

TRUST DEEL

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BRAHMANAND EDUCATIONAL & CHARITABLE TRUST

THIS TRUST DEED is made on this 15th day of December, 2003 between Dr.Permod Kumar Tyagi s/o Sh.Bramhanand Tyagi r/o 228/75, Gole Market, Sector 1, New Delhi, hereinafter called "The Settler" (which expression shall, unless inconsistent with or repugnant to the subject or content thereof, include his heirs, executors and administrators) of the one part, and

- Dr. Permod Kumar Tyagi s/o Sh. Bramhanand Tyagi r/o 228/75, Gole Market, Sector 1, New Delhi
- Dr. (Smt.) Shashi Prabha Tyagi W/o Dr. Permod Kumar Tyagi r/o New Shivpuri, Killa Road, Near AKP Post Graduate College, Khurja, Distt. Bulandshahr (Uttar Pradesh).

hereinafter called "the Trustees" (which expression shall unless inconsistent with or repugnant to the subject or context thereof include the survivor or survivors of the other Trustee or Trustee for the time being of these present and the executor or the executors or administrators of administrators of the last survivor of them.) of the second part.

WHEREAS the settler is desirous of establishing a Public Charitable Trust and of settling a sum of Rs.1,100/- (Rupees One Thousand One Hundred Only) on the trust for Public Charitable Purposes as hereinafter expressed or contained in these presents and has in pursuance of such desire to the execution of these presents delivered the sum of Rs.1,100/- to the Trustees.

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NOW THIS INDENTURE WITNESSETH that for giving effect to the said desire and in consideration of the above premises, it is barely agreed and declared as follows: -

- The trust shall be named "BRAHMANAND EDUCATIONAL & CHARITABLE TRUST" (hereinafter referred to as "The Trust")
- 2. The registered office of the trust will be at New Delhi.
- 3. The said sum of Rs.1,100/-(Rupees one thousand one hundred only ) and all other monies and investment and properties that may hereinafter be received as donations, endowments or from any other sources whatsoever upon the trust thereof and all other investments and properties as representing for the time being the same, and all net rents, profits and moone derived from such properties and investments, shall constitute "The Trust Properties."
- The trustees shall hold the trust properties or any part thereof and all income arriving therefrom upon Trust and subject to the powers and provisions hereinafter appearing.
- The trustees shall invest the trust properties that may from time to time be available for investment in any investments permitted by the Income Tax Act, 1961 for the investment of trust funds.
- 6. It shall be lawful for the Trustee to receive by way of gifts, bequests, donations and legacies (including a business settled in favour of "The Trust" for the purposes of carrying out the objectives of the Trust from any person, firms, trust, or corporate bodies for all or any purposes of the Trust herein created upon and/or the subject to such special conditions as may be attached, thereto but not in any way at variance with the purposes/objects of this trust, and to retain any investments (provided they do not involve any liability) or other properties or business so brequested/settled if so required as a condition and to apply the same upon or subject to such conditions but otherwise as nearly as possible in accordance with the provisions herein contained.
- 7. The Trust shall stand possessed of the Trust properties at their discretion to apply the whole or any part or parts of the same for such public charitable purposes, including (a) Religious matters, (b) relief to the poor section of the society (c) spread of education, (d) medical relief and advancement or any other object of general public utility as the trustees may think fit. Provided that the income as well as the corpus shall be applied only towards public charitable purposes as aforesaid and any accumulation of income shall also be made and deemed to be made for application to such public charitable purposes as aforesaid.

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#### PROVIDED FURTHER:

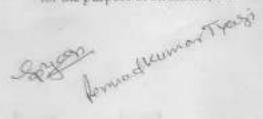
- 8. That notwithstanding anything herein before or hereinafter contained, the income, as also the corpus of the trust fund shall be applied and be applicable only to for such public charitable purposes only and to such conditions or Limitations, if any, as may from time to time be laid down in the income Tax Act, 1961, or any other Act governing taxation of income as will ensure or make the Trust hereby established and its income eligible for exemption from taxation under the said enactments or any replacement, re-enactment or modification thereof.
- That the Trust hereby established shall be one to which the Provisions of Section 80 G
  of the Income Tax Act, 1961 or replacement, re-enactment or modification/thereof
  shall apply so that any donation thereto be recognized as eligible for exemption or
  relief of tax to the donor.

