

भारतीय गैर न्यायिक INDIA NON JUDICIAL

2/117

एक हजार रुपये

ONE THOUSAND RUPEES

रु.1000

Rs.1000



बिहार BIHAR

महानिदेश एण्ड प्रोचुरामल एण्ड बलदेव प्रसाद साधन - रहिया धरना - मोतिहारी
बालदेव प्रोचुरामजी एण्ड बलदेव प्रसाद (1000) G 675873



बिहार सरकार

जिला निबंधन कार्यालय, मोतिहारी

दिनांक 01/07/2011 को Amit Kumar

निबंधन हेतु उपस्थापित किया गया। - इसमें रु. 1000/- मुद्रांक शुल्क एवं नं. 5371-

अन्य शुल्क का भुगतान किया गया। दस्तावेज प्राहय किया गया। जिन लेखकारियों ने मेरे

निष्पादन स्वीकार किया उनके तथा उनके पहचानकर्ता के नाम, फोटो, अंगुलियों के निशान एवं

पीछे अंकित है। इसे दस्तावेज सं. 217 के रूप में पुस्तक सं. 4 की जिल्द सं. 3 के

307 से 319 तक CD-1 में आज निबंधित एवं कुल 13 पृष्ठों में संघारित किया गया है।

(Muhammad Razique)

निबंधन पदाधिकारी

Date : 01/07/2011

TRUST DEED

This deed of public charitable trust executed on this 15th day of July 2011 between Amit Kumar S/o Madan Dubey, Resident of Chandmari, Near C.P.M. Office, P.O.P.S. Motihari, Distt. East Champaran, Bihar, Pin Code-845401, here in after called the SETTLER' (which expression shall, wherever the context so admits or require be deemed to include his survivors, heirs, executors, administrators, successors, legal representative and assignee) of the First Part and

1. Amit Kumar S/o Madan Dubey, Resident of Chandmari, Near C.P.M. Office, P.O.P.S. Motihari, Distt. East Champaran, Bihar, Pin Code-845401
Occupation - Advocate

अमित कुमार

Chairman

C.M.D. Public School
Radhiya, Arerai, East Champaran



Principal

C.M.D. Public School
Radhiya, Arerai
Aff. No.-330669

2. Birendra Tiwari S/o Late Indra Das Tiwari, Resident of Vill. + P.O Radhia, P.S. Govind Ganj, Areraj, Distt. East Champaran, Bihar,
Occupation - Social work
3. Nitya nand Tiwari, S/o Vyas Tiwari Resident of Vill. + P.O Ganga Pipra, P.S. Paharpur, Areraj Distt. East Champaran, Bihar,
Occupation - Advocate

hereinafter called or referred to as 'Trustees' (which expressions shall wherever the context so admits or requires be deemed to include their survivors, heirs, executors, administrators, successors, legal representatives and assignees) of the Second Part.

Whereas the Settlor is desirous of establishing a Trust for public charitable object and whereas the Trustees have, at the request of Settlor, agreed to act as the first Trustees of these presents as testified by their being parties to and executing these presents.

And whereas it is necessary to declare the objects and terms of the public charitable trust, being constituted under these presents.

Now this indenture witnesses as follows:

That, in order to effectuate his aforesaid desire, the Settlor has set apart and handed over to the Trustees, a sum of Rs. 5000/- (Five thousand only) (hereinafter called the 'Trust Fund' which expression shall include cash and any other property or investments of any kind whatsoever into which the same or any part thereof might be converted, invested or varied from time to time or which may be acquired by the Trustees or may come to their hands by virtue of these presents or by operation of law or otherwise howsoever in relation to these presents), and the Trustees shall hold and stand possessed of the same upon the Trust objects to the powers, provisions, agreements and declarations hereinafter contained.

1. **Name:** The name of the trust shall be **MAHADEV EDUCATIONAL & WELFARE TRUST**. The trustees may change it if they mutually so decided in future.
2. **Registered Office:** The registered office of the Trust shall be located in Motihari district and at present shall be placed at Vill + P.O Radhia, P.S. Govind Ganj, Areraj, Distt. East Champaran, Bihar, and it can be changed at such other place as the Board of Trustees may decide from time to time.
3. **Area of Operation:** The operational area of the Trust shall be whole India and may be reduced as the Trustees may decide.
4. **Administrative Office, Branches or Project Offices:** Trust must have administrative office or branches or project offices in such place or places as decided by the Chairman of Trust.

