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TRUST DEED

THIS DEED OF DECLARATION OF TRUST ("Deed") is made at Ghaziabad on this 26<sup>th</sup> day of Sept.,, 2014.

### BY AND BETWEEN

Mr. Manoj Kur.,ar (S/o Shri Maharaj Singh) resident of SB-185, Shastri Nagar, Ghaziabad (U.P.) (hereinafter referred to as the "Settlor") which expression shall mean and include legal heirs, successors, representatives, agents, empowered attorneys and assigns, as the case may be, of the ONE PART;

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- <u>Мінареву Колтаніја и и міни Міни в Биготі</u> г esident of [S.B. (95) In xsm Numm. The pale of
- Mrs Aruna Garriot (wife of Shir Pirwaii Burna) J (Z) resident of [262 Sahitya Vihar, Bijnor (U.P.)]
- Mrs Anupama Singh (D/o Shri Harpal Ehasth L) (3) resident of [S B - 185, Shastri Nagar, Charlenad (U P )]:
- [Mrs. Shweta Rajput JW/o Shri Manoi Kumar I ] (4) resident of [S B - 185, Shastri Nagar, Ghashabad (U.P.)].
- [Mr. Maharaj Singh [son of Late Shri Todar Singh)] (5) resident of [Vill & Post-Saindwar, Ghandpur (Bilnor) (U.F.)].
- Mrs Beena Chauhan (W/o Shri Sanjeev Kumar ) (6)resident of [Vill & Post-Saindwar, Chandpur (Bijnor) (U.P.)].
- [Mrs.Hirdesh [W/o Shri Laxrai] (7)resident of [Vill. & Post- Saindwar, Chandpur (Bijnor) (U.P.)];
- [Mr.Muksh Kumar Son of Shri Anand Prakash ] (8)resident of 137, Shahabajpur Khana Tehsil Bijnor (U.P.)

(hereinafter coffectively referred to as the "Trustees" which expression unless repugnant to the context or meaning thereof, mean and include the successors to their office and/ or any person appointed as a Trustee in terms hereof) of the OTHER PART.

(The Settlor and the Trustees are hereinafter collectively referred to as the Parties and individually referred to as "Party").

## WHEREAS

- The Main Settlor has made an initial contribution of Rs. 51,000.00 to form a corpus fund of the Trust and entrusted the same to the Trustee. Apart from the said corpus fund, the Trust shall seek further endowments/donations and accretions that may be made of the Objects.
- The Trustees have agreed to become the first trustees of the Trust as testified by their В. being parties to and executing this Deed; and
- The Trustees hereby declare that the Trust Fund (as defined in Clause 4 hereof) shall be Ç, held upon trust for the Objects subject to the powers and provisions hereinafter appearing and the Trustees have agreed to accept the Trust fund on the terms and conditions hereinafter appearing.

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The name of the Tru I shall be KRISHNA FOUNTAL INNAL & SCICIAL DEVELOPMENT TRUST and its principal information in the shall be sh

## FIRST TRUSTEES

The following persons, who have agreed to become the first trustees of the Trust as testified by their being parties to and executing this Died. shall be the first trustees of the Trust.

- (1) [Mr.Manor Kumar [son of Shri Mahara] Sinoh]]
  resident of [S.B. 185, Shastri Nagar, Ghaziabad (U.P.)];
- (2) [Mr.Rajeev Kumar [son of Shri Maharaj Singh] | resident of [S.B.-185, Shastri Nagar, Ghazlabad (U.P.)];
- (3) [Mrs.Aruna Gahlot [wife of Shri Pawan Kumar] resident of [262, Sahitya Vihar, Bijnor (U.P.)]
- (4) [Mrs. Anupama Singh [D/o Shri Harpal Shastri ) ] resident of [S.B. - 185, Shastri Nagar, Ghaziabad (U.P.)].
- (5) [Mrs. Shweta Rajput [W/o Shri Manoj Kumar.]] resident of [S.B.- 185, Shastri Nagar, Ghaziabad (U.P.)];
- (6) [Mr.Maharaj Singh Ison of Late Shri Todar Singh) | resident of [Vill & Post-Saindwar, Chandpur (Bijnor) (U.P.)];
- (7) [Mrs.Beena Chauhan [W/o Shri Sanjeev Kumar] resident of [Vill. & Post-Saindwar, Chandpur (Bijnor) (U.P.)].
- (8) [Mrs.Hirdesh [W/o Shri Laxraj] resident of [Vill. & Post-Saindwar, Chandpur (Bijnor) (U.P.)];

(9) [Mr.Muksh Kumar Son of Shri Anand Prakash ] resident of 137, Shahabajour Khana Tehsil Bijnor (U.P.)

