



Late Pal Singh Kushonka
Advocate

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HARISH CHANDRA RAM KALI CHARITABLE TRUST

THIS DEED OF TRUST made this 11th day of October...., 2001 between Shri Anil Kumar Agarwal S/o Shri Harish Chandra Agarwal R/o Flat No.12, GDA Officers Colony, Patel Nagar I, Ghaziabad herein after called SETTLOR & FOUNDER OF ONE PART, AND

1. Smt. Deepanjali Agarwal D/o Shri Virendra Kumar Agarwal R/o Flat No.12, GDA Officers Colony, Patel Nagar I, Ghaziabad
2. Smt. Santosh Agarwal D/o Late Shri Sheel Chand Agarwal R/o House No.55, Purana Quila, Lucknow
3. Shri Gopal Agarwal S/o Shri Harish Chandra Agarwal R/o Haridwar Road, Laksar (Haridwar)
4. Shri Anil Kumar Agarwal S/o Shri Harish Chandra Agarwal R/o Flat No.12, GDA Officers Colony, Patel Nagar I, Ghaziabad

hereinafter called the "TRUSTEES OF THE OTHER PART" whereas the Founder has for long time felt the need for providing better and economically bearable but professionally uncompromised education alongwith medical, social economic facility to the needy people of the society belonging to any caste, creed, religion etc.

To further carry out the noble work for the society the Founder is establishing a trust i.e. **HARISH CHANDRA RAM KALI CHARITABLE TRUST** (Trust for Developmental Determination)

NOW THIS DEED OF TRUST WITNESSETH AS UNDER:-

1. That the Trust shall be known as **HARISH CHANDRA RAM KALI CHARITABLE TRUST**, having its registered office at Flat No.12, GDA Officers Colony, Patel Nagar I, Ghaziabad. The Registered Office of the Trust shall shift to any other premises or land to be acquired for the purpose of the trust or to some other place in any part of India with the decision of the "Founder of One Part".

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2. The Founder of the trust named above, hereby conveys & transfers a sum of Rs. One Thousand only in favour of HARISH CHANDRA RAM KALI CHARITABLE TRUST for the objectives hereinafter mentioned and hereby relinquish all claims or rights in the above said transferred sum.

3. That the Trust fund shall be the said amount donated by FOUNDER named above and all accretions, acquisitions, contributions, donations and bequests where in cash or in kind as income of the Trust. That the donation towards corpus will not be treated as income. That the Trust shall have the inherent right to declare any donation as corpus fund to meet expenditure either of recurring in nature or otherwise. Any income generated from corpus, may be retained as part of the corpus fund or may be used to meet the expenses of the trust as the need may be.

4. AIMS AND OBJECTS OF THE TRUST :

The main objects for which the Trust fund is established are:

a) To provide and restructuring higher education, facilities in the fields of Medical, Engineering, Management, Computer Science & in all Vocational Courses, Primary education for needy students, Intellectuals & other persons of the Society belonging to any caste, creed and religion etc.

b) To engage Teachers, Professors, Instructors, Professionals, Management Personnel, Technical Advisors and experts of good moral character and having capabilities to impart efficiently and economically upto-date knowledge to students in Medical Engineering, Management, Computer Science, all Vocational Courses, Primary education, intellectual and other usual pursuits.

c) To establish Old Age Home, Working women Hostel to provide all facilities to the needy.

d) To establish, acquire, construct, maintain and run Colleges, Institutions Polytechnics to provide all sorts of education in the fields of Medical, Engineering, Management, Vocational Courses, Public & Primary, Secondary & Higher education;

e) To work for the welfare of new coming generation specially young providing them Water games, Sports, Indoor Games etc.


f) To establish, acquire, purchase, construct, maintain Hospitals, Diagnostic Centres, Nursing Homes and Dispensaries to provide medical facilities to all or any person of the society.