Nityanand Tiwari

01-07-01

Areraj

01-07-01

Areraj

17.9

अमित कुमार

Chairman

C.M.D. Public School
Radhiya, Areraj, East Champaran
Bihar-845458

Principal

C.M.D. Public School
Radhiya, Areraj
Aff. No.-330869

or Board of Trustees time to time within the operational area of the Trust under the overall guidance and control of the registered office.

5. Fund of the Trust : The assets, together with all further donations, contribution, grant and loan in any shape or form made to the said trust from time to time, and the rents, profits and income thereof and the stocks, funds and properties representing the same shall be held by the Trustees upon Trust for the object and purposes and subject to powers and provisions hereinafter set out.
6. Objects of the Trust : Trust will extend its services without discriminating the caste, creed, race and religion but special emphasis will be educationally backward in particular and weak sections in general. The objects of Trust are to
- 6.1 Establish, run, develop and management of Hospital, Medical Schools and Colleges, Pharmacy and Dental Colleges, Nursing Institutions, Paramedical, Health Education Institutions, Polytechnics, Industrial Training Centre, Teacher's Training Colleges, Dispensaries, Maternity Homes, Technical or Nontechnical Institutions like Information Technology & Engineering Colleges, Management Institutes, Child or Women Welfare Centers and/or such similar Institutes in India for the benefit of the general public.
- 6.2 Establish, run, develop and management, assist and support schools, colleges, libraries, reading rooms, laboratories, research and other institutions of the like nature in India for the development and advancement of education and diffusion of knowledge amongst the public in general.
- 6.3 Establish, run, develop and management studentships, scholarships 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, colour, race, creed or sex.
- 6.4 Promote, establish, run or manage higher education institutions for the promotion of science and technology, management, literature, music, drama and fine arts in India for the benefit of the public in general.
- 6.5 Establish, run, maintain or manage for the establishment and/or maintenance of parks, gardens, gymnasiums, sports clubs, dharamshalas and rest-houses for use by public in general.
- 6.6 Establish, run, maintain or manage shelter/homes, orphanages or other establishments for the relief and help to the poor, needy and destitute people, orphans, widows, aged persons and helpless children.

Nityanand Dixit

11-07-10

11-07-10

अमित कुमार

11-07-10

अमित कुमार

Chairman

C.M.D. Public School

Radhiya, Areraj, East Champaran

Bihar-845458

Amit Kumar

Chairman

C.M.D. Public School

Radhiya, Areraj

Dist. No. -330859

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- 6.6 Establish, run, maintain or manage shelter/homes, orphanages or other establishments for the relief and help to the poor, needy and destitute people, orphans, widows, aged persons and helpless children.

Nityanand Biswas
110-70-10

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अभिमान सुधीर

Chairman

C.M.D. Public School

Radhiya, Areraj, East Champaran
Bihar-845458

Atay K

Principal

C.M.D. Public School
Radhiya, Areraj
Pin. No.-845458

Dramatic, film-making, acting and performing art and audio visual screening process technic
Rain water harvesting and watershed management

- 6.1 Promote or organize or implement activities for the promotion of cultivation of aromatic and medical plants, horticulture, social forestry and forest expansion.
- 6.13 Make effort for information dissemination, R & D to expedite the nonconventional source of energy.
- 6.14 Promote and execute activities like sanitation, water supply, and rural health, construction of roads, and other for rural reconstruction whenever necessary.
- 6.15 Promote, produce, sale and advertise Khadi products and village industries as approved by Khadi & Village Industries Commission.
- 6.16 Promote, produce, sale and advertise audio-visual software/film for furtherance of aforesaid objects.
- 6.17 Provide consultancy, placement and advisory services, undertake all acts, deeds and things connected with, incidental to a germane to the aforesaid objects.

7. Board of Trustees: The Trust shall be vested in a Board of Trustees (hereinafter called the Board) which shall consist of not less than three and not more than nine trustees. The first Trustees constituting the Board are:

- 1. Amit Kumar S/o - MADAN DUBEY
- 2. Birendra Tiwari s/o BHADRABAI TIWARI
- 3. Nitya nand Tiwari - BHAS TIWARI

- 7.1 The Board of Trustees shall have one Chairman and one Vice Chairman. The first Chairman of the Board will be Amit Kumar and Birendra Tiwari will be first Vice-Chairman and they will continue as the Chairman & Vice Chairman at their will and shall not liable to be removed. The term of all other trustees shall be of five years.
- 7.2 The first trustees constituting the Board shall have the power to increase the strengths of the Board by appointing thereto one or more person on the recommendation of Chairman whether on the same occasion or on different occasions, as trustees or trustees, but the total number of persons constituting the Board shall at no time exceed nine.
- 7.3 In the event of vacancy in the office of Chairman, the Board shall elect a Chairman from amongst themselves.
- 7.4 If any of the Trustees shall die, or desire to retire, refuse or become incapacitated to act as a Trustee or take the benefit of Insolvency Law, then and in every such case, there shall be a vacancy in the Board.