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## Creating an ambience for growth!

- 3.1 The main objects of the Trust ("Object") shall be as follows:
  - To establish, develop and maintain Engineering, Tachnical, Management, girls and boys degree/Inter Colleges, Polytechnic and other Professional Colleges
  - 3.1.2 To establish, develop and maintain hospitals, medical schools, pera-medical / medical colleges, nursing institutions, dispensaries, maternity homes and child & women welfare centers for the benefit and use of the general public.
  - 3.1.3 To establish, run and support schools, colleges, libraries, reading rooms, universities, laboratories, research and other teaching & law institutions of the like nature in India, for use of the students, the staff and also for the development and advancement of education and diffusion of knowledge amongst the public in general.
  - To educate and spread awareness amongst the general public using the various methods of media, i.e. films, visuals, advertisements, etc.
  - 3.1.5 To establish, maintain and run studentship, 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.
  - 3.1.6 To promote, establish, support and maintain institution for the promotion of science, literature, crafts, handlooms & handicraft, music, drama and fine arts. To educate and build a powerful unit of skilled workers and to provide a platform to showcase their work/talent.
  - To establish, maintain or grant aid to homes for the aged, orphanages or other 3.1.7 establishments for the relief and help of the poor, needy and destitute people, orphans, widows and the aged.

3.1.8 To establish and develop institutions for the physically handicapped and disabled or mentally retarded persons and to provide them education, food, clothing or other help

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- out of caramines such excitions in your or through the model of the string is talkinges. wars, howfillnes, riots, epidemic, and other missions attaching people in any paint of India and to provide financial and other assistance to them.
- 3 1.11 To give aid to construct; re-construct mpulir and make hospitable dwellings and structures for those in need
- 3.1.12 To provide for food, medicine, clothing, linencial assistance and other needs to the victims of the calamity.
- 3.1.13. To preserve, document and maintain the plory of the Heritage sites across the country for the benefit of the general public.
- 3.1.14 To develop, design and build basic growth infrastructure in small villages across the country, providing them the basic amenities of life.
- 3.1.15. To take over the control of other educational institutions in the branches of Engineering, Technical, Management, Medical Science and other professional Vocational education.
- 3.1.16 To open, found, establish, promote, setup, run maintain, assist, finance, support and / or aid or help in the setting up and / or running boarding houses, libraries, reading rooms, vocational institutes, hospitals & medicals research centers. To establish, maintain and run boarding houses, boarding schools and residential accommodations for students and those who are connected with the institutions of the Trust
- 3,1.17 To enter into any agreement or arrangement with any society, foundation, individual or other legal entity for achieving the objectives of the Trust
- To pay, out of Trust funds, such sum as may be commensurate with its income, by way of scholarships, stipends, prizes, rewards allowances and a view to help them in pursuing their studies in Engineering, Technical, Management, Medical and other professional education or for research or education work in India or abroad, as may be decided by the Trustee.
  - To develop a healthy as well as critical attitude towards the development or mental physical and moral upliftment of the students and those connected with the institutions run by the Trust so as to make them good citizens:

To train and equip pupils to develop them as good, healthy and progressive citizens and be self - supporting in life in an honorable and decent

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- Ty charge is the are union from the following respirations are Excesses in surfecting and the Jokeno and in this factor is the serious established or about to be established for the min deed.
  - The Trust is a public charitable inclination for the benefit of the general public, belonging to the general class of socioty, irrespective of their caste, creed or religion and has not been started with a view to earn any profits. All the income of the Trust or institution maintained by the Trust shall be utilized only towards promotion of aims and objects of the Trust. No benefits will be derived directly or indirectly by the Trustees. The trust will work on No Profit No Loss basis
- 3.1.20 a. In the event of winding up of the Trust at any point of time, the whole of the corpus fund and other funds and all movable and immovable properties belonging to the Trust or the Institution maintained by the Trust shall only be transferred to any public charitable Trust or institution having similar aims and objects to be selected by the Chairman
  - To take up any other activities of public interest as may be decided by the Trustees.
- 3.1.21 OTHER OBJECTS: To take up all the incidental and subsidiary objects: necessary and / or usefull in attainment and / or in furtherance of the above objects and also for
  - To open found, establish, acquire, promote, set-up, run, maintain, assist, finance, support and/or aid or help in the setting up and/or maintaining and/or running by monetary support or otherwise community Centers, Auditoriums, Sports Complex, Stadiums, Playground and part and other social welfare works and / or activities for public use.
  - To meet traveling, boarding and lodging expenses of students going abroad for higher, Engineering, Technical, Medical, Management or other professional education. ~
  - To organize seminars, symposia and the like for intellectual stimulation and spreading message of the Contemporary thinkers, philosophers, social workers, scientists & economists and for discussion and critical analysis of topics of public importance.

To publish pamphlets, periodicals, wall papers and the like for advancement of medical, technical management and other professional

education.

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  - р To acquire and maintain ambulance service
  - To provide material help such as wheel their artificial limbs etc to handicapped, disabled and infirm persons.

#### 4. TRUST FUND

- 4.1 The settlement Amount.
- Subject to the provisions of this Deed and upon trust, the Trustees shall seek and accept 4.2 further funds, securities, contributions, donations and accretions in cash or in the form of moveable or immovable property from any person as deposits for the purposes of the attainment of the Objects and shall also take all necessary steps, in a timely manner, for the registration of the Trust with the government of India, under and subject to the provisions of the Foreign Contribution (Regulation) Act, 1976 and rules made thereunder, to enable the Trust to receive/ accept foreign contributions.
- 4.3 The existing and future funds, securities, contributions, donations, acquisitions, accretions in any shape, form or extent to/by the Trust from time to time and rents, profits and income thereof and the stocks, funds, properties (movable and immovable) and securities for the time being representing the same shall form the trust fund of the Trust. (the "Trust Fund").
- 5. TRUSTEES

#### 5.1 Number.

The number of Trustees shall be Nine (9) Numbers. All Trustees existing at any given point of time shall constitute the Board of Trustees of the Trust (the "Board of Trustees"). The trustees named herein shall constitute the first Board of Trustees. Any person to be subsequently appointed as a Trustee shall have the following qualification:

(a)the person should have attained the age of majority;

(b) the person should be of sound mind; and

the person should be capable of holding property and should not be disqualified (c) from contracting by any law to which the person is subject.

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## Appointment of New Trustees:

The Chairman shall nominate at any time any person as a Trustee for the proper and convenient management of the affairs of the Trust provided that before doing so the Chairman has taken the consent of such person. No Trustee shall have any right of objection against this appointment. The newly appointed has to deposit the required fee as may be fixed by Chairman.

## 5.4 Resignation:

The Trustees shall have the right to resign by sending a resignation letter to the Chariman The resigning Trustee shall be under an obligation to simultaneously with his resignation execute all documents/deeds etc to effect the transfer of all investments/ reinvestments made out of the Trust Funds and standing jointly in his name in favour of the Trustee designated by the Board of Trustees. The resignation shall be accepted by the Chairman.

### 5.5 Removal:

Save as expressly provided herein, if any of the Trustees does not act according to the majority rule or as per this Deed, or act in a manner which is contrary to the Objects or interest of the Trust, he/she/they can be removed by the Chairman. No other Trustee shall object against this removal. Further the removed Trustee shall be under an obligation to execute all documents/ deeds etc. to effect the transfer of all investments/ re-investments made out of the Trust Funds and standing jointly in his name in favour of the Trustee designated by Chairman.

## 5.6 Vacancy:

A vacancy in the office of a Trustee shall be deemed to exist in case of death, inability, resignation, removal or refusal to act or in case the Trustee is declared insolvent. Should any such vacancy in the office of the Trustee anses, the remaining Trustees may nominate a replacement, as they deem appropriate provided that before doing so the consent of such person to be appointed has already been taken in writing. Such a nomination would necessarily be made incase the number of Trustees falls below the minimum number of Trustees prescribed under this Deed. A Trustee so appointed will have the same powers and rights as the first trustees appointed in terms of the Deed and such Trustees upon their appointment shall be deemed to be the signatory of this Deed and shall be bound by the terms herein-contained. In case any vacancy in the office of the Chairman arises, the Trustees shall fill up such vacancy in accordance with clauses 5.2 and 5.3 hereof.

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#### Special Meetings: 58

Special meetings of the Board of Trustees may be dalled by the Chairman by a notice for convening the special meetings. Special meetings small be held at the date, place and time stated in the written notice.

#### Notice: 59

Notice of the annual meeting and any special meetings of the Board of Trustees shall be given to each Trustee at least [15 (fifteen) ] days before such meeting by registered post, or [7 (seven)] days if given personally or by telephone or by E-mail/SMS.

#### Waiver of Notice: 5 10

The transactions of any meeting of the Board of Trustees, however called and noticed or wherever held, shall be deemed valid as though taken after regular notice at a meeting duly convened and held if a quorum is present, and either before or after the meeting, each of the Trustees not present signs a written waiver of the notice, a consent to holding the meeting, or an approval of the minutes of the meeting. The waiver of the notice or consent need not specify the purpose of the meeting. All waivers, consent and approvals shall be filed with the minutes of the meeting. Notice of a meeting shall also be deemed given to any Trustee who attends the menting without protesting before or at its commencement about the lack of adequate notice.

#### 5.11 Quorum:

At least Five Trustees personally present shall constitute a quorum of any meeting of the Board of Trustees. The Chairman shall preside over all the meetings of the Board of Trustee and in the absence of the Chairman, any Trustee nominated by the Chairman shall preside over that particular meeting. If any resolutions could not be passed due to Quorum, it would automatically passed in the next meeting irrespective of Quorum.

#### Action at a meeting: 5.12

Subject to the other clauses of this Deed, for passing of resolutions at the meetings of the Board of Trustees, the one half (1/2th) majority rule shall prevail unless otherwise

specifically provided.

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#### 5 14 Actions in emergency:

If in the opinion of the Chairman an emergency has arisen, which requires immediate action to be taken, the Chairman shall have the right to take such action as he deems necessary and inform and report the same to the Board of Trustees at the next meeting of the Board of Trustees and the Board of Trustees shall take more of the same in their meeting and ratify such action of the Chairman and record the same in the minutes.

#### 5 15 Records:

The Chairman shall appoint any member who shall be responsible to maintain the minutes of all meetings of the Board of Trustees, notices convening the meetings and waiver of notices and other records etc.

#### MANAGEMENT OF THE TRUST 6.

The management and administration of the trust properties and affairs thereof shall vest in the Chairman. He shall exercise all such powers and do all such acts, deed, matters and thing as are required to be exercised or done to manage and administer the affairs of the Trust and Trust fund.

#### CHAIRMAN . 6.1

Main Settler shall be the first Chairman and managing Trustee and shall continue to hold offices for life and thereafter heirs of the chairman shall be the chairman of the trust. Notwithstanding anything to the contrary contained herein, [Mr. Manoj Kumar] is hereby appointed as the first Chairman of the Board of Trustees and thereafter his heirs shall be the Chairman of the Trust.

#### 6.2 SECRETARY

There shall be the first Secretary and managing Trustee and shall continue to hold offices for life and thereafter heirs of the Secretary shall be the Secretary of the trust. Notwithstanding anything to the contrary contained herein, [Mr. Rajeev Kumar] is hereby appointed as the first Secretary of the Board of Trustees and thereafter his heirs shall be the Secretary of the Trust

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#### 54 TREASURE

There shall be the first Treasure and managing Trustee and shall continue to hold offices for life and thereafter heirs of the Treasure shall be me Treasure of the trust Notwithstanding anything to the contrary contained herein. [Mrs. Shweta Rajput] is hereby appointed as the first Treasure of the Board of Trustess and thereafter her heirs shall be the Treasure of the Trust

#### 7. POWER AND DUTIES

	THE RESERVE OF THE PERSON NAMED IN
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- (i) To preside over all meetings of the trust
- (ii) To approve the date of meeting of trust
- (iii) To execute appointment and suspension of other members.
- To accept the resignations of members/employees of the trust. (iv)
- To discuss the matters with other Trustees. (v)
- To keep in safe custody and verify all the papers of the trust. (vi)
- In special cases to exercise his discretion, which shall be (vii) acceptable to Secretary and all Trustees.