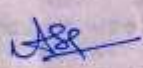
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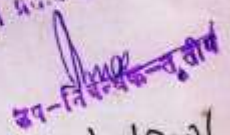


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- g) To establish, acquire, construct, maintain and run Auditorium, Sports Complex for furtherance of skills of Sports, athletes etc.
- h) To open Community Centre for use of any member of the Society belonging to any caste, creed or religion etc.
- i) To establish, maintain and run boarding houses, boarding schools and residential accommodations for students and for those who are connected with the institutions.
- j) To develop a healthy as well as critical attitude towards the development of mental, physical and moral upliftment of the students and those connected with the institutions so as to make them good citizens.
- k) To accept donations, grants, presents and other offerings and to deal with the same for the purpose of the trust.
- l) To charge moderate tuition fees and otherwise recoup themselves for the outlay and expenses incurred in the upkeep and maintenance of institutions established or about to be established under this deed.
- m) To train and equip pupils so as to be self-supporting in an honourable and decent way of life so as to develop into good, healthy and progressive citizens.
- n) To develop discretionary conduct and a habit to observe the rule of law and self-resident.
- o) To bring out, encourage and develop the inventive and research faculties of the pupils and teachers and to afford opportunity for research work in Medical Science, Art, Science Industrial and Information Technology and other allied areas of these types.
- p) To receive and maintain in a fund or funds and to administer and apply the income and principal thereof for the furtherance of the objects of the Trust.
- q) To acquire on lease or by purchase or otherwise any moveable or immoveable properties including pieces of land or built properties thereon of any kind under any name and style for the use of Trust and fulfilment of its objectives.
- r) To manage, sell, transfer, let out by way of lease, licence or otherwise dispose of or deal with the assets/properties of any kind both moveable or immoveable belonging to the trust.

s) To enter into any agreement or arrangement with any other Society, Foundation, or any other party having any legal entity or any individual for the smooth functioning and achievements of the objectives of the Trust in a better way.

t) To take up any other activities as deemed appropriate towards public interest as and when decided by the Trustees.

u) The trust may at the recommendation of the Trustees pay out stipends and scholarships on such terms, if any, as they may deem fit and as may be commensurate with the income of the trust.

v) The Trust is a public charitable institution and has not been started with a view to earn any profits, all income of the Trust or Institution run by the Trust shall be utilised towards promotion of aims and objects of the Trust only. No benefits will be derived directly or indirectly by the Founder Trustee of One Part. The Trust has been established to do all acts for the benefit of the general public, belonging to any caste, creed or religion.

x) In the event of Winding up of the Trust at any point of time, the whole of the corpus fund and other funds, all movable and immovable properties belonging to the Trust or the Institution run by the Trust shall only be transferred to any other public charitable Trust or Institution having the similar aims and objects for the public charitable purposes.

5. TRUSTEES AND THEIR APPOINTMENTS

a) Trustees (the so-called as the "Founder of One Part" and "Trustees of the Other Part") abovenamed, shall be the First Trustees of the Trust for their life.

b) The decendants of the "Founder of One Part" shall hold the office of the Trust in his place for their respective lives after death. In case the number of decedents are more than one " Founder of One Part" shall name the decendants who will inherit the chair as Founder of One Part after his death only with the consent of the "Founder of One Part",. In the event of non existance of the "Founder of One Part" or his decendants, the nominee of the Founder of One Part shall become the Founder of One Part and the nomination by Will or otherwise shall be kept in total secrecy till the death of the Founder of One Part. The nomination shall be made known to the Board of Trustees in presence of all other Trustees.

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c) In the event of a Trustee intending to withdraw from the Trust or submits his resignation the same may be allowed by the Board of the Trustees by simple majority decision and with the prior approval of the Founder of One Part.

d) In case the Trustees feel that any other Trustee is not working in conformity with the aims and objectives of the Trust or otherwise feel that his working is not in the interest of the Trust, that particular Trustee in question may be removed from the Trusteeship by a decision of two third majority of the Trustees. However, the approval of the Founder of One Part shall be essential and binding to all for removal of any Trustee. In any circumstances and eventualities the Founder of One Part can not be removed or impeached by any resolution of the Trustees either in individual or by collective decision.

e) The Founder of One Part shall have full and final authority to co-opt any person as a Trustee of the Trust at any point of time. Similarly, the Founder of One Part shall enjoy the unquestionable, full and final authority to remove any of the trustees from the Trust if the Founder of One Part feels that the trustee in question is not working for the welfare and in the interest of the Trust.

f) Any vacancy of the trustee shall be filled up by an approval of simple majority of the existing trustees for the period upto the ensuing annual general meeting and the same shall be considered with the prior consent of the Founder of One Part.

