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TRUST DEED

Ardhenda Sekhar Das Advocate Kumardangi, Ragani, U/D En. No. W8-632/1995 Mob : 9434050850



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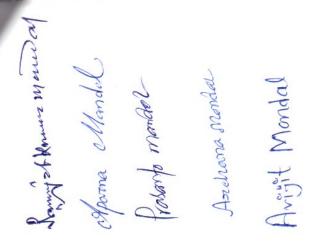
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This indenture of trust

executed on this day 24Th February 2022

Ardhendu Sekhar Das Advocate Kumardangi Raiganj, U/D En. No. WB-632/1995 Mob : 9434050850

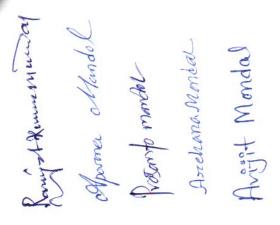


Ranjit Kumar Mondal ,S/O- Keshab Chandra Mondal, age about 44 years by faith- Hinduism , Nationality- Indian , by Occupation- Business , residing at Vill- Baraibari, P.O- Hemtabad, P.S- Hemtabad, Dist- Uttar Dinajpur, West Bengal, India , Pin- 733130 , having aadhaar card no. 4195873611238, PAN NO.- AMGPM1422N, Mobile No.- 9733286717 hereinafter called the "SETTLOR TRUSTEE" ( which expression shall unless excluded by or repugnant to the subject of Context be deemed to include his heirs , executors, administrators assigns and representatives ) of the FIRST PART

#### IN FAVOR OF

- APARNA MANDOL, D/O- RANJIT MANDOL, by faith- Hinduism, Nationality- Indian, by Occupation- Business, residing at Vill-Baraibari, P.O- Hemtabad, P.S- Hemtabad, Dist- Uttar Dinajpur, West Bengal, India, Pin- 733130, Aadhar 774074675932, Pan no. GSSPM9665P, Mob No- 8101327427.
- 2) PPRASANTO MANDOL S/O- PRAKASH MANDOL, by faith- Hinduism, Nationality- Indian, by Occupation- Business, residing at Vill- Dhurail, P.O- Khalsi, P.S- Raiganj, Dist- Uttar Dinajpur, West Bengal, India, Pin-733134 India, Aadhaar No- 628317011609, PAN NO. CLXPM3486Q, Mob No- 8348439134.
- ARCHANA MONDAL, W/O- Ranjit Kumar Mandal, by faith- Hinduism, Nationality- Indian, by Occupation- Business, residing at Vill-BARAIBARI, P.O- HEMTABAD & P.S- HEMTABAD, Dist- Uttar Dinajpur,

Ardhendu Sekhar Pro a g e Advocate Kumardangi, Raiganj, U/D En. No. VV8-632/1995 Mob : 9434080880



West Bengal, India , Pin- 733130 , Aadhaar No- 897850589338, PAN NO.: CPLPM6932H, Mob No- 7908667367

4) AVIJIT MONDAL, S/O. RANJIT KR MONDAL, by faith Hinduism, Nationality Indian, by Occupation Business, residing at Vill..- Baraibari, P.O.- Hemtabad, P.S. Hemtabad. Dist.- Uttar Dinajpur, West Bengal, India, Pin- 733130, Aadhaar No. – 928753935029, Pan No. GPJPM0366B, Mobile: 7477615944.

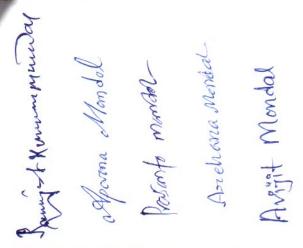
All of Indian inhabitants hereinafter referred to as "THE TRUSTEES" (Which expression wherever the context so requires or admits shall be deemed to mean and include their legal heirs, successors, executors, administrators and assigns of the SECOND PART.

**WHEREAS THE SETTLOR** above named has been desirous of creating and establishing a spiritual, educational and a charitable Trust.

**AND WHEREAS THE SETTLOR** above named has settled a sum of Rs. 10,000.00 (Rupees Ten thousand only) as a fund.

AND WHEREAS THE SETTLOR above named has settled the assets and properties mentioned in the schedule hereunder, in favour of the Trustees upon Trust with a view to give effect to his desire of creating and establishing a Trust for the purpose of Construction of a

Ardhendu Sekhar Das
Advocate
Kumardangi, Raigani, U/D
En. No. WB-632/1995
Mob.: 9434050850

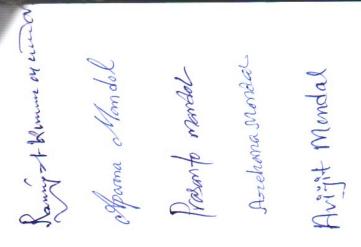


welfare trust and other God & Goddesses and for under taking other charitable and religious activities for the benefit of the public, for the objects set out in this trust deed for fulfilment of which, the terms and conditions are more particularly set out hereunder. AND WHEREAS THE TRUSTEES named are willing to accept the office of the Trustees for the purpose of carrying out the wishes of the SETTLOR of the trust under the provision and directions set forth herein, so as to enable to pursue its vowed objects.

# NOW THIS INDENTURE WITNESSETH AS FOLLOWS

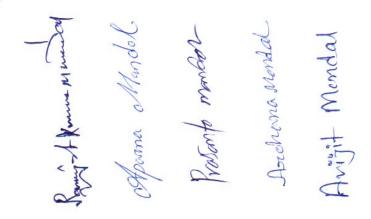
- The **SETTLOR** above named hereby establishes a Public Charitable Trust by the name of Lord **SWAMI** VIVEKANANDA WELFARE TRUST For the purpose and upon the condition set forth hereunder
- 2. The **Trustees** named above shall be the first Trustees and have given their consent to be appointed as the trustees and as token thereof, they have set their hands to this instrument.

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- 3. The **SETTLOR** hereby conveys, transfers and assigns to the **TRUSTEES** the above referred sum of Rs. 10,000.00 (Rupees Ten thousand only) as the corpus to the **TRUST**, the receipts of which, the **TRUSTEES** do hereby admit and acknowledged.
- 4. The office of the Trust for the time being shall be at the premises of **RANJIT KUMAR MONDAL**, Vill..-Baraibari, P.O.- Hemtabad, P.S. Hemtabad. Dist.- Uttar Dinajpur, West Bengal, India, Pin- 733130, with the power given to the Trustees to shift the same to any other place as they may mutually agreed upon.
- 5. The **TRUSTEES** do hereby agree that they shall hold and stand possessed of the said trust fund (which expression shall include all investments in cash or kind or in any nature whatsoever into and for which, the said property or a part or parts thereof may from time to time be converted, varied or exchanged) and /or such investment as may be held by the **TRUSTEES** from time to time in relation to these presents together with all income, additions and accretions thereof, upon trust for the object set out herein with and subject to the provisions and conditions hereinafter contained in these presents.

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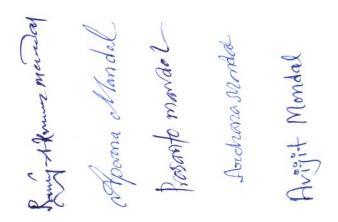


#### I. OBJECTIVES

The objects for which the Trust is established are:

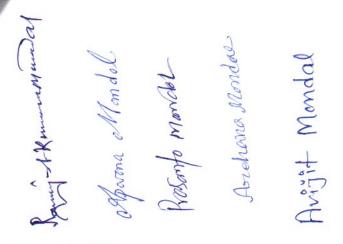
- 1. Construction and Maintenance of Mosque, ancillary buildings for Meditation, Worship and prayer for the benefit of the public.
- 2. To undertake the maintenance and renovation work of existing Mosque, etc.
- 3. Construction and running of schools, colleges, educational institutions, free dispensaries, Centre for poor feeding and homes for the aged of the public.
- 4. Granting of financial assistance to any educational institution for granting scholarships, prizes, medals, awards for excellence in studies, sports and scientific research, distribution of books and note books for poor and deserving students.
- 5. Establishment, conduct, maintenance of clinical laboratories, hospitals, nursing homes, dispensaries and institutions of similar nature and providing financial assistance to the deserving persons for medical treatment, in any medical institution

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- 6. Providing financial assistance for performing annadan, bastradan and feeding the poor directly and through other institution.
- 7. Establishment, conduct, maintenance of old age homes, homes for physically challenged men, women and children and persons with similar disabilities and also granting financial assistance to institutions performing similar activities.
- 8. Grant of donation to any Temple, Mosque, Church, Gurudwara and other places of worship and/or religious institution.
- 9. Providing for or contributing and scientific research and development.
- 10. Providing relief to the poor and advancing any other objects of general public utility
- 11. To establish career counselling programmes to inculcate the young force of the society
- 12. The Trust will not carry out any activities with the intention of earning profit and will perform with service motive only
- 13. No activities of the Trust will be carried out outside India.

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# II. BENEFICIARIES OF THE TRUST

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

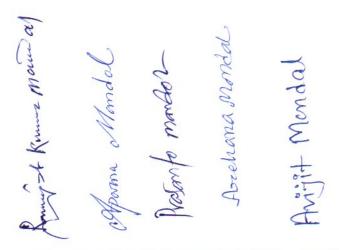
### III. PROPERTIES

The Trust Properties shall consist of

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

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

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#### IV. NUMBER OF TRUSTEES, THERE TERM AND CO-OPT

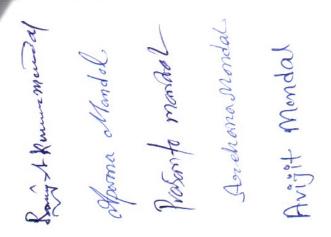
The Trust will be managed by a **Board of Trustees** consisting of not less than 3 trustees and not more than 6 trustees. The parties of the second part will be the First Trustees and they shall automatically form Board of Trustees.

The first **Managing Trustee** shall be the **SETTLOR** and he will hold office for his life time. After the demise or relinquishment of the office of the Managing Trustee or in the event of the first Managing trustee failing to nominate his successor in office, the remaining trustees shall elect one of the other trustee as Managing Trustee.

The term of office of First Trustees shall be for their respective lives. The Board of Trustees under **Managing Trustee** 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,

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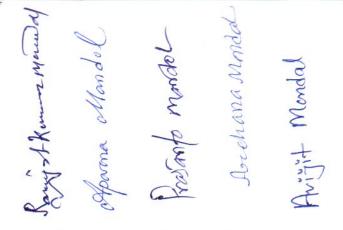
to the Board of trustees and after the expiry of the period of notice, the Trustee giving he notice, the Trustee giving the notice shall ipso facto cease to be a Trustee of these presents.

Any vacancy caused by death of any one of the first 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 Trustee who are the Managing Trustee or First Trustee shall hold office for a period of three years from the date of their appointment by the Trustees. At the end of this three years period, the Board of Trustees may reappoint them for subsequent term or appointment 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 is accused misfeasance 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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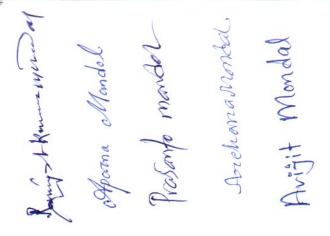
The proceedings of the Board of Trustees shall not in any way be invalidated due to any post or posts remaining vacant. During the time when a vacancy is yet to be filled up, the remaining Trustee shall be as "Full Board" subject to the presence of quorum in the meetings. Any vacancy in the Board of trustees or illegality in the appointment of Trustees or their proceedings shall not invalidate any prior act or decision of the Board.

# V. TRUST ADMINISTRATION AND POWER TO THE BOARD

## A. BOARD OF TRUSTEES

For the management and administration of the Trust, the trustees shall elect one amongst themselves for each of the offices of President, Vice President, Secretary, Assistant Secretary and Treasurer. The Term of Office for President, Secretary, Assistant Secretary and Treasurer shall be for a period of three years from the date of appointment of the managing Committee and they may be re-elected for further terms. No Trustee including the Managing Trustee shall hold more

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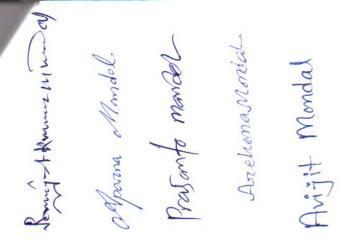
than one office for more than one of the above office. The persons holding these offices of President, Vice President, Secretary, Assistant Secretary and Treasurer shall be under the administrative guidance and supervision of the Managing trustee and will report to him directly.

#### B. POWER OF BOARD OF TRUSTEES

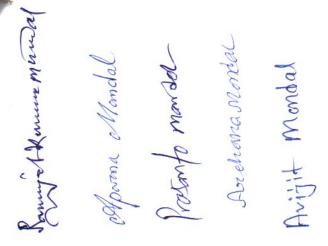
The Board of Trustees shall have power to:

- To administer the Trust, its properties and affairs and do all things which will fulfil the performance of the objects for which the Trust is established and for the 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 solely utilised towards the objects of the trust and no portion of it will be utilised for payment to the Settler, or Trustees or their relatives by way of salary, allowances, profit, dividend etc.
  - To open one or more bank account and operate the same or provide operation of the said accounts by any two among the authorised on their behalf.

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- 4. To invest the Trust funds in the manner not prohibited by any provisions of 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, so however any sale or alienation of immovable properties of the Trust can be done only after obtaining the prior approval of Commissioner of Income Tax Act.
- 6. To execute power of attorney or powers of attorney to any person for the purpose of executing administering of 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 to arbitration or litigation.
- 10. To receive voluntary contributions from any person or persons from India or outside, after complying with 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 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 trustee shall hold honorary office and shall not be entitled to any salary, allowances or perquisites, except for the reimbursement of the actual expenses in connection with attending the Trust matter.
- 15. The Board of Trustees will follow the instructions given by given by any donor who makes substantial contribution towards furtherance of the objects of the Trust, so long as such instructions are not detrimental to the attainment of the objects of the Trust and are in

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conformity with the provisions of the Income Tax Act, 1961.

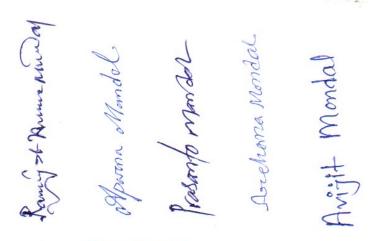
#### C. ROLES AND RESPONSIBILITIES AND POWER

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

## a) MANAGING TRUSTEE

In addition to discharging normal duties of a Trustee, the Managing Trustee is authorised to sign all documents. including bank documents. acknowledgements for the contributions received, agreements with individuals, Government Institutions and other organizations, on behalf of the Board of trustees. The Managing Trustee is authorised to sign bank cheques either with secretary or cashier to withdraw money from bank. The Managing trustee shall have all the residuary powers, not explicitly assigned to any of the other officers in these presents.

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#### b) PRESIDENT

- i) The President will preside over the meeting of the Board of Trustees and conduct the proceedings.
- ii) The president is empowered to take decision on urgent matters in consultation with Managing Trustee. In absence of managing Trustee such decision should be approved by the Board of trustees within a Period of 30 days.
- iii) The President with the consent of the Managing Trustee is empowered to delegate such powers to the vice president or any other members of the Trust as he may deem fit
- iv) The President is empowered to dissolved the Board of Trustee in any abnormal situation and shall inform the Managing Trustee to select Board of Trustees.

## c) VICE PRESIDENT

The **Vice President** shall discharge the duties of President, in the absence of the President of the **Board of Trustees** and shall have the

Ardhendu Sekhar Das Advocate Kumardangi, Raiganj, U/D En. No. WB-632/1996 Mob : 9434950850



power and authority delegated and assigned to him by the President of the **Board of Trustees.** 

#### d) SECRETARY

- i) The secretary shall maintain the records of the organisation, prepare and circulate agenda and minutes of Board of Trustee meeting for the approval of President/Managing trustee.
- ii) The secretary shall be also responsible for the day to day administration activities of the Trust.
- iii) The Secretary shall deal with correspondence received by the replies send in consultation with Managing Trustee, President, Vice President and/or the Treasurer where necessary.
- iv) The Secretary is responsible for the safe custody of all the properties and records of the Trust.
- v) The Secretary shall represent the Trust in all legal matters, sign the papers related

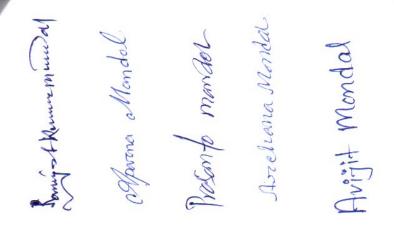
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to legal cases, attend to courts represent the Trust in Government offices.

