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D.S.R. BALANGIR

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MISSILE under rule 20 only
excessively Stamped/exempted from
Stamp duty under the Indian stamp
(Orissa Amendment) Act. 2008
Schedule. I. A. No.
& read with the Q.T.P.I.T. Act. 1954

2.2.09
Officer In-charge
Franking Machine
Dist. Sub-Registrar Office, Balangir

Registering Office
Balangir



Executant, signature & L.T.I of the
MANAGING TRUSTEE

Kailash Agrawal



Signature & L.T.I of the DIRECTOR

Purusottam Agrawal

CHARITABLE TRUST DEED OF TRUST

DECLARATION OF THIS DEED OF TRUST made on this 2nd day of February, 2009 at Balangir Between **Mr. KAILASH AGRAWAL**, S/o **SRI RADHESHYAM AGRAWAL** aged about 42 years at present residing at TikraPara, Balangir, p.o Balangir, Dist.: Balangir -767001 (Hereinafter called the **MANAGING TRUSTEE**)

AND

Mr. PURUSOTTAM AGRAWAL, S/o **SRI RADHESHYAM AGRAWAL** aged about 37 years at present residing at Tikrapara, Balangir, P.o Balangir, and Dist.: Balangir -767001 (Hereinafter called the **DIRECTOR** as the Trustee)

WHERE the Trust is desirous of promoting general as well as professional, technical, Engineering, Medical and Nursing Education in Orissa also in helping for the enlistment of poor scheduled people and specifically women and orphans and slum dwellers' children and providing relief for the advancement of all other objects of general public utility.
NOW THIS GOVERNMENT WITNESSTH THAT

Kailash Agrawal
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Kailash Agrawal
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RADHA MADHAB EDUCATIONAL TRUST

Purusottam Agrawal
MANAGING TRUSTEE

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Purusottam Agrawal
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Kailash Agrawal.
2.2.09



Presented for Registration in the
Office of the District Sub
Registrar, Bolangir between the
hours of to
on the day of 2009
By
S/O
of
P.S.,
District, Bolangir
By Profession
Executant, along with Passport

Registering Officer
Bahadur

Kailash Agrawal.

Signature _____

RADHA MADHAB EDUCATIONAL TRUST

MANAGING TRUSTEE

~~Registering Officer~~
~~Balangir~~

The Managing Trust and Director with a view to achieve the above referred object of creating and establishing a public charitable Trust have delivered to and made over to the Trust sum of Rs 5000/- (Rupees Five Thousand) only and vest the same in the Trust to hold and to have the same as "Trust Fund" for charitable objects and purposes, with the powers on terms and conditions concerning and said purpose set forth hereunder.

2. The name of the Trust will be "**RADHA MADHAB EDUCATIONAL TRUST**" and the office of the Trust shall be situated at Sambalpur road, NH-201, BALANGIR which may be transferred by a resolution to such places as the Trustees may deem fit and appear at their direction?

3. **THE MAIN OBJECTS TO BE PURSUED BY THE TRUST ON ITS FORMATION ARE:**

- (i) To establish, develop and maintain computer institution and I.T. related educational establishment medical schools, medical collage, and other Diploma schools, industrial Training institute. Engineering and Management institutes and vocational Education for the benefits of the general-public.
- (ii) To promote and establish educational institutions or to help in setting up or maintaining schools and other institutions such as orphanages,, widow homes lunatic asylums for relief or help to the old infirm people and/ or destitute.
- (iii) To establish, run, support and grant aid or other financial assistance to school, college, library and other institutions of the like nature in India, for use of the students and staff and also for the development and advancement of education and diffusion of knowledge amongst the public in general.
- (iv) To establish, maintain and run studentship, Scholarship 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, colors, community, creed or sex.
- (v) To promote, establish support and maintain institution for the promotion of science, literature and fine arts in Indian, having similar objects for the benefit of the public in general.