6. The administration of the Trust shall be vested in the Trustees, who shall not be less than Two in number, inclusive of the founder or members or descendants of their family, and shall be known collectively as the Board of Trustees and all decisions of whatsoever nature pertaining to Trust shall actively be taken by the principle of simple majority in writing and in case of dispute of whatsoever nature, the decision of the " Founder of One Part" shall be final and binding in all respect. The number of trustees may be increased/reduced at the discretion of Founder of One Part at any point of time but not exceeding Ten.

7. OFFICE BEARERS OF THE TRUST

The office bearers of the Trust or of the Managing Committee of all the Institutions of the Trust shall be appointed by the Founder of One Part either by selection or by nomination or by mutual agreements either from the existing or public. The following will be the office bearers of the Trust:

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- i) Chairman/President
- ii) Secretary
- iii) Treasurer
- iv) Director
- v) Chief Co-ordinator
- vi) Such other posts as may be deemed necessary for the functioning of the trust or for all or of any Institution run by the Trust for a specified period of time in writing during such appointment.

8. The Post of Chairman/President shall be occupied by Shri Anil Kumar Agarwal S/o Shri Harish Chandra Agarwal, Founder of One Part and shall be a Non-remunerative Post.

8A. The post of the Secretary shall be occupied by - the Smt. Deepanjali Agarwal and shall also be a non remunerative post.

9. POWERS & FUNCTIONS OF THE CHAIRMAN/PRESIDENT OF THE TRUST

The Director, Chief Coordinator, Secretary and all other Executives shall be appointed by the Chairman/President of the trust to handle the objective of the Trust or Institution of the Trust to the best in all respects. The Chairman/President of the Trust shall be the link between the executive officers viz., Chief Coordinator, Director, Secretary etc. and the Board of Trustees etc. will be having all powers which any Trustee or trustees jointly or severally or any other Officer, called by whatever name can exercise in their powers for the interest of the Trust and for fulfilment of any or all aims and objects of the Trust.

10. DIRECTOR, CHIEF COORDINATOR, SECRETARY ETC. OF THE TRUST

The appointment of the Director, Chief Coordinator, Secretary etc. shall be governed by the service regulations as may be adopted by the Board of Trustees on the recommendations of the Chairman/President. Once appointed the Director, Chief Coordinator and Secretary etc. shall work for the Trust or Institution/Institutions of the Trust until they cease to be in the employment of the trust or Institution/Institutions of the Trust in the following circumstances:

- i) That either of them resigns voluntarily in writing with specific reasons and it has been accepted by the Chairman or their services are terminated by the Chairman/President in writing.

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ii) The Director, Chief Coordinator and Secretary absents himself for a continuous period of 30 days from the registered office of the Trust.

iii) The Director, Chief Coordinator and Secretary goes abroad to stay there for a period more than 30 days unless and otherwise the purpose of such stay abroad is official and approved by the Chairman/President of the trust.

iv) The Director, Chief Coordinator and Secretary become lunatic or mad. During such absence of the Director, Chief Coordinator and Secretary the Chairman/President shall nominate or act himself to perform or to supervise all or such functions which are to be looked after by the Director, Chief Coordinator, Secretary.