#### (iii)Secretary

- To complete and execute the proceeding of the last meeting of (î) the trust
- (ii) To make correspondence on behalf of the trust.
- (iii) To recommend the Chairman to accept the resignations of the employees of the trust.

#### (iii) Deputy Secretary

- To execute all written assignments given by the Chairman. (i)
- (ii) To work in the interest of the Trust.

#### (iv) Treasure

To execute all function related to fund of the trust (i) (ii)

To prepare cash books etc of the trust:

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## 7.2 Investments:

The Board of Trustees have the power to arvest and/or reinvest the Trust Fund in such activities as may be considered necessary and appropriate. The Trustees shall have the power to invest and/or rulnyast the Trust Fund in such manner as may be decided by the Board of Trustiles from time to time subject however to the provisions of Sections 11 to 13 of Income Tax Act, 1961, as amended from time to time (The "IT Act ") or any statutory modifications thereof. Further, the Trustees shall be entitled to change one form of such investment of the Trust Fund into another form of investment as may be decided by the Board of Trustees from time to time in accordance with the provisions of Sections 11 to 13 of the IT Act. All investments/re-investments from the Trust Fund shall be held in the joint names of Two (2) Trustees as determined by the Board of Trustees or where allowed in the name of the Trust. Such holding of investments/reinvestment from the Trust Funds in the joint names as aforesaid shall be upon trust for the benefit of the Trust and attainment of the Objects, no personal rights, title or interest of whatsoever nature shall be or construed to have been conferred upon or vested in any of the Trustee.

## 7.3 Properties:

The Chairman and Secretary shall have the right to purchase, acquire, lease license or to sell, transfer or deal in any manner in property (movable and immovable) in the name of and on behalf of the Trust and to maintain such buildings and to deal with them in any manner as may be deemed appropriate from time to time.

## 7.4 Improvements:

The Chairman shall be competent to pull down, removate, rebuild, alter, adapt improve, add to, develop or repair any immovable property comprised in the Trust Fund and to expend thereon such moneys out of the Trust Fund or income thereof as it may deem fit.

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#### 7.6 Amendments:

If in the opinion of the Chairman circumstances so require, he may make any amendment to the total Objects and/or any terms of this Deed and give effect to such decisions by signing and executing necessary documents and take all steps necessary to give effect to their decisions.

#### 77 Borrowing/Taking Loan:

The Chairman may, from time to time, at his discretion, for the furtherance of the Objects borrow money at such rates of interest and on terms and conditions as might best serve the interest of the Trust. He may also give loan to any organization or institution, as thereof,

#### 7.8 Compromise/Arbitration:

The Chairman shall have the power to settle or compromise, out of court, all suits, actions and other proceedings and to settle all differences and refer any suits, actions or other proceedings, differences or demands to arbitration and to execute releases and to do all things necessary, in its view, in the best long term interests of the Trust;

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## 7 10 Amalgamate Other Trusts etc.:

The Chairman shall be at liberty to allow and permit any other trust, institution, foundation or charity whose objects are in consonance with the Objects and which enjoys exemption under Section 11 of the IT Act and recognition under Section 80G of the IT Act or any statutory modification thereof to amalgamate repugnant to the Objects. The Board of Trustees may associate, co-operate or affiliate the Trust with the work of any other institution, foundation, organisation or agency in India or abroad whose objectives and aims are in consonance with its own;

## 7.11 Rules and Regulation:

The Board of Trustees shall have the power to make such rules and regulations for administering the Trust as it may deem necessary and appropriate.

## 7.12 Delegation:

The Chairman shall have the power to appoint any one or more of the Trustees to administer specific projects, initiatives or activities and to provide for any reasonable and fair remuneration to such Trustee(s) as may be appropriate and to delegate to him/them such responsibilities and functions as the Chairman may consider appropriate;

# 7.13 Opening/Operating Bank Accounts:

The Chairman and Secretary jointly shall have the power to open, maintain and operate account(s) with one or more scheduled bank(s)/Private bank(s) as may be deemed necessary for the management, the administration and the functioning of the Trust.

# 7.14 Dealings with legal and statutory bodies:

The Chairman shall have the power to deal with, file papers and documents, hold meetings and do all other necessary acts, deeds and things to efficiently and effectively administer the work of the Trust. This shall include dealing with all Government departments such as the Reserve Bank of India, the Income Tax Department etc. The Board of Trustees shall, within the prescribed period(s) from the date hereof, take all steps that may be necessary for registration of the Trust as a charitable trust under the applicable provisions of the IT Act including the recognition under Section 12 AA and 80G of the IT Act.

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## 8. ACCOUNTS/FINANCIAL YEAR

Proper and regular books of accounts of all receipts and payments of the Trust shall be Maintained by the Chairman. The financial year of the Trust shall be form the 1<sup>st</sup> day of Aprilto the 31<sup>st</sup> day of March each year. However, the first financial year shall be for a period commencing form the date of signing of this Deed to the immediately succeeding 31<sup>st</sup> day March (that is, March 31, 2015). At the end of each financial year a balance sheet of the Trust and income and expenditure accounts will be drawn up. The accounts of the Trust shall be audited annually be a firm of recognized Chartered Accountants appointed by the Chairman

# 9. CUSTODY OF DOCUMENTS AND BOOKS OF ACCOUNTS

The Chairman is authorized by the Board of Trustees shall have custody of all documents, books of accounts, deed of little relating to Trust properties and investment and other records relating to the Trust and shall be responsible for the preservation of the same.

## 10 MISCELLANEOUS:

- 10.1 The Trust is hereby declared to be a public charitable trust for charitable purpose in India and all the provisions of this Deed are to be construed accordingly. If any of the Objects at any time is found to be outside the scope of charitable purposes as defined under the IT Act it would be deemed to have been excluded from the Objects.
- All activities of the Trust shall be carried out in India with a view to benefit the Indian public at large without any distinction of religion, caste, creed, colour, religion, community and sex and without any profit motive and in accordance with the provisions of the IT Act or any statutory modification thereof. The Trust Funds would be utilized only towards the attainments of the Objects and no portion of it would be distributed by way of profits, interest or dividends to the Trustees or to any persons referred in Section 13(1)(c) read with Section 13(3) of the IT Act
- 10.3 Anything not specifically provided for herein, shall be decided by the Board of Trustees in accordance with normal and generally accepted customs, usage, conventions and legislation followed by charitable trusts in India.
- It is declared that the Trust is irrevocable. If the Trust fails for any reason, in the majority opinion of all the Trustees, the net assets of the trust both movable and immovable shall be handed over to any other trust having same objects and purpose and enjoying exemption under Section 11 of the IT Act and recognition under Section80G of the IT Act or any statutory modification thereof, with the consent and approval of all the Trustees.

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- The Board of Trustees shall be bound to maintain the Trust Fund, and protect the 10.6 assets and title thereto. The Board of Trustees shall take necessary steps to ensure that the Trust Fund is utilized for the Objects,
- The Trustees shall be bound to deal with the Trust Fund as carefully as a man of 10.7 ordinary prudence would deal with such property as if it was his own;
- The Board of Trustees shall keep clear and accurate accounts of all monies and 10.8 properties received and expended for the Trust and the Trust Fund and shall maintain the same with full and accurate information.
- The Board of Trustees shall have the power to determine, in case of doubt, 10.9 whether any money or property shall for the purpose of the Trust be considered as corpus fund or any income and as to whether out of the income or corpus fund of the Trust, expenses or outgoings shall be paid or borne by the Trust and every such determination shall be binding and conclusive. Provided that nothing herein contained shall be deemed to authorize the Board of Trustees to spend the income or corpus funds of the Trust for any purpose not authorized by these presents;
- 10.10. No Trustee shall have the power to delegate his office or any of his duties either to any other Trustee or to a stranger unless and until delegation is necessary and approved by the Board of Trustees; and
- If any Trustee is a doctor, solicitor, advocate, chartered accountant, architect or a person engaged in any other profession he or his firm shall be entitle to charge for the professional or other services rendered to the Trust.

10.12 Rule 11.05 of M.J.P. Rohilkhand University. Bareilly Ordinance shall be included in the bye-laws of the Management Committee of any College established by this Trust and affiliated to this University.

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