Nitya nand Tiwari

01-07-01

Amit Kumar
01-07-01

Birendra Tiwari
01-07-01

सिद्धा शर्मा
 Chairman
 C.M.D. Public School
 Radhiya, Areraj, East Champaran
 Bihar-845458

Aty K
 Principal
 C.M.D. Public School
 Radhiya, Areraj
 Au. No. - 330869

7.5 A trustee may be removed from his office on following grounds-
 (i) if the Trustee becomes unfit or personally incapable to act in the Trust (ii) if found guilty of (a) misconduct or abuse of office (b) acting dishonestly or fraudulently (c) misappropriation of Trust funds. (d) moral turpitude. (e) application of trust property to private purposes etc.

A Trustee may be removed by a resolution adopted by two-third majority of the members of the Board present and voting at a meeting specially called for the purpose. The Trustee affected shall be given reasonable opportunity to show cause against the proposed action.

7.6 Vacancies in the Board may be filled by the remaining Trustees at a meeting called for the purpose. Casual vacancies in the Board may be filled in the manner aforesaid for the unexpired part of the term of the trustee causing the vacancy. A retiring trustee shall be eligible for re-election on the recommendation of Chairman.

7.7 The quorum for a meeting of the Board shall be 1/3rd of the existing members. If the meetings have not a quorum within one hour of the fixed time, the meeting shall be adjourned to the same day and time at the same place for the next week. Adjourned meeting shall not require having a quorum.

7.8 Vacancies in the Board shall not invalidate the any of the proceedings of the Board.

7.9 The Board may meet as often as necessary and, in any event, not less than twice in a calendar year.

7.10 Decision at the meeting of the Board shall be taken by the majority of the Trustees present by unanimous decision or voting. In the case of equality of votes, the Chairman of the Board shall have a second or casting vote.

7.11 Notice shall be served personally or sent by post to the Board of Trustees seven days prior for regular meetings and 24 hours before for emergency meeting.

8. Power and Functions of the Board of Trustees.

8.1 To accept any donation, contribution, grant, loan or subscription in cash or kind from any person(s), body of persons or Trust Govt. /Semi Govt. Department or agency, national or international, with or without conditions.

8.2 To apply the whole or any part of the income of the Trust, or the Trust-Fund or accumulations thereto, to anyone or more of the objects of the trust as the trustees may, in their discretion, deem fit from time to time.

8.3 To convert and deal with the trust property and/or any investments for the time being.

Nityanand Thakur

A.P.P.
A.P.S. Dhill

Amit Kumar

21-12-18

21-12-18

21-12-18

Satish Kumar
Chairman

C.M.D. Public School
Rathwa, Arera, East Champar
Bihar-845458

Ajmer Kumar
Principal

C.M.D. Public School
Rathwa, Arera
A.C. No.-330889

- 8.4 To invest the Trust-Fund either in the purpose of mortgage of immovable property or in shares, stock or debentures or other securities and investments or in deposits with or loans to any company, bank, firm or any other person, and to alter, vary or transpose such investments, from time to time at the discretion of the Trustees
- 8.5 To borrow or raise or secure payments of money and also to lend money either with or without security
- 8.6 To sell, ~~dispose of, alienate or otherwise deal~~ with any property comprising the Trust-Fund.
- 8.7 To let-out, demise any immovable property comprised in the Trust-Fund for such period and at such rent on such terms and conditions as the Trustees in their discretion may think fit.
- 8.8 To adjust, ~~settle, compromise, compound,~~ refer to arbitration, all actions, suits, claims, demands and proceedings regarding the Trust-Fund.
- 8.9 To appoint or make provision for the appointment of any person for the purpose of the administration of the Trust in such manner and subject to such rules and regulations as the Trustees may prescribe and also to appoint or provide for the appointment of ~~separate trustees~~ to hold any fund or investment subject to the provisions of this Deed in such manner and subject to such rules and regulations as the Trustees may from time to time think fit
- 8.10 To make, vary, alter or modify schemes, rules and regulations for carrying out the objects of the Trust and for the management of the ~~affairs thereof and/or~~ running any institution in furtherance of the objects of the Trust and otherwise for giving effect to the objects of the Trust
- 8.11 To start, abolish, discontinue and restart any charity or charitable institutions for the benefit of the general public and to impose any condition to any subscription or donation made by them.
- 8.12 To set apart and/or allocate the whole or a part of the income or the corpus of the Trust Fund or part thereof for any of the objects of the Trust
- 8.13 To settle all accounts and to compromise, compound, abandon, or refer to arbitration any action or proceedings or disputes, claim, demand or things, as deemed proper for such purpose without being responsible for any loss occasioned thereby
- 8.14 To apply the Government, public bodies, urban, local, municipal, district and other bodies, corporation, companies, or persons for and to accept grant of money and of aid