11. POWERS & FUNCTIONS OF THE BOARD OF TRUSTEES :

i) All the policy decision shall be taken by the Board of Trustees and conveyed to the Chairman/President for its implementation and final approval.

ii) The Chairman/President shall get the decision of the Board implemented through Director, Chief Coordinator, Secretary or any other incumbent employed/working in the Trust. In case of any dispute arising out of any decision, the verdict of "Founder of One Part" shall be considered as full and final and binding to the Board of Trustees.

iii) Without prejudice to the General Powers conferred by the last preceding clause and other powers conferred by these presents, it is hereby expressly declared that the Trustees shall have the following powers:

a) To pass accounts of the Trust and consider any recommendation made in regard thereof at a General Meeting.

b) To pay the expenses incurred in carrying out the objectives of the Trust and to make and give receipts, releases and other discharges on behalf of the trust.

c) To acquire for the Trust any land, property, rights or privileges on such terms and conditions as they deem fit.

d) To invest in shares and stocks of companies, FDR's of Bank, units etc. and deal with moneys of the Trust in such a manner as they deem fit and from time to time to vary or release

such investments in the interest of Trust subject to the rules and regulations under Income Tax Act, 1961 or under any or all other Govt. statues.

e) To enter into and secure the fulfilment of any contracts or engagements on behalf of the trust, compound or abandon any legal proceedings by or against the trust and to refer any matters, claims or demands or to arbitrate, observe and perform the awards.

f) To set up, constitute and organise local branches in India or abroad of the Trust in such manner and on such terms as may be considered necessary in the interest of the trust and to constitute committees consisting of two or more persons not necessarily members of the Trust and vary the same and delegate to them of such powers as may be considered for the purpose.

g) To employ instructor, and personnel as may be considered necessary for the said purpose and to employ skilled workers and professionals, Advisors to carry out the objectives of the Trust and to pay such remuneration as may be considered expedient.

h) To accept grants, donations and contributions in cash or in kind from other public bodies, corporations, associations, institutions, companies or individuals within India or abroad, for the purpose of the Trust on such conditions as may be agreed to, by the President or Board of Trustees.

i) To provide for funds for all or any objectives of the Trust in such manner as may be considered expedient.

j) To draw, accept, endorse discount, execute and issue promissory notes, bills of exchange and other negotiable transferable instruments in the interest of Trust.

k) To purchase, take on lease or in exchange, hire or otherwise acquire any movable or immovable property, and in particular any land, buildings, workshops connected with privileges necessary for or consistent with the purpose of the Trust and to construct, erect, alter, improve and maintain any building and to manage, develop, sell, demise, let, mortgage, dispose of, turn to account or otherwise deal with the same and also to sell the undertaking of Trust for cash or any other consideration with a view to promote the objectives of the Trust.

l) To pay all expenses, preliminary or incidental to the formation of the Trust and its registration.



m) To establish, support or aid in the establishment of Trust Institutions, funds and Trusts, calculated to benefit employees or ex-employees of the Trust or the dependents or connections of such persons and to grant superannuation benefits and allowances and to make payments towards insurance of such persons.

n) To make rules and regulations and bye-laws for conducting smoothly and successfully the affairs of the Trust and Institution or Institutions working under Trust in a better and planned way and to amend or alter the same.

o) To appoint or make provision for the appointment of any person.

p) To borrow or raise or secure payments of moneys and also to lend money either with or without security; in accordance with rules and regulations & all statutes application to the Trust.

q) Generally to do all such things as the Trustees may consider expedient for the purposes of carrying out the objectives of the Trust.

r) Trustees shall not do such things or acts which directly or indirectly accrue in any benefit bad effect impliedly or expressly to the Founder Trustee of One Part and to other trustee(s).

s) Trustees shall be empowered to do all such things and acts for public charitable purposes which are in the benefit and to provide all necessary relief and help to the needy and poor persons belonging to any caste, creed or religion.

t) Trustees are empowered to fulfil the objects of the Trust and to do all other things under the name and style of the Trust i.e. Harish Chandra Ram Kali Charitable Trust or to open separate institution under any name and style to fulfil the aims and objects of the Trust.

11 (iv). In addition to powers and authorities by the present or otherwise expressly conferred upon the trustees, the Founder of One Part shall be empowered to exercise all such powers and do all such acts which are not expressed otherwise.