## OBJECTS OF THE TRUST

SUBJECT TO and without prejudice to the generality of the foregoing objects or purposes, it is declared that the Trustees shall each year or from time to time at their discretion apply the Trust properties or any part or parts of the same in or towards any one or more of the following objects (each of which according to law most be a public charity object).

### (A) EDUCATIONAL

- 1. To carry on activities for the advancement of education in all fields and faculties.
- To award scholarship for educational faculties for deserving students or to award such scholarship to students who have excelled in various studies.
- To help the needy and deserving students of ment by way of providing them school uniforms, books scholarship and loans to pursue higher education, etc.
- The advancement of vocational education, social education by research in contemporary literature, trades, contemporary social customs to achieve healthy social customs and traditions and vocational guidance to youngsters.
- To establish and maintain an institute to assist and encourage or promote in any state in India as and when deemed proper or expedient for the purpose of education and vocational guidance, in the form of institute, school or college.
- 6. To provide, establish, endow, furnish and fit up with all necessary furniture, instruments and other equipments and maintain and manage school, college, etc. in any state in India for the aforementioned objects and on such terms and conditions as the Board of Trustees may prescribe or in which they may be advised to provide accommodation for vocational training, such other courses and facilities for training in various trades and professions.
- To organise and establish centers for adult education.
- 8. To build and maintain houses or other buildings and alter, improve or modify the same including any existing building and provide and equip the same with light, water drainage, furniture, fittings, instruments, appliances and all other necessities for the purpose of education, etc.



- To acquire immovable property by purchases, lease, hire, exchange or otherwise and to pull down, erect, alter and maintain buildings, anywhere in India, for the advancement of education.
- To receive gift of movable property (including money) or immovable property either with or without conditions.
- 11. To print, publish and exhibit or subsidise the publication of any books, pamphlets or posters that may be considered desirable for the promotion of the objects of the trust and aid the publication of books, magazines, newspapers and other literature of public importance on education, economics, science, technology and social sciences.
- 12. To accept subscription and donations (whether of movable or immovable property) for all or any of the objects and purposes aformaid and to sell, exchange and otherwise dispose of, lease, manage and develop all immovable property to be received and not required to be occupied or capable of being occupied for the purposes of the trust and generally to manage, invest and expend all moneys and property for the purpose of the trust.
- 13. To expend the funds of the trust in sending deserving people to and maintain them in schools, colleges, and other similar institutions including private and charitable institutions in such manner and to such extent as may from time to time be deemed expedient in paying the expenses or part of the expenses for such persons and in sending such persons to their homes or elsewhere.
- 14 To Purchases and sell moveable and immovable properties including shares and securities and such other investments so as to keep the funds of the trust invested and/or employed with the object of earning interest, dividend or profit by way of appreciation for the benefit of the trust.
- 15. To take over or amalgamate any other charitable society or trust with similar objects and to take over all the property, assets and funds of such society/societies or trusts held by or vested in such trust or society and the benefits of all contracts and agreements entered into by such trusts or societies and the liability of all debts, contracts and agreements properly, incurred or entered into by such trusts or societies and the liability of all debts, contracts and agreements properly incurred or entered into by such trustees in connection with such institutions and for such purposes; to execute and bring into effect all such deeds and instruments as may be necessary or advisable.
- 16. Awarding Scholarship and Fellowship and grants by way of loan and otherwise and on such terms and conditions as the Trustees may think fit for the purpose of undertaking, prosecution and encouraging in India or in any foreign country research or other work in any branch of any arts subjects, Engineering, Technology, Electric Therapy Radiology, and Bacteriology, Medicinal Science or branches or part subjector-modern-applied science in their widest and most comprehensive sense.
  - PROVIDED ALWAYS that such scholarship and fellowship shall be awarded to such deserving students and scholars who cannot afford and have no means to undertake and prosecute such research or other work or higher/studies on their own account and who are desirous of further continuity their studies and conducting research or other work in any branch or branches of arts or Sciences as aforesaid.
- Awarding of Scholarships and cash payments to poor persons and widows desirous
  of receiving primary, secondary and higher education.

of receiving primary, secondary and higher education.