Mitayand Debanshi
01-07-10

ARER
ARER (ARER)
01-07-10

Arera Smit
01-07-10

अनिता शर्मा
Chairman

C.M.D. Public School
Rashiya, Arera, East Champaran
Bihar-845458

Arera Smit
Principal
C.M.D. Public School
Rashiya, Arera
AR 845458

- donations, gifts subscriptions, and other assistance with a view to promotion the objects of the Trust and to discuss and negotiate with the Government department, public and other bodies corporations, companies or persons, schemes and other work and matters within the objects of the Trust and to confirm to any proper conditions upon which such grants and other payments may be made
- 8.15 To establish, regulate or discontinue branches, centers or projects offices within India or appointing representatives or agents or advisory committees.
- 8.16 To subscribe to become a member of or otherwise cooperate with any other Trust or its branch whether incorporated or not whose objects are either wholly or in part similar to those of the Trust or which could promote the interest of the Trust.
- 8.17 The Trustees shall, from and out of the income realised from the properties, assets and funds of Trust, and from other such endowments, and from the Government grants, and from any other sources which they may get, expend such sum or sums of money as they may deem proper towards the maintenance of the properties of the Trust, pay all taxes, pay such sums towards the repayments of any borrowing by the Trustees and meet all expenses which the Trustees may in their discretion think necessary for the proper and efficient management of the Trust, and in particular pay the salaries and allowance of all staff and servants, purchase of books, equipment and furniture's, pay management contribution for the Provident Fund of the staff, gratuity, pension etc. awards, prizes or scholarships to studentship to students and incur any other item of expenditure, relating to the institutions, if any, under the management of the Trust not heretofore specially mentioned, it being understood that the above enumeration gives not priority to any particular item or expense, nor is the same exhaustive.
- 8.18 No part of the Trust property or its income or any accretion there to shall be applied for any purpose which is not a charitable purpose in law, and all provisions hereof shall be controlled accordingly.
- 8.19 The Board of Trustees has management of the affairs of the Trust and the overall supervision and superintendence of the Trust and all institutions run by the Trust and all matters incidental thereto
- 8.20 No part of the Trust property or its income or any accretion there to shall be applied for any purpose which is not a

Mitgawati Dwarshi

01-07-011

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01-07-011

110-70-10

[Signature]

01-07-011

अमित कुमार

Chairman

C.M.D. Public School
Radhiya, Areraj, East Champaran
Bihar-845458

Ajay W
Principal

C.M.D. Public School
Radhiya Areraj
AP No-370869

charitable purpose in law, and all provisions hereof shall be controlled accordingly.

9. Accounts and Audit:

9.1 ~~The account or accounts of the Trust shall be opened by the name of the Trust and/or branches, project offices centers or institutions run or conducted by the Trust with a Nationalised or Scheduled bank or other bank approved or permitted by Reserve Bank of India or in Post Office and it shall be operated by one or more of the Trustees or such person authorized by Board of Trustees time to time.~~

9.2 ~~The accounts of the Trust shall be audited every year by a Chartered Accountant or a firm of Chartered Accountants that will be appointed by the Board of Trustees with the consultation of the Chairman.~~

9.3 ~~The audited accounts of the Trust shall be adopted at a meeting of the Board of Trustees called for the purpose, and remuneration of the Chartered Accountant or Firm of Chartered Accountants shall be fixed by the Board of Trustees.~~