12. POWERS & FUNCTIONS OF THE DIRECTOR/CHIEF COORDINATOR/ SECRETARY

i) The Director, Chief Coordinator, Secretary shall be independently functioning under the Chairman/President and shall report directly to the Chairman/President of the trust regarding their official responsibilities.

ii) The Director, Chief Coordinator, Secretary, the senior-most incumbants in the trust, shall implement and execute all policy decisions taken by the Board of Trustees from time to time and as per the direction of Chairman/President or Board of Trustees.

iii) The Director shall be responsible for formulation and implementation of all scientific and technological projects, field demonstration projects as and when taken up in conformity with the aims and objects of the Trust and under the overall guidance of the Chairman/President of the trust, whereas the Chief Coordinator shall be responsible for the execution of all administrative decisions taken by the Chairman/President and Board of Trustees. The Chief Coordinator shall also be the supervising official for the accounting and financial aspects of the Trust.

iv) In relation to the day to day administration of the Trust, Chief Coordinator shall be supervising authority in disciplinary matters and shall act in consultation with the Chairman and shall also be answerable for the omission/commissions in respect of day to day affairs of the Trust.

v) Beside the powers and functions of the Director, Chief Coordinator, Secretary by these presents, or otherwise expressly conferred upon the Chairman/President, they shall perform all such acts and duties which are not expressed otherwise for the interest and for achieving the goals of the Trust and as and when assigned by the Chairman/President.

vi) The Chairman/President of the Trust shall hold the authority to allocate or re-allocate the duties and functions of the need to be as may deem fit.

13. RULES OF THE TRUST

a) Every meeting of the Board of Trustees shall be chaired by the Chairman, the Founder of One Part.

b) Such a meeting shall be held once in three months or within a period as decided by the Board of Trustees.

c) Even two members of the Board of Trustees present in person shall constitute a quorum at any meeting of the Trust.

d) Founder of One Part may call on any requisition in writing a meeting of the Trust at any time.

e) For official purposes, each year, shall be deemed to commence from 1st April and terminate on 31st March.

- f) i) Each member of the Board of Trustees shall have one vote.
- ii) Where there is a deadlock in regard to any particular issue, the decision of the Founder of One Part shall prevail and binding to all trustees.
- g) The Board of Trustees may by General or Special Order, direct that any resolution, to be placed before the meeting, may be passed by circulation amongst all the trustees. Any resolution so circulated and approved by a majority of the trustees signing the circular, shall be as effective and binding as if such resolution had been passed by at a meeting of the Board of Trustees.

14. RECORDING OF PROCEEDINGS :

The Secretary shall ensure minutes to be duly entered in the book provided for the purpose:

- a) of the names of the Trustees present at each meeting.
- b) of all orders made by the Board of Trustees.
- c) of all resolutions and proceedings of the meetings of the Board of Trustees. Such minutes shall be signed by the Founder of One Part and Secretary or any Trustee.

15. MEETING OF THE TRUSTEES

i) The Trustees shall hold the Annual general Meeting of the Trustees once every year at such time (not being more than 15 months after the last preceding Annual General Body Meeting) at such place and time as may be prescribed by the Chairman of the Trust. In case of any dispute, the decision of Founder of One Part will be full and final and binding upon all.

ii) A minimum of ten clear days notice shall be given of every Annual General Meeting to every Trustee containing the Agenda for the meeting.

iii) All other meetings of the Trustees shall be called extraordinary meetings.

iv) Notices of meeting of the Board of Trustees shall be sent under postal certificate and shall be deemed to have been served if addressed to the Trustees at the address given for the purpose.

16. PROCEEDING OF ANNUAL GENERAL MEETING

a) The business of an Annual General Meeting shall be :

- i) To place the accounts Balance sheet and the report of the Auditors and of the Board of Trustees.
- ii) To elect such trustees whose terms have expired or have ceased to be Trustees.

b) At any meeting, a declaration by the Chairman of the meeting that a resolution has been made unanimously or by a particular majority or lost or not carried out and an entry to that effect in the Minutes Book shall be conclusive evidence of the fact.

c) The Chairman of the meeting may adjourn the same from time to time and from place to place but no business other than the business of the meeting shall be transacted at such adjourned meeting unless and until any other issue brought on Agenda by the Founder of One Part during such a meeting.

