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INDIA NON JUDICIAL

एक हजार रुपये

ONE THOUSAND RUPEES

₹.1000

Rs.1000

उत्तर प्रदेश UTTAR PRADESH

21196



DEED OF DECLARATION OF TRUST

This Deed of TRUST executed on this 7th day of July 2015, By Dr Samir Kumar S/O Late Hanuman Prasad Tiwari, aged 50 years, R/o 6/60 Vineet Khand Gombi Nagar Lucknow UP (hereinafter referred to as the SETTLOR and First Trustee which term wherever the context requires or admits. It shall mean and include his legal heirs, successors, executors, administrators and assigns)

Where it is being increasingly recognized that national prosperity is primarily a function of education and health and the Government of India and State Government have shown active awareness of this important problem and are encouraging the development of education and health.

WHEREAS THE SETTLOR above named has been desirous and keen to serve mankind in general and thus a Trust is created to develop the Health and education field considering that it is expedient to make a formal Trust for developing infrastructure services for providing Health services (Hospital) and for Primary, Technical & Higher education, Technical courses and various other Social welfare activities


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Whereas the SETTLOR Trustee constituted a sum of Twenty One thousand as initial Corpus of the Trust Fund together with all the contributions, additions, accumulations and accretions to the said money and the conversion thereof and investments in which the same may from time to time be invested all other movable and immovable properties and assets that may from time to time be vested in the trustees or be received by them by way of donations or otherwise or acquired by them or may come into their hands by virtue of these presents or by operation of law or otherwise howsoever in relation to the trust hereby created

And whereas with a view to and for the purpose of constituting the trust permanently as an irrevocable trust for the purpose of carrying on the objects of the trust as mentioned hereafter under the object clause of this deed of Trust, it is now considered desirable that for the purpose of creation of this charitable trust the declaration of trust, which is created under Article 30(1) of the constitution of India, be made in writing the manner set out hereunder.

THIS INDENTURE WITNESSES AS FOLLOWS:


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1) The name of the TRUST shall be HANUMAN PRASAD CHARITABLE TRUST

2) REGISTERED OFFICE ..

The Registered Office of the TRUST shall be situated in the state of Uttar Pradesh. The present address of the TRUST shall be 6/60 Vineet Khand Gombi Nagar Lucknow (UP) with the power given to the Trustees to shift the same to any other place as they may mutually agree upon.

3) AIMS AND OBJECTS

- 3.1.1 To Construction and Running of Schools, Colleges, Education Institutions for the benefit of the public.
- 3.1.2 To promote and develop Information and Communication Technology Self Employment Training Center including professional and Hi-tech for elimination of unemployment among the people of the country in general
- 3.1.3 To construct Hospital ,free dispensaries, Centers for poor feeding and homes for the aged
- 3.1.4. To promote better understanding and harmony among various regional linguistic and religious groups of the country and of the world.
- 3.1.5 Establishment, conduct, maintenance of clinical laboratories, hospitals, Medical College, Nurse Training center , Diagnostic Center ,Para medical learning center etc dispensaries and institutions of similar nature and providing financial assistance to the deserving persons for medical treatment, in any medical institution.
- 3.1.6 To establish boys, girls and/or Co-educational institutions like schools, colleges, polytechnics, IIT etc for imparting instructions in formal, technical and professional education anywhere in India and abroad and up to the level permissible by the law of the land
- 3.1.7 To promote the best qualities of physical and moral character in the Society through all possible means.
- 3.1.8 To promote facilities for the learning and education particularly among the SC/ST, Women, minorities and weaker sections.


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- 3.1.9 To provide a platform for people of various points of view for debating upon the aspects of poverty, education, welfare, human development and economic development
- 3.1.10 To grant scholarships to deserving students. Granting of financial assistance to any educational institution for providing scholarships, prizes, medals, awards for excellence in studies, sports and scientific research, distribution of books and note books for poor and deserving students.
- 3.1.11 To dispel ignorance and superstition, disseminate knowledge, furnish correct and unbiased information, promote and encourage education, build a modern scientific, moral and altruistic outlook, inculcate a sense of duty and discipline, and love of mankind, promotion of fundamental rights and, in particular, the rights of religious and linguistic minorities enshrined in the Constitution of India, strive for the presentation of democratic institution, eradication of corruption in public and private life, character building, upliftment of the neglected, suppressed, disadvantaged, downtrodden and weaker sections of the Society, effect improvement in the general standards of living, promote understanding, goodwill, fellow feeling, amity and cordiality among different communities, sect and groups inhabiting India and encourage internal peace and good neighborly relations with other countries.
- 3.1.12 To give loans to deserving persons to help them settle in life on such terms as the trustees may think expedient.
- 3.1.13 To extend monetary aid to the poor, destitute, sick and disabled persons, orphans, widows and people in distress.
- 3.1.14 To establish, maintain, support or contribute to institutions or provide fund to carry out the relief in general to people who are poor and are in distress, and in particular to hospitals, Community Centers, Dispensaries, Asylums, Orphanages, Dharmashalas, Musafirkhanas or other such charitable institutions provided that such activity shall be carried on no profit and no loss basis.
- 3.1.15 To work for prevention, awareness and removal of all kinds of diseases and educate people for population and provided necessary help both monetary & non monetary.
- 3.1.16 To assist the policy makers, national and international funding agencies, bilateral and multinational development institutions in charting out of the investment and expenditure strategies for alleviating poverty and augmenting human development.