#### e) TREASURER

- i) The Treasurer will prepare Annual Budget, monthly and yearly expenditure statements get the expenditure audited by the auditor duly appointed by the Board of Trustees and place before the Trustee for approval.
- cash Book, Ledger and prepare vouchers for payment made, receive contributions, sign acknowledgements for the amounts or articles received by the Trust and prepare monthly and yearly statements of revenue and expenditure, as well as, the register of asses of the Trust and place them before the Board of Trustees for their approval.
- iii) The Treasurer is authorised to sign bank cheques jointly with Managing Trustee application for drafts and payment

Ardhendu Sekhar Das Edvocate Kumardangi, Ralganj, U/D Eln No. WIB-632/1995 Nob : 9484050850



instruction jointly with Managing Trustee/Secretary and draw money from the Bank, up to the limits defined by the Board of Trustees in their meetings.

iv) The Treasurer is responsible for safe custody of cash, bonds, securities etc of the Trust.

## VI. MEETING OF THE BOARD OF TRUSTEES

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

1) The meeting of the Board of Trustee shall be convened by the President with the consent of the Managing Trustee and the notice of the meeting may be served through Secretary. The President shall preside over the meeting In his absence the Managing Trustee else Vice President shall preside over the meeting. In the event of none of the above is available to attend the meeting already convened, any of the trustees present in the meeting may elect one

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amongst themselves to be the chairman of the meeting.

- 2) More than one half of the Board of Trustees or a minimum of 2 Trustees whichever is higher, shall constitute the QUORUM for the Board of Trustee meetings.
- 3) All decision shall be carried out by the majority decision of the Board but in the event of equalities of votes, the chairman presiding over the meeting shall have a casting votes.
- 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 entitled vote in the meeting of the Board.

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#### VII. BANK ACCOUNT

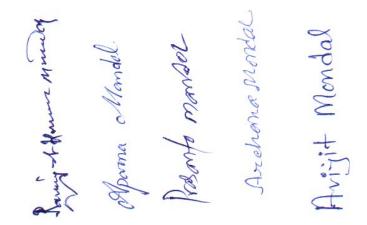
The Managing Trustee jointly either with Secretary or Treasurer shall operate the Bank Accounts on behalf of the Trust. In their absence, any of the Trustees may be authorised by the Board of Trustees, by a resolution, to operate the Bank accounts. One or more Bank accounts may be opened in any Bank or Banks in the name of the Trust.

# VIII. INVESTMENT OF TRUST FUND

- 1. The Board of Trusstee shall have the power to invest the funds, assets and properties of the Trust at their discretion in accordance with the provision 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.

ACCOUNTS AND AUDIT

Ardhendu Sekhar Das Advocate Kumardangi, Raiganj, U/O En. No. VVB-532/1995 Mob : 9434050850

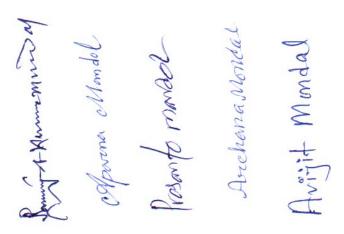


- The financial of the Trust shall be from 1<sup>st</sup> April to 31<sup>st</sup> March of the following year, unless otherwise decided by the Board of Trustees.
- 2. The Board of Trustees shall maintain true and correct accounts of the Trust.
- 3. The accounts shall be audited annually by a qualified Accountant as per definition of Income Tax Act in force
- 4. The Auditor shall be 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.

## X. AMMENDMENTS

1. While this Trust shall be irrevocable, the Board of Trustees may amend any of the clauses except those relating to objects of the Trust, the First Managing Trustees and First Trustees, at a duly convened meeting within at least 2 week's notice, and by a resolution passed by at least three-fourths majority of the Board of Trustees present and voting. The amendments to the Trust deed,

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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 supplementary deed/deeds with the previous approval of the Commissioner of Income Tax and these shall read together with the main Trust deed.