17. BORROWINGS :

To borrow funds from Govt. financial institutions, banks or from any body corporate or otherwise on interest or without interest in fulfilment of the objectives of the Trust i.e. to purchase land, construct buildings, projects, equipments and all other movable or immovable properties, which are required for the fulfilment of the Objectives of the Trust for which the Trustees are empowered to execute all necessary documents for borrowing the funds as mentioned above.

18. BANKERS AND OPERATIONS :

The Board of Trustees shall open/close account/accounts with any Nationalised/Scheduled/Cooperative Bank(s) in the name of the Trust or in the name of any Institution run by the Trust for fulfilment of all or any object of the Trust and the same shall be operated upon by the Chairman/President i.e. Founder of One Part and any other such person or persons as may be authorised by the Board of Trustees from time to time.

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19. FUNDS OF THE TRUST

- i) Money donated by Founder
- ii) Donations from India and Abroad
- iii) Educational Fees
- iv) Fees, donations etc. received from organising function, programmes for the object of the Trust.
- v) Fees earned through educational or other institutions, news papers and news agencies, etc.
- vi) Money earned through community centre
- vii) Grants, Contributions, Gift, Donations in kind or in any other mode other than cash from the government, semi-government, autonomous organisations, industrial and business houses and private bodies.
- viii) Income from various investments
- ix) Contributions from other sources
- x) Any other receipts.

19.A. The Board of Trustees are authorized to raise loans to obtain credit facilities from any bank or any other financial institution and to execute the necessary borrowing documents or to create lien or the securities of the Trust to secure the borrowing as per present or future needs of the Trust and in case of disputes/difference in this regard the decision of "Founder of One Part" shall be full and final.

20. ACCOUNTS AND AUDIT

The Trust shall maintain proper accounts and other relevant records, prepare an Annual Report and Statement of Accounts in such form as may be prescribed as per the Law prevailing in the country.

The Accounts of the Trust and the statement shall be annually audited by a Chartered Accountant and any expenditure incurred in connection with the audit of accounts of the Trust shall be payable by the Trust.

21. ANNUAL ACCOUNTS

A draft of the Annual Report, yearly accounts and its statement shall be prepared by the Secretary and presented to the Board of Trustees through Chief Coordinator and Director at least Fourteen days in advance of the Annual General Meeting for information and consideration.

22. GENERAL

i) If the Board of Trustees desire to incorporate any objectives within the basic frame work of the Trust, it shall be done at a special meeting called by the Founder of One Part for this purpose by present or by Proxy.

ii) The income and property of the Trust shall be applied solely towards the promotion of the objectives of the Trust and no portion/portions thereof shall be paid or transferred directly or indirectly by way of dividend, gift, division, bonus or otherwise by way of profits to the Trustees of the Trust.

WITNESSES

Shivkumar

1. SHIV KUMAR S/O Sh. Radha
KM-133, KAVI NAGAR, Kichan
GHAZIABAD

AKP

(ANIL KUMAR AGARWAL)
SETTLOR & FOUNDER OF ONE PART

AKP

2. A.K. PAL S/O Sh. Ram Kishan
21, PURVA SHAMBHU DAYAL
GHAZIABAD

1. (DEEPANJALI AGARWAL)
TRUSTEE OF OTHER PART

Dr. Pal Singh

2. (SMT. SANTOSH AGARWAL)
TRUSTEE OF OTHER PART

3. (GOPAL AGARWAL)
TRUSTEE OF OTHER PART

Dr. Pal Singh
Dr. Pal Singh Kushwaha
Advocate
Tehsil Comptend, Ghaziabad

4. (ANIL KUMAR AGARWAL)
TRUSTEE OF OTHER PART

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MEMBERS

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SHYAM SINGH
111, EAST WARD, K. 15
CHANDIGARH

SHYAM SINGH
111, EAST WARD, K. 15
CHANDIGARH

बाज दिनांक ११/१० को छोटे स्टेट
प्रति पुराक रकम १५ लक १४२ के
दुष्ट ~~के~~ पर हज सी० १४१२
रजिस्ट्रीकरण किया गया।

रजिस्ट्रीकरण, अधिकारी वृ. पी. वृ.
वाग्मि-गवाह:

