

R.N. 1602

भारतीय गैर न्यायिक

पचास
रुपये

₹.50

03 FEB 2000

भारत



FIFTY
RUPEES

Rs.50

INDIA NON JUDICIAL

उत्तर प्रदेश UTTAR PRADESH

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Dinesh Chandra Sharma

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TRUST DEED

Stamp Duty : 700/-

- (1) Name of the Trust : **Birmo Devi Education and Charitable Trust.**
- (2) Head office of the Trust : H.No. 24, Mohalla, Bhatwara, (Uttari) Purani Gunna
Society Ke Samney, Town Budhana,
Distt. Muzaffarnagar (U.P.)
- (3) Working Area of Trust : **All over India.**
- (4) Trust will be started with: **4400/-**

(Rupees Four Thousand Four Hundred only.)

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Dinesh Chandra Sharma

Rakesh Kumar Sharma

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(5) WHEREAS: (1) **Shri Ramesh Chandra Sharma** S/o Late Shri Brahmanand Sharma, aged 75 yrs. residing at H.No. 24, Mohalla, Bhatwara, (Uttari) Purani Gunna Society Ke Samney, Town Budhana, Distt. Muzaffarnagar. hereinafter called the **Settler / Main Trustee & President** (2) **Dr. Dinesh Chandra Sharma** S/o Shri Ramesh Chandra Sharma, aged 34 Yrs. residing at H.No. 24, Mohalla, Bhatwara, (Uttari) Purani Gunna Society Ke Samney, Town Budhana, Distt. Muzaffarnagar hereinafter called the **Secretary/Manager** (3) **Mr. Rakesh Kumar Sharma** S/o Shri Ramesh Chandra Sharma, aged 28 Yrs. residing at H.No. 24, Mohalla, Bhatwara, (Uttari) Purani Gunna Society Ke Samney, Town Budhana, Distt. Muzaffarnagar hereinafter called **Treasurer** (4) **Smt. Brahmovatee Devi** W/o Shri Ramesh Chandra Sharma, aged 71 Yrs., residing at H.No. 24, Mohalla, Bhatwara, (Uttari) Purani Gunna Society Ke Samney, Town Budhana, Distt. Muzaffarnagar hereinafter called the **member trustee** are desirous of creating a Public charitable Trust for the objects stated hereunder on being inspired by Veetrag Swami

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Kalyan Dev Ji Maharaj, Swami Dayanand Saraswati etc. and their contribution towards the cause of education, national integrity and national brotherhood, the Settler, along with all the trustees, decides to create this education and charitable trust.

(6) Whereas the settler have set apart a sum of Rs. 1100/- (Rupees One Thousand One Hundred only) upon the trust and in pursuance of such desire and prior to the execution of these presents, all the trustees have agreed upon to contribute the amount of Rs. 1100/- (Rupees One Thousand One Hundred Only) each for the objects and purposes set out in this deed.

(7) AND WHEREAS the Trustees having agreed to act as Trustees of the Trust and are agree to hold the total sum of Rs. 4400/- (Rupees Four Thousand Four Hundred only) along with whatever moneys that may be given on Donation to the Trust as subject of this

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Trust (hereinafter referred to as the Trust Funds or Corpus Funds) which expression shall include all cash, investments and donations, properties, movable and immovable.

(8) AND WHEREAS the Settler is keenly desirous of containing and carrying on this charitable mission and desirous to constitute Public Charitable Trust to carrying charitable activities in the area of (1) Education (2) Health (3) Medical Relief (4) Games (5) of Poverty and any other objects of general public utility.

AND NOW THIS INDENTURE OF THESE PRESENT WITNESSES AS UNDER:-

1- A Public Charitable Trust in the name and style " BIRMO DEVI EDUCATION AND CHARITABLE TRUST" of (hereinafter referred to as "the Trust") is hereby

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jointly and severally declared by the Settlor of the One Part and irrevocable and permanently.

2- The total initial amount of Rs. 4400/- (Rupees Four Thousand Four Hundred only) hereby contributed by the Settler as and other trustees received by the Trustees in cash shall form and be at once the Charitable Trust Fund in the first instance and the other property, whether movable or immovable, by means of endowments, donations, gifts, dividends, interest or such other means, shall be or get added thereto so as to become the Charitable Fund or Property from time to time.

3- The Fund of the trust shall be vested in and shall be held by the Trustees as the legal owners thereof at all times.

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4- The Trustees shall, out of the income of the Charitable Funds, pay in the first instance all costs, charges and expenses of and incidental to the Administration and the Management of the Charitable Funds and utilise the Net Income for Public charitable purpose or which shall mean and include any of aids/ grants, assistance, subsidies, relief or rewards in cash or kind for the objects of the Trust described hereinafter.

5- The Trust shall invest its surplus funds as prescribed under section 11(5) of the income in Act, 1961.

6- OBJECTS OF THE TRUST:

The objects of the Trust shall be as under:-

- (a) Education
- (b) Health
- (c) Medical Relief

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(d) Games

(e) Relief of Poverty

(f) Any other object of general Public Utility

(g) The object of Education shall include the establishment, running, taking over and maintenance of Schools, Colleges, Technical Institutions, Hostels, Boarding Schools with full facilities for the advancement of education of all or any type of education or imparting of knowledge of all kind.

() The object of Medical Relief shall include establishment, running, taking over and maintenance of Hospital, Dispensaries, Medical Centers, Maternity Homes, Research Centers, Hostels, Medical Institutions and such other institutions or activities as are inductive to relieving human suffering or re medical, preventive or curative type any where in India.

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(g) Relief of Poverty shall include the object of providing Food, Cloths, Stipends, Help or assistance, in cash or in kind of any type of normal times as well as in times of distress caused by man or nature, flood, famine, riots and the like.

(h) Objects of General Public Utility shall include advancement of any other object including humanitarian nature.

(i) The financial help to Window of Army personal, Wounded and Handicapped Soldiers and the Deaf and Dumb, blind and other disable persons as well the Orphan and the house maintaining the disabled persons.

(j) Help to the poor persons for providing food and cloth as well as providing financial help to the Sadavruth i.e. institute or organization carrying out the activities of the help of all kinds or any kind to the poor Army persons of any community in India and any other needy persons.

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(k) The prizes, in cash or in kind, scholarship, the help of the books, to the students of any community, who are deserving, intelligent, meritorious, Poor and Needy Students.

(l) To run and help the sanitarium Rest houses/shelters including night shelters for construction or maintenance or for building or for construction the sanitarium as well as the lower rent Chawls for the poor persons or to any organization or institutions, which is carrying out the said activities.

(m) To run and assist to the Health-Center i.e. Institutions or organization carrying out the activities of the Public Health in India and to carry out and to run the said organization having objects or Public Health.

(n) Loan and Scholarship to the intellectual students going abroad for the further higher studies.

(o) To provide any assistance to any organization or institute having its object of upliftment development, maintenance for educating masses on any religious matter or

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publication or any religious material or to carry out the activities for upliftment, development, maintenance, for educating masses or any religious basis or object.

(p) To provide technical and job oriented education facilities including vocational training for the handicapped children any person of any part of the country.

(q) To obtain land from Government, Semi government, or any other authority or from any other persons and to develop the same for the plantation of all kinds, fruits, shady trees, horticulture scheme, different kinds of flowers.

(r) The trustees will be competent to receive donations from the public or from respectable person's of society or from NRI's or any foreign aid or aid from State or central Govt. and to deal with money so received for the purpose of the trust or for any institution established by the trust or allied with the trust in any manner what so ever.

(s) To develop healthy, mind as well as high moral characters by carrying out spiritual activities for the people who believe and have faith in philosophical science and

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acquire a land in the name of the trust by donation, or by conveyance Deed or on long term lease and to construct thereon building to provide space to the people for offering yoga, celebrating utsav and seva for achieving upliftment of the people at large so as to make them well and good disciplined citizen and maintain such acquired building and to support such activities.

(t) To undertake any other activity which is of public utility at large. To develop, Government waste land or level acquired by the trust by having plantation of all kind of plant, toddy trees covered by the Government horticultural scheme and flowering culture with the help of unemployed poor people.

(u) To establish libraries and reading rooms in India and / or to contribute to such existing institutions and to encourage cultural activities in India.

(v) To publish and to distribute literature, magazines etc. for enchancement of general knowledge of the public at large.

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(w) To run social project beneficial to the society at large.

(x) To promote games of all kind.

7- For the purpose of carrying out all or any of the objects stated above, the trustees may in their discretion do all acts things necessary and proper and it will be either the sole discretion of the trustees to decide and determine as to which of the objects shall be given property or preference and what amount or in what proportion should trustees use the income of the corpus of the Trust Fund.

8- The Trust Fund shall consist of Rs. 4400/- (Rupees Four Thousand Four Hundred only) in the first instance and its income, additions and acquisitions made thereto and the property received by or acquired by the Trust Fund from time to time.

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D- The first trustees of the Trust Fund shall be:

SN.	Name	Address	Designation	Signature
1-	Ramesh Chandra Sharma S/o Late Shri Brahmanand Sharma	H.No. 24, Mohalla, Bhatwara, (Uttari) Purani Gunna Society Ke Samney, Town Budhana, Distt. MZN (U.P.)	Settler/ Main Trustee & President	रमेश चन्द्र 
2-	Dr. Dinesh Chandra Sharma S/o Sh. RameshChandra Sharma	---As above---	Secretary/ Manager	Dinesh Chandra Sharma 

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3-	Mr. Rakesh Kumar Sharma S/o Sh. RameshChandra Sharma	---As above---	Treasurer	Rakesh Kumar Sharma 
4-	Smt. Brahma Vatee Devi W/o Sh. RameshChandra Sharma	---As above---	Member Trustee	बिश्मो 

10- The Board of Trustees constitutes of total number of four trustees in the beginning, which exceeds in future upto nine in total and will not be less than two at any time. The above mentioned four trustees constituting board of trustees in the beginning and their successors in future will be called **BASIC TRUSTEES** and the remaining five trustees who could be appointed later will be called **NOMINATED TRUSTEES**.

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11- The number of trustees shall change with the majority consent of the trustees. If in future, and when the Trustees deem proper, they can increase / decrease the number of trustees by way of duly passed resolution, in a meeting specially called for increase / decrease the number of Trustees.

12- The trustees as mentioned above are permanent. However, whenever, a vacancy occurs on account of death, retirement, removal, resignation or for any other cause of a trustee, the same shall be filled in by the remaining or surviving trustees unanimously or by majority, by appointing any one who is a son or daughter or such son or daughter is not willing to act as trustee, any other family member of the above mentioned trustees shall become permanent trustee of the trust. If such a member as mentioned above is not willing to act as trustee, any respectable person would be appointed as Trustee with the majority consent. The trustees of this trust must fit to be a trustee.

13- **Sh. Ramesh Chandra Sharma** will be the first President of the Trust for his life time and he will be incharge of day to day affairs of the trust. He will also be empowered to co-opt other nominated trustees for a period of one year which may be extended by the president. The **nominated trustees** will have no right to choose his/her successor. It will be the sole power of board of trustee to make fresh appointments in place vacated by nominated trustee. The board of trustees will be empowered to appoint managing committee for the institutions established by the Trust. Board of Trustees will also frame rules for the running of such institutions.

14- President will have all power of Superintendent over the affairs of the Trust in particular to operate the bank accounts and to borrow money for the Trust. President will also be empowered to remove any nominated trustee if in the opinion of the president he/she is acting against the interest of the Trust. President will not be bound to make any reply or explanation in this concern and his decision shall be binding in all respect.

15- In all matter pertaining to the administration of the Trust, the decision of the majority shall prevail.

16- The property of the Trust shall vest in the trustees of this Trust from time to time.

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Rakesh Kumar Sharma

1/1/2021

The Trustees may appoint one of them as the managing Trustee of the Trust for such period as they deem proper.

The trustees may also appoint among themselves the Secretary of the Trust for such period as they deem proper.

9- The rights and liabilities of the Managing Trustee shall be the same as those of the other trustees.

20- The Managing Trustee if appointed will have the right to preside at all meetings of the Board of Trustees and in his absence, or if he is unwilling to preside the Trustees may elect one of them as the Chairman of the Meeting by majority vote.

21- If a Secretary is appointed it will be his duty to call meetings of the Board of Trustees in consultation with the Managing Trustee, to keep minutes of the proceedings of all meetings, to keep accounts and see that they are regularly written and remain in charge of all the documents, accounts, proceedings books and all other papers.

