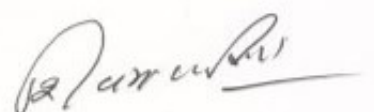
b) To purchase and acquire any immovable property of any kind for this object of the Trust or as a source of income for Trust;

c) To sell, mortgage, or dispose of any immovable property residing at properties belonging to the Trust;

d) To incur all expenditure necessary as in their own opinion useful for carrying out the objects and administration of the trust;

e) To open one or more bank accounts of the trust with any bank or banks as the Trustees may deem fit and deposit monies of the Trust in the Bank accounts.







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- f) To borrow for and on behalf of the Trust with or without security from banks, Governments, Universities or any other Governments Body residing at bodies both central and state;
- g) To employ staff of all kinds necessary and useful for carrying out the objects of the trust.
- h) To incur such other items of expenditure as is necessary and incidental for carrying out the objects of the Trust;
- i) To institute, conduct, defend, compound, withdraw, compromise, adjust, refer to arbitration or to do such things as are incidental and necessary, concerning the affairs of the Trust and to sign and verify pleadings, affidavit and other powers;
- j) To form any Committee for day to day operations of the trust and monitor the various activities of the trust;
- k) To frame rules, bylaws and other codes for the conduct of the affairs of the Trust and its transactions and establishing any committee.
- l) To accept contributions including corpus donations and Voluntary donations through banking channels and, only in selective cases in cash limiting to Rs. 20,000 per donor in each year by way of addition to the trust funds generally or for any one or more of the specified objects of the Trust.
- m) To establish as many ad hoc committees as may be necessary for any purpose.

The powers and Duties of the office Bearers of the TRUST are;

**Chairperson** \* To preside over all meetings

- To fix dates of meetings and issue notices for the same
- To ensure smooth conduct of meetings
- To ensure keeping of minutes and ratify minutes of the previous meeting
- To cast additional vote in case of tie of votes in any meeting including Trustee meetings

**Secretary** \* To engage in all correspondence on behalf of the Society

- To conduct meetings
- To perform all actions necessary for the working of the Society in pursuit of its stated objectives and advise members of the Governing Body accordingly

*J. M. Singh*

*P. D. Singh*



(8)

- To sign and endorse bills, vouchers and financial instruments on behalf of the society
- To engage and dismiss human resources for salaried and contractual positions of the society
- To undertake responsibility for maintaining discipline among salaried and contractual employees of the society
- To undertake the responsibility for care and maintenance off movable and immovable property of the society

**Treasurer**

**\* To maintain accounts and ensure their timely audit**

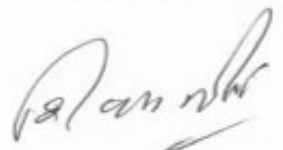
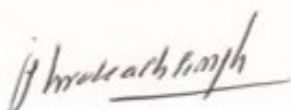
- To countersign bills, vouchers and financial instruments endorsed by the secretary
- To receive fees, donations and grants on behalf of the society

## **12. MEETINGS OF THE TRUSTEES:**

- a) The Chairman shall preside over all the meeting of the meetings of the Trustees and in his absence, the Trustees attending such a meeting may elect any one of them to preside over the meeting;
- b) The meetings of the Trustees may be convened by the settler, or under his or her direction by any other Trustee
- c) The quorum of the meeting of the Trustees shall 1/3<sup>rd</sup> of the trustees or minimum two personally present.
- d) In the event of equality of votes, the person presiding over such a meeting shall exercise casting vote (additional vote).

## **13- RESOLUTION**

- a) The Trustees may exercise all the powers vested in them in clause 11 under these presents by resolution passed with a simple majority of the Trustees attending such meetings of the Board of trustees.
- b) Any resolution in writing signed by all trustees holding office for the time being shall be valid and binding





**14)- SUITS:**

The TRUST may sue or be sued in the name of Secretary or in the name of such person as shall be appointed by the TRUSTEES for the occasion, provided that it shall be competent for any person having a claim or demand against the TRUST to sue any TRUSTEE, if on application some other trustee or person is not nominated to be the defendant. No suit or proceeding against the TRUST will abate or discontinue by reason of the person, by or against whom such suit or proceedings shall have been brought or continued, dying or ceasing to fill the character in the name where of he shall have sued or been sued, but the same suit proceedings shall be continued in the name of or against the successor of such person.

**15) EXECUTION OF DOCUMENTS:**

All deeds, documents etc shall be executed by the Chairperson.

**16) ACCOUNTS AND AUDIT:**

- a) The trustees shall maintain true and correct accounts of all trust monies and of all the income and investments and all the outgoing expenses.
- b) The year of account shall be the financial year commencing from 1<sup>st</sup> April and ending 31<sup>st</sup> March.
- c) The trustees shall each year issue a report setting out the account showing the income and expenditure of the trust for the preceding year not later than six months from the end of the preceding year of accounts.
- d) The accounts of the trust shall be audited every year by a Chartered Accountant who will be appointed for the purpose by the board of Trustees and the audited statement of accounts together with Auditors report shall be laid before the Board of Trustees for approval.

**17. BANK ACCOUNTS:**

The Chairman can open a current account/saving account bank account in any schedule/ cooperative/rural bank Chairman or secretary or Treasurer shall operate bank account(s), unless otherwise resolved in Trustee meeting. The Trustees also have power to borrow funds from any scheduled bank/ corporate / society /trust /business entity /individual for the purpose of the objects of the trust And can also mortgage properties of the trust to secure the lone.