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18. To do all such other things as are incidental and conductive to the attainment of any of the above purposes. And it is hereby declared that benefits provided by the trust are for public at large without distinction of caste, colour, creed or religion and the activities of the trust shall be at restricted to India only and the trust shall be at liberty to expend any amounts, out of the corpus and capital of the trust on the objects of the trust.

#### (B) MEDICAL

Advancement of medical education and health, and prevention of and relief from sickness by medical research, teaching and organisation of medical and health services with special thrust on cardiac and other diseases like AIDS, etc. and for the said purpose:

- To establish, maintain, assist and encourage the establishment and maintenance in India, as and when deemed proper and expedient, for the purpose of medical relief, hospitals for treatment of cardiac and other diseases.
- To foster, initiate, undertake, provide, assist and institution along with like-minded individuals or institutions in providing medical. & educational research, training, guidance, counselling, consultation and evaluation related to cardiac and other diseases.
- 3. To provide for education and training of medical students and nurses and manage suitable educational institution(s) for the purpose, to conduct research, rehabilitation, health promotion experiments and develop learning and training techniques at under-graduate and post-graduate level, in all branches of medical education through establishment of training centers and implementation of innovative schemes.
- 4. To provide, establish, endow & furnish with all necessary furniture, instruments and other equipments and maintain and manage hospital(s), in India. For the treatment of patients suffering from various diseases concerning heart as well as other diseases; to provide accommodation for the treatment and care of all such patients and to provide facilities for medical or surgical attendance, nursing, food, medicine and all other things and appliances of medical, surgical, dietetic and sanitary character. Such hospital(s) shall maintain medical and surgical departments with special thrust on cardiac and other diseases to which the Board of Trustees shall add such other department(s), or branches, as the occasion or circumstances may demand.
- To procure the services of Doctors, Surgeons or medical practitioners including Vaidyas, Hakinsi, Nurses, Assistanti, Lay-workers, attendants and servants either for remuneration, gratuitously or in honorary capacity.
- To receive any gifts, donations, movable immovable property including money either with or without conditions. For the sake of clarity, it is expressly provided that any such donation(s) shall be received only for the purpose of the corpus of the trust.

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- 7. To collect, organise, update, disseminate and publish information about diseases and to undertake for general public; programmes, demonstrations, training and consultations in accordance with the objects of the trust.
- 8. To acquire by purchase, hold, manage, build, construct, improve, develop, repair, exchange, sell, lease out and to take on leave and licence basis, mortgage, charge, dispose of or otherwise deal with properties.
- 9. To provide medical, surgical and other treatment free of charge to poor persons irrespective of caste, creed or religion.
- 10. To receive donations by way of cash or in kind, to receive grants, gifts, subscriptions,
- 11. To print, publish and exhibit any book, pamphlets or posters useful for the public to know about the importance of health and care of oneself to avoid ill-health, sickness,
- 12. To conduct seminars, symposia, conferences by inviting well known doctors and scientists from national and international organisations in India and abroad.
- 13. To appoint and hire services or discharge / terminate the services of the personnel and to pay them in return for services rendered to the trust and to form and frame conditions of service, etc.
- 14. To raise loan from the financial institutions or public or private undertaking(s), loans with or without security.

# (C) RELIEF OF THE POOR

Relief of the poor is also a part of charity. A trust may also have objects, which mainly relate to relief of the poor, e.g.,

- to feed poor and hungry people in the society,
- to give assistance to poor students in the form of free books and clothes,
- 3. to give loans to poor people so that they could start some small retail business or some other income generating activity,
- 4. to open orphanages in order to look after the orphaned children,
- 5. to start and maintain nari niketan, in order to help destitute and deserted women,
- to take care of physically infirm and old persons having no means of support.

# (D) OTHER OBJECTS OF GENERAL PUBLIC UTILITY

- To establish, start and conduct asylum for destitute children. To provide them food, clothing, shelter and other necessities.
- 2. To inculcate importance of civic culture and moral values in society at large, to do and arrange cultural activities in society, to build and construct cultural hall(s),
- 3. To rehabilitate destitute, deserted women, widows, divorced women and to encourage them to earn their livelihood and for the said purpose, help, assist them by way of cash or in kind.
- 4. To help and assist disabled; crippled, blind children and persons, and encourage and

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- 5. To help and assist victims of natural calamities, civil or social unrest, etc., to start help-centers and conduct the same.
- 6. To create amongst the citizens spirit of patriotism, national integrity, to protect human rights, to inculcate positive approach amongst citizens so as to maintain law and order, peace and tranquillity in society.
- 7. To provide nutritious food to poor children and poor patients admitted in hospitals for treatment.
- 8. To provide to the poor, medical aid and facilities, free of charge or on payment of moderate charges.
- 9. The spread of promotion of education or learning in all its branches in such manner as the Trustees may think it including;
  - a) Establishment and/or acquisition of Temples, Adhyatmic Centres, Religious Centres etc.
  - Establishment and / or acquisition and maintenance, support of schools, Colleges, Vidyapiths, Bal-Mandirs, Study Centers, Universities and other Institutions for imparting education and training of students.
  - c) Establishment and support of Professorships, Fellowships, Lecturerships, and prizes at may Schools, Colleges or other Educational Institutions;
  - d) Establishment and maintenance of and support to Hostels and/or Boarding Houses and grants of free-boarding and lodging to poor and deserving students upon such terms and for such period in each case as the Trustees may deem fit.
  - e) Grant of Endowments at Universities, Research, Institutions and other Educational and scientific Institutions (whether now existing or hereafter establishment) for spread of education and knowledge in all or any branches of knowledge;
- 10. Affording of medical relief in such manner as the Trustees may think fit, including:
  - a) Grant of subscriptions and donations to Hospitals Dispensaries, Convalescent Home, Asylums, Nursing Homes, Orphanages and other public or other institutions for administering medical relief to the needy upon such terms and conditions and for such period as the Trustees may think fit;
  - b) Endowments to and help or support to Hospitals, Maternity Homes, Sanitariums and Charitable Dispensaries;
  - c) Establishing Charitable cum Nursing Homes in Delhi or any part of the Country as the Trustees may think fit for the benefit of the public in General.
  - d) Grant of medical help to deserving persons of any community during epidemic, famine flood or any unforeseen calamity or war or warlike operations.
- 11. Distribution of free food an clothing to the poor and needy:
- 12. Setting up or helping by endowments or otherwise, orphanages or poor houses for the benefits or orphans and/or poor persons;
- 13. Setting up or helping by endowments or otherwise institutions for the benefits of
- 14. Establishing or rendering help to any institutions for the alleviation of human
- 15. Sinking of wells and/ or setting up parabs whenever and wherever there may be

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- 16. Subscriptions, contributions and/or donations to any public funds or institutions for promotion of Public Charitable objects.
- 17. Establishment, maintenance and support of Libraries, Museums and readingroom for advancement of education and knowledge in general;
- 18. The creations, Maintenance, supply or support of gardens, Gymnasiums, Physical culture centers and others means of Public recreation for advancement of health and
- 19. To make charities & donations to other such Charitable Organizations formed with the same objects as this trust,
  - PROVIDED ALWAYS ALSO without prejudice to the generality of the foregoing that the help to be given under any of the foregoing heads wherever the case admits may be given either in the way of pecuniary payments or the supply of provisions, food or clothing or the supply or distribution of medical relief or in any manner which the trustees may consider desirable.
- 20. The Trustees shall out of the income of the Trust Properties in the first place pay all costs and expenses of or incidental to the management of the Trust and in earning income thereof or the execution of any of the Trust of powers of these presents.
- 21. If the Trustees do not wish to carry on with the objects of the trust, the Trustees may donate the fund of the trust to any other public charitable body established for carrying the similar objects as that of the trust.
- 22. The Trustees may accumulate funds for any capital expenditure or such other special expenditure of any nature and amount for any period as per the provisions of Income Tax Act, 1961 or such other laws as may be in force from time to time.