- 3.1.17 To organize seminars, workshops, conferences in all the priority areas mentioned above and to Act for green India and removal of pollution by any manner.
- 3.1.18 To collaborate and co-operate with the institutions and organizations having similar aims and objects Providing for or contributing to education and scientific research and development
- 3.1.19 To Receive monetary and non monetary Aid from any Govt/ Funding Agencies/Semi Govt/Non Govt Organization/Corporation /limited companies/ Any Govt Body or Public Sector Undertakings for attainment of all or any aim and object of the trust
- 3.1.20 To educate & help to peoples for the upliftment of their living standard and removal of poverty and provide monetary and non monetary Aid for the purpose .
- 3.1.21 To Act as a social worker for providing all kinds of Help and consultancy to each citizen of India which require to maintain National Integration so that disturbed person may come in to main stream of our country as pointed in the Indian constitution.
- 3.1.22 The Trust will not carry out any activities with the intention of earning profit and will perform with service motive only.
- 3.1.23 To carry on such further charitable objects of general public utility as are compatible or in consonance with the objectives of the Trust.

3.2.0 FUNCTIONS

To achieve the above mentioned objectives the HANUMAN PRASAD CHARITABLE TRUST shall carry out the following functions:

- 3.2.1 To arrange marriages of weaker section of people including of country communities and class whether in groups or individuals
- 3.2.2 To arrange for health camps, awareness programmes and other medical facilities to weaker peoples in villages and other part of the country
- 3.2.3 To establish and run schools, colleges and institutions for imparting education through such media as may be desirable.
- 3.2.4 To conduct training and tutorial courses.

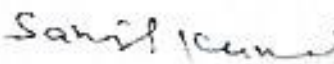

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Samir Kumar

AP Bora Tiwari
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- 3.2.5 To raise funds and mobilize resources for achieving the objectives mentioned in 3.1 above.
- 3.2.6 To acquire by purchase, lease, gift, grant, legacy, bequest, exchange, develop, or otherwise from a person, company, government, or institution whatsoever and to hold all parts of the movable or immovable properties of all descriptions.
- 3.2.7 To maintain, deal with, and manage the said movable and immovable properties.
- 3.2.8 To alienate by way of sale, mortgage, lease, exchange, gift, hiring out or otherwise any or all of the properties, movable or immovable of HANUMAN PRASAD CHARITABLE TRUST
- 3.2.9 To invest or deal with money of HANUMAN PRASAD CHARITABLE TRUST not immediately required in securities or in such manner as may be determined by the Board of Trustees of HANUMAN PRASAD CHARITABLE TRUST from time to time. Provided that no such investment shall be made in violation of Income Tax Act 1961 or any amendment therein and more specifically section 11(5) of the said Act.
- 3.2.10 To establish, promote or assist in establishing or promoting and to subscribe or to become a member of any other association whose objects are similar to the objects of HANUMAN PRASAD CHARITABLE TRUST for the establishment or promotion of which may be beneficial to the Society.
- 3.2.11 To create and utilize funds to help the deserving and needy students.
- 3.2.12 To publish such books and other materials as may be necessary to further the cause of education and training and to make them available at no profit basis.
- 3.2.13 To utilize the whole or any part of income or assets of HANUMAN PRASAD CHARITABLE TRUST for the legitimate expenses for achieving its objectives.
- 3.2.14 To hold national and international seminars, conferences etc conducive to the aims and objectives of HANUMAN PRASAD CHARITABLE TRUST
- 3.2.15 To do all such lawful acts, deeds and things as may be necessary for the attainment of the objectives of HANUMAN PRASAD CHARITABLE TRUST
- 3.2.16 To borrow, raise loans from any person, bank and financial institutions in such manner as the Trustees shall think proper or convenient for the


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furtherance of objectives of the Trust and for this purpose the Trustees may secure repayment of these loans in any manner as may be decided from time to time

4. BENEFICIARIES OF THE TRUST:

The Trust is established for the benefit of citizens of India and the class of people mentioned above without any discrimination of caste, religion, creed or sex.

5. PROPERTIES:

The Trust properties shall consist of

1. The amount Transferred by the SETTLOR as mentioned above, towards the Corpus fund of the Trust.
2. Any cash, kind, properties, movable and immovable that may be acquired by purchase or otherwise or all manner of rights, title or interest in or over any property movable or immovable
3. All additions and accretions to the Trust properties and the income there from
4. All donations, gifts, legacies or grants, in cash or kind accepted by the Trustees upon Trust.