22- The Securities and documents of title of the Trust shall remain in the custody of the Secretary appointed, or the same shall remain in charge of one of the Trustees nominated by the board of Trustees for the purpose. The Secretary shall give written notice of seven clear days of all meetings of the Board of Trustees to all the trustees and for special reasons, an urgent meeting may be called by the Managing Trustee given a shorter notice.

23- The Secretary shall maintain correct minutes of the proceedings of all meetings and place them before the meetings of the Board of Trustees from time to time. The Secretary shall maintain true, correct and regular accounts and see that the same are regularly written and audited and statements of accounts are regularly filed with the concerned Authorities every year as required by law. If there is no Secretary appointed by the Board of Trustees, the duties assigned to the Secretary shall be carried out by the Trustees. Secretary will also appoint the necessary staff for efficient working of the trust.

24- The Trust Funds shall be invested as required by the provisions of law in force from time to time.

25- The Board of Trustees will have the right to borrow such amounts as it deems necessary or expedient from any Bank, Individual, authority, trust or anybody with or without security and / or giving personal guarantee of any one or more of the Trustees, with or without interest, on such terms and conditions as the Board of Trustees may deem

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25. The Board of Trustees will have unfettered powers on passing a unanimous resolution to borrow monies for carrying out the object of the trust and allot the same for the objects of this Trust. Board of trustees shall have power to amend, add, change or alter any of the provision of this deed by majority but after than the provisions relating to the objects of the trust. In addition to the above, the board of trustees will have power to regulate and determine the matters concerning trust, to prepare the budget of the trust, to administer Income of the trust, to prepare and execute plans for the furtherance of the object of the trust, to maintain necessary registers of contribution received and expenditures made etc., to maintain proper accounts and to have the same audited annually. Treasurer will release and collect dues under the rules and will keep and maintain proper accounts. He/she will furnish account to auditors. He/she will prepare and present the income expenditure account in meeting.

26- The Trust shall maintain account or accounts in any nationalised Bank or Schedule Bank or any Co-operative bank in the name of the Trust. Such account shall be operated jointly by the secretary and treasurer of the trust.

27- The Trustees alienate any immovable property of the Trust as permitted under the provision of law.

28- The Trustees may receive donation, for the objects of the trust, with or without condition and / or such terms and conditions as they deem proper.

29- No Trustees of this Trust will be liable only on account of his being trustee for any act of misappropriation, loss, embezzlement or breach of trust unless he was directly responsible or had a hand in such misappropriation, embezzlement or breach of trust or unless he was grossly negligent.


DISSOLUTION OF TRUST :

All the proceedings of the dissolution will be made by the court according to provisions prescribed in law.

In the event the trust becomes unable to exist for any reason what so ever the Trust property will be disposed off as per the directions of the board of the Trustees for carrying out any of the objects mentioned in the memorandum.

In witness whereof, We Trustees have put our signature on this indenture of Trust on this 3 day of 3-2008 at Budhana (Muzaffarnagar).






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Dinesh Chandu Sham



Lakesh Kumar Sharma.

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साक्षी - रामकिशन श्री चमसई
गुप्त परसौली
रामकिशन

साक्षी - राजेन्द्रशमि दस्तावेज लेखक
बुटाना Karma

गर्तिका फर्त -

Date - 3-3-2008

Karma
R. K. SHARMA (Deed Writer)
2008 Budhana (M. Nagar)
B. No. 29

"अंगुली का प्रकार"

	<u>तर्जनी</u>	<u>मध्यमा</u>	<u>अनामिका</u>	<u>कनिष्ठिका</u>
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नाम श्री Sh. Ramesh Chandra Sharma S/o Sh. Brahma Nand Sharma
Budhana, Mohalla - Bhatwara (MZN.) U.P.

का नाम Dr. Dinesh Chandra Sharma S/o Sh. Ramesh Chandra Sharma
Budhana, Mohalla - Bhatwara (MZN.) U.P.

कार का नाम Mr. Rakesh Kumar Sharma S/o Sh. Ramesh Chandra Sharma
Budhana, Mohalla - Bhatwara (MZN.) U.P.

बोकार का नाम Smt. Brahma Vallee Devi W/o Sh. Ramesh Chandra Sharma
Budhana, Mohalla, Bhatwara (MZN.) U.P.

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