#### (E) BOARD OF TRUSTEES

1. The management and control of the trust and the Trust properties shall vest in the Board of Trustees. The Board of Trustees shall at present comprise of two Trustees including the Chairman.

The following shall be first Trustees:

- (a) Dr. Permod Kumar Tyagi Chairman
- (b) Dr. (Smt.) Shashi Prabha Tyagi
- 2. The Board of Trustees may, if they think proper, increase or decrease the number of Trustees provided in clause(a) above. However there will be two Trustees atleast at all times, subject to a maximum of Nine trustees.
- 3. The Board of Trustees will have full and unfettered power to regulate and manage the affairs of the Trust and of any of the institution as it may establish pursuant to these presents.
- 4. The Board of Trustees shall have a permanent Chairman and in his absence a Chairman shall be elected at each meeting whose shall be a member of the Board of
- Dr.Permod Kumar Tyagi shall be the first and permanent Chairman.
- 6. If and whenever the number of Trustees is reduced below two or such number as fixed by the Board of Trustees as per clause(b) above, the continuing Trustees shall appoint such number of new Trustees as shall be required to make up the total Somed varior France number of Trustees for the time being to such numbers as provided by clause(a) or (b)

- 7. The meetings of the Board of Trustees will be held as often as may be necessary from time to time in accordance with the requirements of the business in this behalf, provided a meeting of the Board of Trustees shall be held at least once in six calendar months. Notice in writing of each ordinary meeting shall be delivered or sent by post to each Trustees at his usual address.
- The first meeting of the Board of Trustees shall be arranged to be summoned by the Chairman some day to be fixed by him within six months from the date thereof.
- 9. The Chairman may at any time and shall forthwith upon the request in writing of any two Trustees specifying in such request the object of the meeting summon a special meeting of othe Board of Trustees. In default of compliance with any such request within a fortnight from the date of such request such two Trustees may themselves summon such special meeting.
- 10. There shall be the quorum when two Trustees are present at any meeting. Pending any vacancy the "the Trust" for othe time being not less than a quurum may act for all purposes in the administration of the Trust and may exercise all or cany of the authorities, powers and discretions vested in the Board of Trustees by these presents.
- 11. Every matter shall be determined by majority of the Trustees present and voting. The Chairman shall have a casting vote whether or not be shall have previously voted on the same question.
- Any resolution of the Board of Trustees may be rescind or varied from time to time by the Trustees at a meeting.
- 13. Any resolution of the Board of Trustees circulated to all the Trustees, who may be in India and approved by at least two/thirds of them shall be as valid and effectual as it had been passed at a meeting of the Board of Trustees duly convened.
- 14. The meetings of the Trustees will be held under the Chairman's supervision, who made adjourn the same for any reasons consider fit by him. The matters stated in the agenda of the notice for such making and such other matter may be considered or may be allowed by the chairman.
- 15. The Board of Trustees may appoint any trustee to be the managing trustee of the Trust. The Managing Trustee will have all the powers to manage all the affairs of the trust and to do its business and to do all such acts, necessary and incidental in the same. He / She will have all the powers as provided in clause P (a) to (j) except as may not be authorised specifically.
- 16. In additions to all the powers bereby conferred on them and without detracting from the generality of their powers, Board of Trustees shall have the following powers:
  - (i) To expend the fund of the trust in such manner as they shall consider most beneficial for the purpose of the Trust and subject to the provisions thereof as they may deem fit and to direct the sale or transposition of any such investments, and to expend the sale proceeds of any such sale for the purpose of the trust.
  - (ii) To acquire in the name of the Trust or the Board of Trustees, build upon, pull down, re-build, add to, alter, repair, improve; sell, to let out on rent, exchange or dispose off, or otherwise deal with any lands, buildings or premises for the purpose
  - (iii) To purchase, hold or sell any kind or equipment for the purpose of the trust.
  - To enter into contracts on behalf of the Trust and to secure the fulfillment of any such contracts or arrangements.

any such contracts or arrangements.

To borrow money upon the security of any of the property of the trust and to grant or direct to be granted mortgages for securing the same.

To make and from time to time to repeal or alter, regulations as to be management of the Trust and the affairs thereof and as to the duties of the Honorary or salaried Secretary, officers or servants of the of the trust and as to conduct of business by the committee of management or any sub-committee or as to any of the matters or things within the powers or under the control of the committee of management provided that the same shall not be inconsistent with the objects of the

To insure and keep insured the Trust Properties and to pay all premiums, (wiii) revenue, rent, Municipal rates, taxes and other charges and outgoing payable in respect thereof.

(viii) To use and take lawful ways and means for recovery of any monies due to the Trust or for realization of any security or other property, movable or immovable belonging to the trust and to settle, adjust, compound, submit to arbitration compromise, withdraw actions, accounts, claims, demands whatsoever, whether arising from any legal proceedings or not

To employ any staff as may be necessary for the administration and management of the Trust Properties and of the institutions established pursuant to these presents and to pay their salaries and at their discretion to remove such staff, to pay audit fees and incur all other necessary charges and expenses for the administration and management of the trust and the institutions thereunder,

To sign, endorse and negotiate cheques, Bills of Exchange drafts, Debentures, Debenture Stock, G.P. Notes and other Government, Semi Government, local or public loans, papers, and instruments and to ask demand, draw, realise, collect compound, sign, endorse and to negotiate all interests, dividends, warrants, bonuses, and other benefits to accrue in respect of the Trust properties and the investments thereofi

To delegate at their pleasure all or any of their powers to any individuals or a sub-committee or committee and to vary and/or revoke such delegations.

The Board of Trustees may from time to time open and maintain in the name of the Trust, banking account(s) at such bank(s) as it shall from time to time decided and may at any time pay or cause to be paid any monies forming part of the Trust properties including funds received as gifts, endowments, or bequests, as aforesaid, to the credit of any such account (5) or place or cause to be placed the same account(s). It may advise the bank regarding the operation of the accounts from time

17. A Trustees shall be at liberty to retire from the trust of these presents voluntarily and he or she shall be disqualified to hold his/her office and he/she becomes or is declared bankrupt or insolvent or a lunatic or becomes of unsound mind though not so found on inquisition or leaves the Indian Union. However voluntary retirement will be valid in the date, it is accepted by Board of Trustees.

18. No Trustees shall be liable for any loss not attributable:

To her or his dishonesty.

(ii) To willful commission by her or his of any act known by her or him to be a breach of trust.

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And in particular he or she shall not be bound to take any proceedings against a co-Trustees for any breach or alleged breach of trust committed by such Trustees, nor shall he/she be accountable for any loss occasioned by or for the default of his/her co-Trustee(s) nor value not received or realised by her or him although he/she may have signed the receipt therefore jointly with the other Trustees for the sake of conformity or otherwise.

- 19. The Board of Trustees/Managing Trustee shall cause to be kept proper books of accounts with respect to all sums of monies received and expended by the Trust and of the matters in respect of which receipts and expenditure relate to and of the properties for the time being vested in them and of all liabilities in connection therewith.
- 20. A Balance Sheet and Income & Expenditure Account of the trust shall be audited once every year by a recognized firm of auditors to be appointed by the Trustees and laid before the Board of Trustees made up to a date not more than twelve months before such meeting.
- 21. The Auditors shall audit yearly accounts of the trust and shall prepare and lay before the floard of Trustees every year thereafter as may be possible but before the annual meeting, an annual statement of the receipts and expenditure of the Trust upto the last day of March, mimediately preceding for submission to the annual meeting. This annual meeting will be held with in 9 months of the end of the Financial Year. This making will be held as per clause 10(n) of this deed.
- Any notice to be given to a Trustees under these presents shall be sufficiently given if sent through post addressed to such Trustees at his/her usual or last known place of abode or Business in India.
- 23. Subject as aforesaid the Board of Trustees may from time to time make and alter such regulations and provisions with regard to conduct of its business and with regard to any matter in respect of which any powers or duties hereby vested in it as it may think proper.
- 24. The Trustees may dissolve this trust by a unanimous decision and the entire funds/properties etc. of the trust may be given / distributed to one or more trusts having the same or similar objects.

IN WITNESSETH WHEREOF the parties hereto have set their respective hands and seals the day and your first before written.

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