4. **THE OBJECTS INSIDENTAL OR ANCILLIARY TO THE ATTAINMENT OF THE MAIN OBJECTS STATED ABOVE ARE :**

- (i) To render help and assistance in case or kind to poor and destitute persons or widows etc.
- (ii) To give render help and assistance to the persons affected by the natural and other calamities such as flood, fire, Famine, Cyclone, earthquake, storm, accidents ,draught, epidemic etc and to give donations, subscription or contributions to institutions, establishment, centre or persons doing relief work on such occasions.

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- (iii) To establish, maintain or grant aid for the establishment or maintenance of wells, tube-wells water-reservoirs, trees and constructions & repair of paths, roads, bridges etc. for the use of the general public.
- (iv) To foster and encourage education and training in handicrafts, fine art among women in general and establish institutions imparting such educations and to establish, support or help by monetary gifts or otherwise to centre and institutions for women and children and to provide social welfare work for them.
- (v) To provide help and assistances to meet traveling, boarding and lodging expenses for students going abroad for higher education.
- (vi) To grant pay or give scholarship, stipends, prizes, rewards and other financial assistance to students in prosecuting their studies in schools, colleges technical, institutions, art schools or other training, research or educational works in India or abroad.
- (vii) To renovate or repair any temple, mosque, gurudwara church or other places notified by the state and central government in official Gazette to be of historic archeological or artistic importance or to be place of public worship.
- (viii) To promote assist and maintain all activities by whom-so- ever carried out or whenever carried out in Indian in conformity with the objects of the Trust and as are conducive to the well being and general welfare of the nation or far advancement of any object of general public utility not carrying on any activity for profit.
- (ix) To help the preservation of cattle's and useful animals.
- (x) To publish, book, pamphlets, periodicals and newspapers in India or outside for the spread and advancement of education and culture.

5. **THAT FOR THE FURTHERANCE OF THE TRUST, THE TRUSTEES SHALL HAVE THE FOLLOWING POWERS**

- (i) To accept donation, contributions grant or subscription in case or in kind, from any persons (s) body of persons or trust, without conditions.
- (ii) To apply the whole or any part of the income of the Trust fund or accumulations thereto of any one or more of the objects of the trust as the trustees may, in their discretion, deem fit from time to time.
- (iii) To convert and deal with the Trust property and/or any investment for the time being.
- (iv) To invest the Trust fund either in the purpose of mortgage of immovable property or in shares, stock or debentures or other securities and investment, or in deposit with or loans to any company, bank, firm or any other persons, and to alter, vary or transpose such investments, from time to time at the discretion of the **Managing Trustee**.
- (v) To borrow or raise or secure payment of money and also to lend money either with or without security.

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- (vi) To sell, dispose of, alienate or otherwise deal with any property comprising the Trust Fund.
- (vii) To let or demise any immovable property comprised in the Trust Fund for such period and at such rent upon such terms and conditions at the Managing Trustee in her discretions may think fit.
- (viii) To open account in the name of the Trust, Managing Trustee and or institution run/ conducted by the Trust with a banks, to operate such account and to give instruction to the Bank to provide for opening and operation of such account by one or more of the trustees or by an agent appointed by the Trustees.
- (ix) To adjust settle compromise, compound refers to arbitration, suits, claims, demands and proceedings regarding the Trust Fund.
- (x) To appoint constituted attorneys or agents and to delegate to such attorneys or agents all or any of the powers vested on them under these presents and from time to time removed such attorneys or appoint other or others in his or their place.
- (xi) To make vary alter or modify schemes, rules and regulations for carrying out the object of the trust and for the management of the affairs there of and/or running any institution in furtherance of the object of the trust and otherwise for given effect to the object of the Trust.
- (xii) To set apart and/or allocate the whole or apart of the income or the corpus of the Trust fund or part thereof for any of the objects of the Trust.
- (xiii) To join, co-operate or amalgamate this trust with another or others having kindred or allied objects upon such terms and conditions as the trustees may in their discretion think fit, particularly having regard to and in conformity with the object and nature of the Trust.
- (xiv) To settle all accounts and to compromise, compound, abandon or refer to arbitration any action or proceeding or disputes, claim demand or things, as deemed proper for such purpose without being responsible for any loss occasioned thereby.
- (xv) To borrow moneys either on the security of any property comprised in the trust Fund or otherwise for all or any of the purpose of these presents and it shall be lawful for the Trustees to make such a borrowing on payment of interest and otherwise on such terms and conditions as they may in their absolute discretion think fit.
- (xvi) To apply to the government, public bodies, urban, local ,municipal, district and other bodies, corporations, companies or persons for and to accept grant of money and of aid, gifts subscriptions and other assistance with a view to promoting the objects of the Trust and to discuss and negotiate with the Government Department, public and other bodies, corporation, companies or person scheme and other work and matter with the objects of the trust and to