10. Power to amalgamate:

~~The Board of Trustees may allow and permit any other Trust, Institution or Charity, in any local area or areas whose objects are either wholly or in part similar to those of these presents to the intent and effect that such other Trust, Institution or charity shall be deemed to be a part and parcel of the Trust created by these Presents, provided that no conditions are accepted which involve a change in the name of this Trust or inconsistent with or repugnant to the objects of this Trust.~~

11. Indemnity:

11.1 ~~The Trustees shall be chargeable only for such money, stocks, funds, deposits and securities as they shall actually receive, not withstanding their signing any receipt for the sake or conformity, and shall be answerable or accountable only for their own deliberate or willful acts of omission or commission.~~

11.2 ~~No Trustee shall be liable for any breach of trust committed the Co-trustee except in respect of his own act and in respect of any property in his custody.~~

12. Power to Re-imburse:

~~The Trustees of these Present are entitled to be reimbursed and also to pay and discharge out of the Trust-Fund, all expenses incurred by them or on their behalf in or about the execution of the Trust and the powers of these presents.~~

Nityanand Prasad

01-07-01

... ..

[Signature]
11/07/01

01-07-01

[Signature]

01-07-01

[Signature]

Chairman

C.M.D. Public School
Radhiya, Areraj, East Champaran
Bihar-845458

[Signature]
Principal

C.M.D. Public School
Radhiya, Areraj
Bihar-845458

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Situa Saha

Chairman

C.M.D. Public School
Radhiya, Areraj, East Champaran
Bihar-845458

Alay W
Principal

C.M.D. Public School
Radhiya, Areraj
Bihar-845458

Notarized Present

01-07-01

24

01-07-01

[Signature]

[Signature]

01-07-01

13. Allowance to Trustees & Office-bearers:
If at any time any Trustee acts as a whole time office-bearer of the Trust or renders any special service, the Board of Trustees may in its discretion pay such remuneration or allowance to such Trustee as it may think proper.

14. Accounting year of the Trust:
The accounting year of the Trust shall be the financial year ending on 31st March every year.

15. Amendments:
This Trust, Trust-Fund and the provisions relating to the appointment of the first Chairman of the Board are irrevocable. Subject as aforesaid, the terms of this deed may be amended, altered or modified by a majority of 2/3rd members of the Board present and voting in a meeting called for the purpose.

Provided, however, that no amendment contrary to the objects of the Trust hereinbefore set forth shall be valid and effective.

16. Jurisdiction of Courts:
The competent court in Motihari shall have exclusive jurisdiction to decide any question regarding the interpretation and construction of this Deed or administration of the Trust and the related matters. In the event of such courts having concurrent jurisdiction with any other court or courts in respect of any claim or dispute against or by the Trust or Trustees or any other matter connected therewith, the competent courts in Motihari, shall have jurisdiction to entertain, try and determine such claim or dispute in exclusion of such other court or courts.

Neelgagan Tiwari

01-07-10

[Signature]
01-07-10

11-07-10

[Signature]

01-07-10

अमित कुमार

Chairman

C.M.D. Public School
Radhiya, Areraj, East Champaran
Bihar-346458

Aty N

Principal
C.M.D. Public School
Radhiya, Areraj
A.P. No. - 330869

17 Dissolution of The Trust:
 In the case of dissolution of the Trust, the remaining assets of the Trust shall be handed over to any other trust for application for similar objects.
 in witness whereof the parties hereto have hereunto seen and subscribed their respective hands on this 1st day of July 2011.

Executed Trust deed, read over full contents and found correct,

Witness:

1. Umesh Chandra Tiwari
At - Barwa
Post - Areraj
Dist - East Champaran

अमित कुमार
 (Amit Kumar) 01-07-11
 Settler

अमित कुमार
 (Amit Kumar)
 Trustee

बिरेन्द्र तिवारी
 (Birendra Tiwari) 01-07-11
 Trustee

2. Anshu Kumar 3.
AT Baryar pur
Post Motihari Court
Dist East Champaran

नित्या नन्द तिवारी
 (Nitya Nand Tiwari) 01-07-11
 Trustee

Drafted By:-
Prakash Kumar
 22/7/11
 Enrolled in H.R.P. 2001

DATED - 1st July 2011

अमित कुमार
 Chairman
 C.M.D. Public School
 Radhiya Areraj East Champaran
 PIN 845433

Atul ✓
 Principal
 C.M.D. Public School
 Radhiya, Areraj
 Aff. No. - 330869