The properties of the Trust shall be utilized for the objects set forth herein above and subject to the provisions and conditions herein mentioned.

1.0 RULES AND REGULATIONS

- 1.1 These rules and regulations shall be called the Rules and Regulations of HANUMAN PRASAD CHARITABLE TRUST, herein after referred to as TRUST.
- 1.2 The name of the TRUST shall be HANUMAN PRASAD CHARITABLE TRUST
- 1.3 The Registered Office of the TRUST shall be situated in State of Uttar Pradesh. The present address of the Trust shall be 6/60 Vineet Khara, Gomti Nagar Lucknow which may be changed by the Board of Trustees from time to time according to the necessity of the Trust.


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1.4 Wherever referred under these rules, Trust shall mean HANUMAN PRASAD CHARITABLE TRUST

2.0 AIMS AND OBJECTS:

The Aims, Objects and Functions of the HANUMAN PRASAD CHARITABLE TRUST shall be the same as those contained in the aims & Objects mentioned earlier in 3.0 above

3.0 BOARD OF TRUSTEES:

The authority to manage and conduct the affairs of the TRUST shall vest in the Board of Trustees.

The Board of Trustees shall consist of Minimum Two and maximum of 12 members from amongst the Trustees. However the newly elected members of the Board of Trustees may co-opt two persons who may not be members of the TRUST if the presence of such persons is considered in the interest of the TRUST. The co-option shall be done with three-fourth of the majority of the members of the Board of Trustees. The term of such co-opted members shall be for one year unless renewed by the BOARD OF TRUSTEES.

3.1 PERMANENT / EXECUTIVE TRUSTEE

The TRUSTEES named above shall be the first and permanent trustees and have given their consent to be appointed as the trustees and as token therefore, they have set their hands to this instrument

Permanent / executive Trustee shall be only blood relation of the SETTLOR Only if any clause have different meaning then this clause shall supersede any clause of this deed.

3.2 NON EXECUTIVE TRUSTEE

Permanent Trustee may appoint Non executive trustees if they deem fit to run the trust. The tenure of non executive trustee will be minimum one year and maximum three years. They shall be experienced person in the field of education, science, accountancy, management, administration, technical, rural economy, agriculture or social work

3.3 NUMBER OF TRUSTEES, THEIR TERM AND POWER TO CO-OPT:

The Trust will be managed by a Board of Trustees consisting of not less than two and not more than five executive trustees and seven non executive


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trustees. The total no of Trustees shall not exceed the number twelve. The Settlor and the named above parties of the Second Part will be the First / permanent Trustees and they shall automatically form the Board of Trustees.

The first managing Trustee shall be the SETTLOR and he will hold office as the permanent Trustee till his life or desire after his tenure or will. His wife Madhurima Tiwari will be managing trustee as his successor in office in place of him. The legal heirs of Settlor shall be managing Trustee after leaving of post of managing trustee after his wife.

The successor of managing Trustee shall be also permanent trustee after the death or retirement if they are eligible and not debarred by any law time being force and shall retain the post of managing trustee.

If the successor is not interested and communicate unwillingness in writing then the remaining executive trustees shall elect one of the other Trustees as the Managing Trustee.

The term of office of the First executive Trustees shall be for their lifetime. The Board of Trustees shall have the power to increase the total number of Trustees up to the maximum number stated above and fix their term as per provisions contained herein.

Any Trustee, including the Managing Trustee may retire from the Trusteeship hereof by giving two calendar months notice in writing of his or her intention to do so, to the Board of Trustees and after the expiry of the period of notice, the Trustee giving the notice shall ipso facto cease to be a Trustee of these presents.

Any vacancy caused by death of any one of the First or executive Trustees, or any vacancy caused by the resignation of any of the Trustees, may be filled up by co-option by the Board of Trustees.

The Trustees who are not First Managing Trustee or First executive Trustees shall hold office for a period of one year from their date of appointment by the Trustees. At the end of this one year period, the Board of Trustees may reappoint them for subsequent term or appoint other persons as Trustees in such a manner that the total number of Trustees does not exceed the approved maximum number of Trustees.

The Managing Trustee shall have the power to remove a Trustee suffering from physical or mental disability or if he/she is accused of misappropriation of Trust funds or property or misconduct, after satisfying himself on enquiry and such action of the Managing Trustee shall be final.


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The proceedings of the Board of Trustees shall not in any way be invalidated due to any post or posts remaining vacant. During the time when a vacancy is yet to be filled up, the remaining Trustees shall act as "Full Board" subject to the presence of Quorum in the meetings. Any vacancy in the Board of Trustees or illegality in the appointment of Trustees or their proceedings shall not invalidate any prior act or decision of the Board.

3.4 QUALIFICATION OF TRUSTEE

Following person shall not be appointed as trustees or shall disqualify.

- a) Any person who has been declared as bankrupt
- b) A person who has not attained age of 18 years
- c) An unsound mind person
- d) A criminal / SajaYafta person or convicted by any court of law
- e) A person who has cheated any trust earlier by any manner
- d) The Minimum Qualification of Trustee shall be graduation but it can be relaxed by management trustee as per the need of the trust but it shall not be lower than Intermediate.

3.5 APPOINTMENT OF TRUSTEES:

If and when the Trustees of THESE PRESENTS die or/and desire to retire or refuse to or become incapable to act in the Trust or take the benefit of insolvency law for the time being in force or become of an unsound mind or bankrupt or insolvent or otherwise be disqualified by operation of law or, if any trustee without leave or absence remains absent from Three consecutive meeting of the Board of Trustees, then in every such case it shall be lawful for the surviving or continuing trustees for the time being of THESE PRESENTS to appoint new Trustee or trustees in place of the Trustee or Trustees so living or desiring to retire or refusing or becoming incapable to act or taking the benefit of the insolvency law or failing to attend three consecutive meetings of the Trustees without leave given, and upon every such appointment or vacancy, the number of Trustees for the time being of THESE PRESENTS shall not be less than five or more than Twelve.

3.6 REMOVAL OF TRUSTEE

Any trustee who is not qualified by para 3.4 and 3.5 stated above automatically shall be removed from board of trustee and Board shall send a letter with reason. If any person other than 3.4 and 3.5 above does not act as a good trustee and he


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is damaging object of trust or his intention is found against trust by any manner then he shall be removed from board of trustee by the majority of trustee

3.7 PATRON:

Persons of eminence in public life may be invited as patrons of the Trust by the Board of Trustees

3.8 LIABILITY OF TRUST:

The trust shall not be liable for any activities of members of Trustees which are related to their personal nature or those activities which are not done for the benefit of trust.

4.0 BOARD OF GOVERNORS/ EXECUTIVE COUNCIL

The Board of Trustee may constitute board of governors or executive council for administration and for working of any institute. The right and responsibility shall be decided by Board of Trustee

OFFICE BEARERS OF THE BOARD OF TRUSTEES:

5.1 The Board of Trustees of the TRUST shall have the following office bearers.

i.	President	1(One)
ii.	Vice President	1(One)
iii.	Secretary	1(One)
iv.	Treasurer	1 (One)

All above Four Office Bearer shall be chosen from Executive Trustees and if any executive trustee is not interested by any reason or short in number then Treasure can be appointed from Non Executive Trustee Only.

The SETTLOR / Managing Trustee will be President of Board of Trust till his life time and Other executive trustee shall be other office bearer till his life time or they may elected by board of trustee as other office bearer. If any post arises vacant by any reason. The successor of managing Trustee shall be also permanent trustee after the death or retirement if they are eligible and not debarred by any law time being force and shall retain the post of managing trustee. The First Office Bearer of Board of Trustee will be as under.


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Apoorv Tiwari
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PERMANENT / EXECUTIVE TRUSTEE

Serial No.	Name	Address	Designation
1	Dr Samir Kumar S/o Late Hanuman Prasad Tiwari	6/60 Vineet Khand Gomti nagar Lucknow	President
2	Smt Madhurima Tiwari W/o Dr Samir Kumar	6/60 Vineet Khand Gomti nagar Lucknow	Vice President
3	Mr Apoorv Tiwari S/o Dr Samir Kumar Tiwari	6/60 Vineet Khand Gomti nagar Lucknow	Secretary
4	Smt Shruti Chaturvedi W/o Ashutosh Chaturvedi	6/60 Vineet Khand Gomti nagar Lucknow	Treasurer

- 5.2.1 The Board of Trustees, in its own wisdom, may create any other office/post by whatever name it may call on such terms and conditions as may be decided by Board of Trustees from time to time
- 5.2.2 The NON executive Post shall be filled by Board of Trustee as per need and requirement of trust.

6.0 POWERS AND DUTIES OF THE OFFICE BEARERS

6.1.0 President: (Managing Trustee):

In addition to discharging normal duties of the trustee, the Managing Trustee shall preside over meeting of the Board of Trustees. He is authorized to sign all documents, including bank documents, acknowledgements for the contributions received, and agreements with individuals, Government Institutions and other organizations, on behalf of the Board of Trustees. He shall have all the residuary powers, not explicitly assigned to any of the other officers in the presents.

- 6.1.1 To ordinarily preside over and conduct the meetings of the Board of Trustees and endorse the proceedings.
- 6.1.2 To approve the agenda for the meeting of the Board of Trustees, and to adjourn or postpone meeting in accordance with the rules, as well as to permit the holding of extra-ordinary meetings
- 6.1.3 To exercise casting vote.


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- 6.1.4 To supervise the affairs of the institutions run under the TRUST
- 6.1.5 To exercise and perform all such powers and duties as may be conferred on or vested in him by the Board of Trustees from time to time.

6.2.0 Vice President

6.2.1 There shall be a Vice President who shall perform duties in consultation with and guidance of the President of the Trust. Vice President shall be responsible for performing all the duties and work in the absence of the President. He/she shall also perform all such acts and functions of the TRUST as are delegated to him/her by the President or the Board of Trustees from time to time.

6.2.2 To operate Bank(s) accounts relating to the TRUST, jointly with the Secretary and sign the cheques.

6.3.0 Secretary

6.3.1 The Secretary shall be the Chief executive officer of the Trust. He/she shall discharge his/her duties and exercise power subject to the orders, directions, control and superintendence of the Board of Trustees. He/she shall conduct all official correspondence under his signature and he/she shall have supervisory powers over all the institutions of the Trust and shall have powers of visiting the institutions as and when necessary for discharging his duties.

6.3.2 He/she shall convene all meeting of the Trust on due dates and give intimations thereof to the members in time under the supervision and direction of the President.

6.3.3 He/she shall prepare the agenda of a meeting under the directions of the President and shall record on minutes of all proceedings of meeting under direction of President.

6.3.4 To sign jointly with the Vice president or Treasurer all agreements, including all deeds of transfer, contracts and other documents relating to the movable and immovable property/properties of the TRUST with the formal approval of the Board of Trustees.

6.3.5 To supervise the affairs of the institutions run under the TRUST.

6.3.6 To exercise and perform all such powers and duties as may be conferred on or vested in him by the Board of Trustees from time to time.


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- 6.3.7 To purchase, sale, Mortgage, transfer any property in the name of trust for the purpose and attainment of the object of the trust
- 6.3.8 It shall be his duty to see the proper accounts are kept and documents prepared as per rules of all the incomes and expenditure
- 6.3.9 To get the accounts audited by the Chartered Accountants approved by the Board of Trustees
- 6.3.10 He/she should deposit all the collections same in the bank working days as far as possible.
- 6.3.11 He/she shall operate Bank(s) accounts relating to the TRUST, jointly with the Vice President / Treasurer and sing the cheques.
- 6.3.12 The Secretary will in every meeting submit the report of the working of the Trust and its units along with a detailed statement of receipts and expenditure and cash and bank balance for the consideration by the Trust. He/she may also delegate his/her powers to officials of trust from time to time.

The Secretary shall be also responsible for the day to day administration activities of the Trust. The Secretary shall deal with correspondence received by the Trust, send replies in consultation with the Managing Trustee, Vice President and/or the Treasurer where necessary. He/she is responsible for the safe custody of all the properties and records of the Trust. The Secretary shall represent the Trust in all legal matters, sign the papers related to legal cases, attend to courts or represent the Trust in Government offices.

6.4.0 Treasurer

The Treasurer shall be responsible.

- 6.4.1 To keep the funds and the books of accounts of the TRUST in safe custody and to keep the funds in reputed bank approved by the Board of Trustees.
- 6.4.2 To receive all grants, contributions, donations and subscriptions of the TRUST and issue proper receipts
- 6.4.3 To make all payments and procure vouchers and receipts
- 6.4.4 To obtain prior approval of the Board of Trustees for payment of amount not already provided in the budget. Provided that in case of emergency he/she may make payments of not exceeding Rs 5000.00 in consultation with the President or the Secretary and report the matter in the next meeting of the Board of Trustees and obtain its approval.


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- 6.4.5 To administer and control the finance of the TRUST within the provisions made in the budget
- 6.4.6 To operate Bank(s) accounts relating to the TRUST, jointly with the Secretary and sign the cheques.
- 6.4.7 To maintain proper accounts of all funds and to prepare budgets
- 6.4.8 To keep proper accounts and records of all the financial transactions and place them before the Board of Trustees meetings.

TRUST ADMINISTRATION AND POWER TO THE BOARD

A. The Board of Trustees shall have power to

1. To administer the Trust, its properties and affairs and do all the things which will fulfill the performance of the objects for which the Trust is established and for this purpose the Board can apply the whole or any part of the Trust property towards the payment of the expenses of the Trust.
2. The income and the properties of the Trust will be solely utilized towards the objects of the Trust and no portion of it will be utilized for payment to the SETTLOR, or Trustees or their relatives by way of salary, allowances, profit, interest, dividend etc.
3. To open one or more bank accounts and operate the same or provide for operation of the said accounts by any two among them authorized on their behalf.
4. To invest the Trust funds in the manner not prohibited by any provisions of the Income Tax Act, 1961.
5. To buy, sell, mortgage, grant, lease, hire or otherwise alienate all or any of the properties of the Trust in its discretion for adequate consideration,
6. To execute power of attorney or powers of attorney to any person for the purpose of executing, administering or managing the whole or any part of the Trust for the purpose of all or some among the objects of the Trust.
7. To borrow money with or without security and to repay the same.
8. To receive, collect and enforce recovery of all monies due or payable to the Trust and grant receipts and discharges therefore.
9. To settle, compromise or compound any disputes or refer the same for arbitration or litigation.


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- 10 To receive voluntary contributions from any person or persons from India or outside, after complying with the statutory formalities by way of donation gifts or in any other manner and to hold the same upon Trust for the objects set forth herein.
- 11 To appoint, suspend, dismiss or otherwise deal with the staff required for the administration of the Trust, to frame rules relating to their salaries and other benefits and generally to exercise all powers ancillary and incidental to effectively carry out the objects of the Trust
12. The Board shall have power to make and rescind rules and regulations for the management and administration of the Trust.
13. No Trustee shall commit any act or breach of Trust of the Trust fund or property or cause any loss to the Trust property or commit fraud in the administration of the Trust fund / property.
14. The Trustees shall hold honorary office and shall not be entitled to any Salary, allowances or perquisites, except for the reimbursement of actual expenses incurred in connection with attending to the Trust matters.
15. The Board of Trustees will follow the instructions given by any donor who makes substantial contribution towards furtherance of the objectives of the Trust, so long as such instructions are not detrimental to the attainment of the objects of the Trust and are in conformity with the provisions of the Income tax Act, 1961.
16. For the management and administration of the Trust, the Trustees shall elect one amongst themselves for each of the offices of Vice President, Secretary and Treasurer. The term of office for Vice President, Secretary and Treasurer shall be for a period of one year from their date of appointment and they may be reelected for further terms. No Trustee including the Managing Trustee shall hold more than one of the above offices at the same time. The persons holding these offices of Vice President, Secretary and Treasurer shall be under the administrative guidance and supervision of the Managing Trustee and will report to him directly

b. Roles and responsibilities and powers

The Roles, Responsibilities and Powers of all these officers is defined below. In addition to these, the Managing Trustee may grant additional roles responsibilities and powers to any of the Trustees

MEETING OF THE BOARD OF TRUSTEES:


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The Board of Trustees should meet at least once in every calendar quarter and may meet more often when required.

- 1) The meeting of Board of Trustees shall be convened by the Managing Trustee and he shall preside over the meetings. In his absence, the Managing Trustee may authorize the Vice President to be the Chairman of such meetings. In the event the Managing Trustee or Vice President are not able to attend the meeting already convened, any of the Trustees present in the meeting may elect one amongst themselves to be the Chairman of the meeting.
- 2) One half of the Board of Trustees or a minimum of two Trustees, whichever is higher, shall constitute the QUORUM for the Board of Trustee meetings.
- 3) All decisions shall be carried out by the majority decision of the Board but in the event of equality of votes, the Chairman presiding over the meeting shall have a casting vote.
- 4) Any resolution in writing signed by all the Trustees by circulation shall have equal force as though it has been passed at a meeting of the Board of Trustees.
- 5) The meeting of the Board shall be conveyed after giving at least a week's notice unless all the Trustees agree to accept a shorter notice.
- 6) The Board of Trustees may invite other persons interested in the objects and functioning of the Trust to attend the meetings of the Board, but they shall not be entitled vote in the meetings of the Board.

7.0 Meetings

7.1.1 Annual General Meeting

The TRUST shall each year hold in addition to any other meeting a General Meeting as its Annual General Meeting and shall specify the meeting as such in the notice calling it. The time gap between the two Annual General Meeting shall in no case exceed 15 months provided the TRUST might hold its first Annual General Meeting within a period of not more than 18 months from the date of its registration.

7.2.0 Extra Ordinary General Meetings by requisition.


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7.2.1 The President of the TRUST shall, on the requisition of such members of the TRUST, as specified below, forthwith proceed to call the Extra Ordinary General Meeting of the TRUST.

7.2.2 The requisition stating clearly the matter for the consideration, of which the meeting is to be called, shall be signed by the requisitioners and shall be submitted at the registered office of the TRUST. The number of members entitled to requisition such meeting shall not be less than 25% of the total strength of the Trustees or Three whichever is less.

7.2.3 Where two or more important matters are specified in requisition, the provisions of the above clause shall apply separately in regard to each such matter, and the requisition shall accordingly be followed in respect of those in regard to which the condition specified in sub-section is fulfilled.

7.2.4 If the President does not, within 21 days from the date of submission of valid requisition in regard to any matter, proceed to call the meeting for the consideration of those matters on a date not later than 45 days from the date of submission of the requisition, the meeting may be called by the requisitioners themselves.

7.2.5 The requisitioned meeting shall be convened and conducted in the same manner as in practiced for the annual meetings.

7.3.0 LENGTH OF NOTICE FOR CALLING THE MEETINGS:

7.3.1 The General Meeting of the TRUST may be called by giving a notice of not less than 21 days in writing

7.3.2 In case of emergency, the meetings can be called after giving shorter notice at the sole discretion of the President and in his absence by the Vice President.

7.4.0 MANNER OF SERVICE:

7.4.1 Every notice of the meeting of the TRUST and the Affiliated Units shall specify the place, date and hour of the meeting and shall contain the agenda to be transacted thereat.

7.4.2 Notice of every meeting shall be sent at the address available in the records of the TRUST by post, by Hand or By Email, to all the members entitled to attend such meeting.

7.4.3 Inadvertent omission to give notice, or non receipt by any members, to that it should have been given shall not invalidate the meetings.


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7.5.0 QUORUM OF THE MEETINGS

7.5.1 Minimum 50% of the total number of the members of the Board of Trustees/Sub committees as the case may be, shall be quorum of the meetings.

7.5.2 If within half an hour of the appointed time for holding the meeting the quorum is not present, the meeting

7.5.3 In case AGM:

- i. If called by requisition of members, shall stand dissolved
- ii. In case of normal meetings shall stand adjourned to the same day of the next week, or such other day/date or time as the members present or the Board of Trustees may determine
- iii. If at the adjourned meeting also the quorum is not present within half an hour from the appointed time of meeting the members present shall form the quorum.

7.6.0 CHAIRMAN OF THE MEETINGS

7.6.1 The President shall be the Chairman of the meetings.

7.6.2 In the absence of the President, Vice President shall chair the meeting and in his absence the Trustees present at the meeting shall elect Chairman from amongst themselves.

7.7.0 VOTING

7.7.1 At any general meeting, the resolution put to vote shall, unless poll demanded, is decided by show hands. Provided that Patrons would not be entitled to vote in meeting. The declaration by the Chairman, that on show of hand a resolution has or has not been carried, either unanimously or by particular majority and an entry to that effect in the books containing the minutes of the proceeding of the TRUST shall be conclusive evidence of the fact without proof of numbers or proportion of the votes cast in favor of or against such resolution.

7.7.2 Before or on declaration of result of the vote on any resolution by show of hands, the poll may be ordered to be taken by the Chairman of the meeting if 20% members present in the meeting demand the same. In case of poll, pooling will be done by secret ballot. The Chairman will declare the result of the polling.

8.0 SUB COMMITTEES


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Apoorv Tiwari
Manager
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The Board of Trustees may constitute ad hoc Committees or Sub-committees for special purposes or separate Management Committees for its institutions. The Secretary or one of the members of the Board of Trustees nominated by it shall be the Convener of such Committee/ad hoc committee/Management Committee. However, the President shall have the power to constitute such committees to meet unexpected need and situation subject to ratification by the Board of Trustees at its next meeting

9.0 INDEMNITY

Every member of the Board of Trustee, sub-committees and other officers of the TRUST and its institutions shall stand indemnified by the officer of the TRUST of losses and expenses incurred in the discharge of their official duties lawfully in good faith in the interest of the TRUST/affiliated units and institutions.

10.0 LEGAL PROCEEDINGS/DOCUMENTS

The Secretary or any other person whom the Board of Trustees of the TRUST authorized shall represent the TRUST in all legal proceedings by or against the TRUST affiliated units or institutions.

11.0 ANNUAL REPORT

The Secretary shall prepare the annual report on the working and progress of the TRUST/affiliated units and institutions and shall place before the Board of Trustees for its approval.

12.0 ACCOUNTING YEAR

Financial year shall be the accounting year of the TRUST and its institutions.

- 1) The Board of Trustees shall have the power to invest the funds, assets and properties of the Trust at their discretion in accordance with the provisions of the Income Tax Act, 1961.
- 2) The Board shall also determine from time to time, the amount it shall spend on the various activities of the Trust.

IX. ACCOUNTS AND AUDIT:


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- 1) The financial year of the Trust shall be from 1st April to 31st March of the following year, unless otherwise decided by the Board of Trustees.
- 2) The Board of Trustees shall maintain true and correct accounts of the Trust.
- 3) The accounts of the Trust shall be annually audited by a Chartered Accountant appointed by the Board of Trustees and the audited statement of account shall be placed before the Board for its approval within three months of the close of the financial year.

13.0 AUDIT OF ACCOUNTS

The account of the TRUST and other institutions for each year shall be audited by a Chartered Accountants approved by the Board of Trustees. The income and expenditure account and the balance sheet for each year duly certified by the Chartered Accountants shall be laid in its Annual General Meeting for approval.

14.0 INCOME AND APPLICATION OF INCOME AND PROPERTY

Income and profits of the TRUST in whatever manner derived shall be utilized to achieve and promote the objectives of the TRUST as specified in the Aims & Objectives of the Trust. No portion thereof shall be paid or transferred directly or indirectly by way of dividend, profits, and bonus otherwise to the Trustees, provided that nothing herein shall prevent payment in form of remuneration to any Trustee in return for any services actually rendered by him/her to the TRUST.

15.0 BANK ACCOUNT

15.1 The Bank Account(s) shall be opened in such of the Bank(s) as may be approved by the Board of Trustees and the same shall be operated jointly by the Vice President along with General Secretary or Treasurer.

15.2 However a separate account in any bank can be opened for day to day expenses which shall be operated by either Secretary or Treasurer. But any single payments shall Not exceeding Rs 50,000 00 or Rs 5,00,000.00 to any single party / group and sufficient fund shall be transferred from Main Bank Account as per clause 15.1 to this account after approval of board.

16.0 AMMENDMENT OF TRUST


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When ever it shall appear to the BOARD OF TRUSTEES of the TRUST that it is advisable to alter, extend or abridge such purpose, or have other purposes within the meeting of the Memorandum of Association or to amalgamate the TRUST either wholly or partially with any other TRUST, BOARD OF TRUSTEES may submit the proposition to the members of the TRUST in a written or printed report, and may convene special meeting for the consideration thereof, according to the Rules and Regulations TRUST

Provided no such proposition shall be carried into effect unless the same has been sent to all the members of the TRUST at least 21 days before the said meeting and 4/5 of the members present in the meeting convened for the purpose have voted for such proposition.

17.0 AMENDMENTS TO RULES AND REGULATIONS

- 1) While this Trust shall be irrevocable, The Rules and Regulations may be amended by alternation, addition, and substitution or otherwise at a meeting of General Body by a resolution passed by majority or not less than 3/4 members present at the meeting called for the purpose. Notice to the proposed amendment/amendments should be circulated to the members at least 21 days before the meeting of the General Body. The amendments to the Trust deed can only be passed by a resolution of the Board of Trustees in an actual meeting and not by circulation
- 2) If any alteration or amendment is necessary, the same shall be affected through either resolution of board of trustee by 3/4 majority or supplementary deed/deeds approved by board of trustee as per legal requirement for any law time being force in India. and these shall be read together with the main Trust deed.

18) BORROWING POWER

18.1 The board may take any loan/ financial assistance from any bank, financial institution, NBI C etc secured or unsecured for attainment of object of trust and entire amount shall be utilized for the purpose for which it has taken. The Permanent / Executive trustee shall be authorize to execute any document for availing loan and mortgage any properties of trust on behalf of trust. The Board of trustee may authorize any office bearer for execution and mortgage of properties also to avoid presence of all members before the bank in this case. Bank /FI shall send a letter for confirmation by registered post. The Non-Executive trustee shall not be liable to execute any document of Bank because of their tenure is /are rotational and non executive. The Personal guarantee of office bearer to bank shall be optional and will not be in force.


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Birauli, Barabanki

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Sanilkumar

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डा समीर कुमार

पुत्र श्री

श्री हनुमान प्रसाद तिवारी

जन्मदिन

निवासी

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दिनांक 8/7/2015

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Sanilkumar



संलग्नक अधिकारी के हस्ताक्षर

दिनेश चन्द्र यादव
उप-निबन्धक (द्वितीय)

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8/7/2015

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Sanilkumar

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पुत्र श्री श्री हनुमान प्रसाद तिवारी

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पेशा बकालत

निवासी

Dilip Singh

न काल

पत्र वाट मन्ने व गणजने मजमन निष्पादन लिये पत्र है।

संलग्नक अधिकारी के हस्ताक्षर

दिनेश चन्द्र यादव
उप-निबन्धक (द्वितीय)

लखनऊ

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18.2 The properties of Trust can mortgage for loan in the name of any executive trustee if a resolution have been passed by ¾ majority of board of trustee and also it is interest of the trust

19. ARBITRATION

In case of any difference of opinion regarding the affairs of the Trust the unanimous decision of Managing Trustee and any two executive members of the Board of Trustees shall be final

20.0 DISSOLUTION

Members not less than 4/5 of persons present in a meeting convened for the purpose may determine that the TRUST shall be dissolved either forthwith or at any future time agreed upon at the meeting.

In the event of dissolution of the Trust, the entire Trust funds shall be realized and first be used for payment of liabilities of the Trust. The assets left if any, shall be disbursed to other Trusts or Associations having similar objectives after obtaining previous approval of Commissioner of Income-tax and in no event it shall be distributed in any manner, to any of the Board of Trustees or their relatives or related concerns.

21. APPLICABILITY OF TRUST ACT:

The provisions of the Indian Trust Act 1882 shall apply to all matters not specifically mentioned in these presents.

22. APPLICATION OF INCOME TAX ACT:

All clauses herein are intended to secure exemption from Income Tax on the income of contributions and donations to the Trust and any clause or portion of this Deed of Trust which is inconsistent with or repugnant to the sections of the Income Tax Act, 1961 as amended, substituted or modified from time to time, shall be deemed to be deleted or modified with effect from the date on which the sections to which the clause or part of a clause is repugnant or inconsistent comes into force.

SCHEDULE


Principal
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Manager
Samir International School
Birauli, Barabanki

न्यासी

Registration No. 487

Year 2015

Book No. 4

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संज्ञकृत आवक मं क्मांक

दिनेश चन्द्र यादव
उप-निबन्धक (द्वितीय)
लखनऊ
8/7/2015


Principal
Samir International School
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Manager
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