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conform to any proper condition upon which such grants and other payments may be made.

- (xvii) To establish, promote, manage, organize or maintain or to assist in establishing, promoting managing, organizing or maintaining any brand of the Trust or any other Trust or its brand with or carry on the affiliation or amalgamation of such other Trust with this Trust.
 - (xviii) To take over, acquire, manage, control or aid any existing institution or institutions having objects either wholly or in part similar to the objects of this Trust and on such terms and conditions as may be thought expedient.
 - (xix) To purchase or otherwise acquire and undertake all or any part of the property, sheets, liabilities, and manage of any or more of the Trusts, societies, institutions or associations with which their Trust is authorized to amalgamate.
 - (xx) To transfer all or any part of the property, assets liabilities and managements of this trust or any one or more of the Trust societies, institutions, or associations with which there trust is authorized to amalgamate.
 - (xxi) To transfer and hand over the Trust to any other society, corporation, institutions or organization on such terms and conditions as the Trustees shall in their absolute discretion think fit and proper to be held by the society, corporation, institution, Trust or organization with the power, provisions, agreements and declaration appearing and contained in these present subjects to such modification as may be necessary and consequent to such transfer of the Trust Fund. The trustees for the time being of these presents shall become a discharged from the Trust therefore relating to Trusts funds so transferred.
6. It is mutually considered that the objects of the trust will be better achieved if the income of the trust is exempt under the income tax Act. In case, however, a particular clause or clauses of this instrument of trust has been inadvertently clothed in a language capable of an interpretation in conflicts with the relevant income the provisional granting exemptions, it is barely agreed that such clauses or clauses will have restricted meanings so that the relevant income tax provisions will always have the overriding effect.
7. If any one or more of the objects specified in clause (3) here in before are held not to the object of the public interest, the same is not incorporated in this deed. However, the validity of the trust created for public charitable purpose shall not be affected in any manner.

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8. THE TRUST FUND:

- (a) The Managing Trustee shall stand to be possessed of the said Trust fund upon Trust and also to receive any income or interest, dividends thereof and voluntary contribution, donation and gifts and in the first place to reimburse themselves (other Trustees) or pay or discharge all the costs, charges and expenses incurred in or about on incidents of the institutions or execution of Trust of powers of the presents and also the outgoing taxes, rates, duties, levies and other taxes and cost of meeting of ordinary repairs to any immovable property.
- (b) The proper accounts showing all received and disbursements made on the account of the Trust, here by constituted shall be kept by the Managing Trustee and shall be duly audited with all necessary vouchers at least once in every year by such auditors when the Managing Trustee consider it necessary or expedient whom they may employ and pay for the purpose.
- (c) The said income as well as surplus of the Trust fund shall be applied only towards charitable purchases as aforesaid in India and any accumulation of income shall also be made and deemed to be made for the application to such charitable purposes as aforesaid in India in accordance with the provisions of the income Tax Act, 1961 and as may in force from time to time.

9. POWER AND FUNCTIONS OF THE MANAGING TRUSTEE:-

- (a) To carry the objective of the Trust, the management and affair of the trust shall vest in the Managing Trustee who will represents the Trust and its institutions before all courts and authorities and exercises such power as it necessary for conducting the affairs of the Trust or its institutions with power to nominate and whose decision in all matters shall be final.
- (b) To decide all questions arising in the administrations of the Trust hereof and including all questions relating to interpretation of those presents, the administration of any of the institution maintained by the Trust or concerning any thing or any matter relating to, connected with or arising out of these presents or operation thereof. The decision of the Managing Trustee in all or any of the aforesaid matter shall be final.
- (c) The delegate by power of attorney or otherwise by way of resolution to any Trustee or Trustees or any person or persons, powers and authorities implied by law or conferred by status or vested in the trustee by these presents. The Managing Trustee shall however not to hold responsible or liable for the acts or defaults or any such person or persons but only their own respectively act and defaults.

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- (d) That, the Managing Trustee may delegate all or any of the powers / authorities and discretions herein before conferred of them to any committee or committees for the routine and day to day management and administration of any such institutions under their ultimate supervision and control for such period as may be specified in the deed or deeds appointing the committees. The total number of member of such committee shall be more than eleven. Such a committee may consists of other person or persons not being trustees whom the Managing Trustee may select provided that the managing trustee may at any time revoke either wholly or partly the authority so conferred on any such committees. The managing Trustee will act as chairman / president of all the committee or committees. The Managing Trustee shall be entitled to frame the constitution and regulate the procedures such committee and to delegate to them such powers, as they may consider proper and necessary.
- (e) The Managing Trustee and the Directors shall be solely responsible to purchase, construct or hire or take on lease any immovable or movable property for all of the purposes of this Trust at such price, cost or on rent and such period and with or without opinions for renewals as deemed fit.
- (f) Subject to any mandatory provisions of law for the time being in force and applicable to the Trust, the managing Trustee and director shall invest all money which shall require investment in any investments of properties of whatever nature and whatsoever situation and where the living liabilities or producing income or upon personal credit with or without security and in the manner authorized by law and income Tax Act 1961, for the investment of the Trust funds and to call in sells, convert to exchange such investments and properties both movable and immovable whenever they, in their absolute discretion, think it desirable to do so.
- (g) To frame such rules and regulations for the management and make administration of such institutions established by the Trust as they thin fit and to alter or very the same from time to time and to make new rules and regulations provided that such rules and regulations shall in no case be inconsistent with the terms of these presents.
- (h) To appoint any advisory committee to help the Trust in the Management of the affairs of the Trust or any institutions maintained or run by it and discharge of their duties, on such terms and conditions as they may determine.
- (i) To accept all the assets of any other Trust / Society or Institutions having similar objectives to those of this Trust in the event of any such Trust / Society or institutions unanimously decide to hand over such properties by way of resolution.
- (j) To do all such other lawful things as may be incidental or conducive to the attainment of the objectives of the Trust.
- (k) That, the managing Trustee is also empowered to appoint any one of his wards as his successor Managing Trustee. However, in the event of sudden demise or death or incapability of Managing Trustee, the wards of the Managing Trustee, if she/he is a major or on their attaining the age of majority, shall automatically be

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appointed as managing Trustee to fill up the vacancy arise subject to the declaration / will of the demised Managing Trustee and will continue to act as such for their life unless otherwise the ward himself/herself voluntarily give in writing of her/his intention not to continue as member of the Trust.

- (l) The managing Trustee and director shall be entitle to start, discontinue, restart or abolish any charity or to impose any condition or conditions to any subscription or donation made by them or to earmark any portion of the Trust property or income for any particular object or objects.
- (m) The Managing Trustee for the time being will be at liberty to appoint additional Trustees. It shall be lawful for him to appoint any Bank, Corporation, financial Institution, or persons of his choice of such nature having the similar objectives of that of the Trust for such period or on such terms and conditions as the Trust may feel it. The number of such additional Trustees shall not be more then five.

10. **POWER AND FUNCTIONS OF THE MANAGING TRUSTEE / DIRECTOR OF THE TRUST:**

- (a) That the administrative and executive power of the Trust shall vest with the Managing Trustee and Director jointly of the Trust and he shall be sued and shall sue on behalf of the Trust.
- (b) That, the Managing Trustee of the Trust shall be ex-officio chairmen of all the Managing committee / Sub-committee/Governing Body/Advisory council, so created by the Trust or appoint any person/ persons of his/her choice or by decision of the Trust as chairmen of the committee / committees for a period of three years.
- (c) That the chairman of the Managing Committee / Governing Body shall convey all meeting of the Board or any other sub-committee and shall preside over the same. The chairman shall be the custodian of all documents and assets of the Board.
- (d) That, in the event of any emergency or for taking decision of such matter of urgencies, the chairman can independently act for the benefit of the Trust.
- (e) That, in exercise of the power vested on by the Managing Trustee of the Trust, the chairman of all the committee may appoint, dismiss and reappoint executives, Teaching staffs, officials, Engineers, Doctors, Nurse, Clerks, Carpenters, Attendants and other employees on such salary and on such terms as deemed fit.
- (f) That, do deposit by way of safe custody and documents held by them relating to any properly belonging to the Trust with any Bank and to pay sum payable in respect of such deposits.

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- (g) That, the Managing Trustee and the Director Trust can open and operate Bank accounts in any Bank and borrow and raise any amount of money from the Bank or others as may be required by the Trust upon such terms as may be deemed fit.
- (h) That, Managing Trustee and the Director of the Trust is vested with the powers to let out, lease, mortgage charge or license any property belonging to the Trust for such rent or compensation and on such terms and conditions and for such periods as he may deem fit.
- (i) That, to compromise, compound, abandon, submit to arbitration or otherwise settle any actions, suits, proceedings, debts, claims or things whatsoever arising out of the administration of the Trust funds, or any instruction maintained and for any of those purpose may enter into execution and signing of agreement, instruments, arrangements, releases and other things as may seem to his expedients, without having liable or responsible for any loss occasioned by any act or things so done by the in good faith as fully as if they were absolutely entitled to do the Trust fund and the said institutions without being answerable for any loss, occasioned in good faith.
- (j) The Managing Trustee and Director of the Trust shall not be entitled to use or apply any Trust property or income thereof for their personal benefit in lieu of or for remuneration (or assistance) of the services rendered or to be rendered by them for the trust except what remuneration has been provided for in this Trust.
- (k) The Director of the Trust will implement the resolution passed by all the committee / committees with written consent from the Managing Trustee.
- (l) That, the decision of the Managing Trustee and the Director of the Trust is final in any matter.

11. **AMENDMENT OF CLAUSES:**

That, neither the author / settler of the Trust not any of the Trustees shall have the right to revoke the Trust deed and alter its charitable character and they have to right to change, alter the memorandum of Association and rules and regulations which may prove to be repugnant to the provisions of section 2 (25), 11,12,13 and 20 G of the income Tax Act, 1961, The Indian Trust powers of the Managing Trustee and the Director of the Trust indicated in clauses 9 and 10 above.

12. The Managing Trustee and Director of the Trust shall receive such monthly remuneration commensurate with services rendered by them as the Managing Trustee may decided from time to time and he will be entitled to suitable

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residential accommodation on payment of 10% of his / her monthly remuneration or as decided / settled.

13. This Trust will subsist as long as one or all the institutions created or established under this deed would continue to exist.

14. That, the Trust hereby established shall be irrevocable and value of the property hereby conveyed and settled upon the Managing Trustee for Rs. 5000/- (Rupees Five Thousands only) on which stamp duty has been paid as a settlement deed.

Signed, sealed and delivered by the within named author / settler / the Managing Trustee / Director of the Trust in the presence of

Accepted by the within named Trustee:-



Kailash Agrawal
21/2/09

Signature & L.T.I OF MANAGING TRUSTEE

Mr. KAILASH AGRAWAL



Purusottam Agrawal
21/2/09

Signature & L.T.I of DIRECTOR

Mr. PURUSOTTAM AGRAWAL

Witness:-

1. Radhekrishan Agrawal S/O Kishore Agrawal
c Bania B Business At Tinkhola Balangir
P.S. Dist Balangir 21/2/09
2. Ajaya Kumar Sahu S/O. Fannabha Bhushan Sahu
c Karana B. Business At Balangir Gandhi Nagar Para
P.O. P.S. Dist. Balangir 21/2/09

Scribe by me
Junas Chandra Mishra
Deed writer, Balangir
on date - 21/2/09

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