#### XI. INDEMNITY

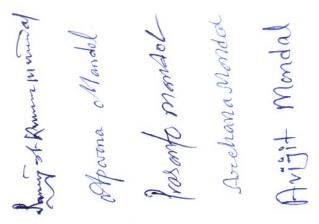
The Board of Trustee shall be indemnified for any act done by them in good faith in the course of the administration of the Trust.

# XII. SETTLOR AND THEIR RELATIVES

Notwithstanding the powers vested with the Trustees under the proceeding clause, no part of the income of the Trust shall benefit directly or indirectly the Trustees and no part of the income of the property of the Trust shall be used or applied directly or indirectly for the benefit of

a. **SETTLOR**, **Managing Trustee**, **Trustees** or any person who makes a substantial contribution to the Trust of any relative of the

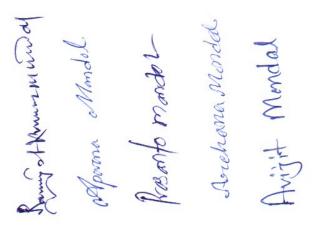
Ardhendu Sekhar Das Advocate fumardangi, Raiganj, U/D s.a. No. WB-632/1995 Mob : 9434050850



**SETTLOR, Managing Trustee, Trustees** or the person who makes a substantial contribution.

- b. Any **"related concern"** in which any of the above persons has substantial interest.
- c. For the purpose of this clause the word "relative" and the phrases "related concern", " substantial interest" and "substantial contribution" shall have the meanings assigned to them in the Income Tax Act 1961.
- **XIII.** The provision of the Indian Trust Act 1882 shall apply to all matters not specifically mentioned in these presents.
- 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 section of 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

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clause or part of a clause is repugnant or inconsistent comes into force.

# XV. THIS TRUST IS DECLARED IRREVOCABLE.

#### XVI. DISSOLUTION

In the event of dissolution of the Trust, the entire Trust Funds shall be realised and first be used for payment of liabilities of the Trust. The assets left any, shall be disbursed to other Trust or Association having similar objectives after obtaining previous approval of the Commissioner of Income Tax and shall in no event it shall be distributed in any manner, to any of the Board of Trustees or their relatives or related persons.

#### SCHEDULE

At present the Trust has no Property or assets, either movable or immovable other than the Trust Fund and the immovable Properties, transferred by the **SETTLOR**, as described in the schedule below.

 Cash contribution to the corpus Fund of the Trust of Rupees 10,000.00 (Rupees Ten Thousand only)

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Kumardangi, Raiganj, U/D

WITNESS WHEREOF THE SETTLER AND THE FIRST TRUSTEES here to have set their hands on the day, month, and first above written.

SIGNATURE OF THE

FIRST TRUSTES

Juny of Kenne mundal RANJIT KUMAR MONDAL

Signature of the Trustees

Signature of the Witnesses

Signature Haider

Name- Haidar Ali

S/O.- Abdul Hakim

Address: Vill - Samaspur

P.O. Samaspur

P.S. Hemtabad

Dist. Uttar Dinajpur

VILL.- Baraibari,

Name APARNA MANDOL

P.O. Hemtabad

Aparna Mandol.

P.S. Hemtabad

Prosonto mandol

Dist. Uttar Dinajpur

2. Mansey Alam

So Let Badiruddin Shamed

vill-Naoda P.o. Baharail

2. Signature

1.Signature

Address:

Name PPRASANTO MANDOL

Address VILL.- DHURAIL

P.O. Khalsi

P.S. Raiganj

Dist. Uttar Dinajpur

Ardhendu Sekhar Das Kumardangi, Raigani, U/D En. No. WB-632/1995 Mob : 9434050850

3. Signature Archana Mondal

#### Name ARCHANA MONDAL

Address

VILL.-Baraibari

P.O. Hemtabad

P.S. Hemtabad

Dist. Uttar Dinajpur

4. Signature Avijit Mondal

#### Name AVIJIT MONDAL

Address

VILL.-Baraibari

P.O. Hemtabad

P.S. Hemtabad

Dist. Uttar Dinajpur

Signature of the Trustees Drafted and explained by

Ardhendu Sekhar Das

Advocate

Raiganj, Uttar Dinajpur

En NO.- WB-632/1995

Mob: 9434050850

Ardhendu Sekhar Das Advocate Kumardangi, Raiganj, 19/D En. No. VVB-832/1995 Mob: 9434050850



