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**RAM CHANDRA SINGH
MEMORIAL TRUST**

TRUST DEED

THIS DEED OF TRUST is made on this 12th day of December 2001 between Smt. Urmila Singh W/o Late Ram Chandra Singh, resident of Saraswati Bhawan, East Lohanipur, Kadam Kuan, Patna-800003, (hereinafter called the SETTLOR) of the One Part

AND

1. Dr. Ashok Kumar Singh, S/o Late Ram Chandra Singh, resident of 94 (F.F.), Block-V, Eros Garden, Distt. - Faridabad, Haryana.
2. Shri Pradeep Kumar Singh, S/o Late Ram Chandra Singh, resident of 134, Lohanchal, Sector-12, Bokaro Steel City, Bokaro

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hereinafter called "The Trustees" (which expression shall unless repugnant to the context or meaning thereof include the survivor or survivors of them and the heirs, executors or administrators of the last survivor and the trustee or trustees for the time being of the trusts hereby declared) of the other Part.

WHEREAS THE SETTLOR decided to establish a Trust for furtherance of public charitable objects of any kind and for the purpose of giving effect to such desire the Settlor has made over a sum of Rs. 50000/- (Rupees fifty thousand only) to the trustees by way of initial contribution and with the intention that shall hold the said sum and gifts, contributions, subscriptions and donations to the said fund for public charitable proposes and subject to powers and provisions contained herein. THE TRUSTEES have agreed to become trustees and to hold and apply the said sum for public charitable purposes.

NOW THIS DEED WITNESSETH AS FOLLOWS :

1. Name of the Trust :

The Trust is hereby constituted as an irrevocable trust and it shall be more particularly known as "RAM CHANDRA SINGH MEMORIAL TRUST". The trustees may change the name of the trust if they mutually so decide in future.

2. Registered Office :

The registered office of the Trust shall be situated in "Saraswati Bhawan" at East

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Lohanipur, P.O. & P.S. - Kadam Kuan, in the town and district of Patna (Bihar) PIN - 800003 or at any other place or places as the Trustees may mutually decide from time to time.

3. **Objects of the Trust :**

The objects of the trust are :

- i. To open, run, continue educational and vocational school/schools or in-stitution/institutions, and health care training and research centre or centres in different parts of the country.
- ii. To engage teachers, professors, instructors and experts of good moral character and conduct able to impart efficiently and economically up-to-date instruction to pupils and students in morden sciences, industrial avocations, research work, intellectual and other useful pursuits.
- iii. To develop a healthy as well as critical attitude towards the development of mental, physical and moral uplift of the students and all those connected with the institution/institutions so as to make them good citizens.
- iv. To establish, maintain and run boarding house and residential institution for the students and those connected with the institution.
- v. To train and equip the pupils so as be self-supporting in an honourable and decent way of life so as to develop into good, healthy and progressive citizens.

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- vi. To develop disciplinary conduct and a habit to observe the rule of law and self restraint.
- vii. To bring out, encourage and develop the inventive and research faculties of the pupils and teachers and to afford opportunity for research work in art, science and industrial undertaking.
- viii. To engage doctors, surgeons, nurses, compounders etc. for the health care centre/centres.
- ix. To provide medical facilities to the public in general on moderate charge and to the poor on free of cost.
- x. To invest, dispose of, transfer and otherwise deal with the subject-matter of the trust in such manner as the trustees should deem fit to carry on the objects of the trust effectively.
- xi. To accept donations, grants, presents and other offerings and to deal with the same for the purpose of trust.
- xii. To charge moderate tuition fees and otherwise recoup themselves for the outlay and expenses incurred in the upkeep and maintenance of institutions, established or about to be established under this deed.

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4. Management of Trust :

The general manager of Trust for the purpose of managing the affairs and properties and carrying out the objects of the Trust aforesaid shall be vested in the Board of Trustees. The

Board of Trustees shall have one Chairman. The first Chairman shall be Dr. Ashok Kumar Singh who will hold office of the Chairman for life and thereafter the Chairman will be any of trustees nominated by the surviving trustees. The Board of Trustees without prejudice to the generality of the objects and powers above-mentioned, shall have powers to do all or any of the following that is to say-

- i. To enter into contracts and borrow money from Banks, institutions or individuals for the purposes of the Trust and management of its properties and assets.
- ii. To appoint doctors, teachers, officers and staffs at such remunerations, if any, as they think fit.
- iii. To appoint consultants for specific purposes on such terms and conditions as they may deem fit.
- iv. To enter into agreements with organisations and individuals for execution of any projects that may be undertaken or taken over by the Trust from time to time.
- v. To make rules and regulations from time to time for the management and conduct of the affairs of the Trust and its properties and assets.
- vi. The number of Trustees shall not be less than two and not more than seven. The Trustees shall be Trustees for their life time but any trustee may resign by

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giving notice in writing to his/her co-trustees and shall also cease to be trustee if requested in writing by three fourth of the remaining trustees or the number nearest thereto. Appointment of Trustees either to fill up the vacancy or as additional trustee shall by resolution of the Trustees.

5. **Power of Trustees :**

The trustees will also have the following powers :

- i. To apply the whole or part of the income or accumulation thereof or whole or part of the corpus of the trust properties for one the corpus of the trust properties for one or more of the objectives of the Trust as the trustees may from time to time determine.
- ii. To amalgamate the Trust with any other Trust for wholly public charitable purposes.
- iii. To invest and keep invested the Trust properties in the purchase of immovable property or in other assets specified in section 11(5) of the Income Tax Act 1961 and to alter, vary and transpose such investment from time to time as the trustees shall in their absolute discretion think fit. In any case the funds of the Trust shall not be invested in any of the manners which are not permissible by relevant provisions of Income Tax Act 1961 applicable at any given time.

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iv. The Trust committee consisting of trustees, shall have powers to sell or assign any movable and immovable property or properties be acquired in future for the time being forming part of the Trust fund either or in parcel and either by public action or private contract and other with or without any special or other stipulations as to title evidence or commencement of title or otherwise and to buy in and rescind or vary only contract for sale or to resell without being made answerable for the loss occasioned thereby and for the purposes aforesaid or any of them to execute and do all such assurances, acts and deeds and things as they shall think fit and out of the money which shall otherwise from any sale for the interest and of the Trust or otherwise in or about the execution of any of the trust or powers of THESE PRESENTS and shall stand possessed of the residue of the said money and also of the rents and profits of the said premises or of the unsold part thereof for the time being upon such Trust and subject to such powers, provisions, agreements and declaration as are herein declare provided always that the Trustees shall manage any immovable property or properties for time being forming part of the Trust fund in such manner as they shall think fit with full power to make improvements, repairs or alteration of any description and to

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make or incur any outlay for only such purpose or for the insurance or otherwise for the protection or benefit of the said premises and to grant or renew leases of any description and upon any terms of the said premises or any of them or any part or parts thereof and to enter into any agreement or agreements of any description for or in relation to the tenancy or occupation of the said premises or any of them or any part or parts thereof and to accept, surrenders of leases and agreements either in contemplation of a renewed lease or tenancy or occupation under the same respectively and to make any allowances to or agreements with tenants or occupiers of the said premises and it shall be in the discretion of the Trustees either to procure or fore bear or to compound or submit to arbitration or settle in other manner and if thought fit altogether to give up and release any remedies or demands against tenants or occupiers or any other person or persons whomsoever in relation to the premises.

- v. To invest dispose off, transfer and otherwise deal with the subject matter or the Trust in such manner as the Trustees deem fit and proper to do carrying out the objects of the Trust.
- vi. To open accounts with any Bank or Post Office for the purpose of keeping the money of the Trust, to operate such accounts including overdraft accounts

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and to give instructions to the Bank or Post Office and to provide for opening and operation of such accounts.

vii. To make, vary, alter or modify schemes, rules and regulations for carrying out the objects of the Trust and for the management of the affairs thereof and of running any institution in furtherance of the objects of the Trust and otherwise for giving effects to the objects of the Trust.

viii. To set apart the whole or part of the income or the corpus or part thereof for any of the objects of the Trust.

ix. It shall be lawful for the trustees to settle and determine all matters of interpretation of These Presents as well as all matters of difficulty, doubt or dispute and all questions arising in the course of or incidental to the administration, management and execution of the Trust and power of these present and any such settlement or determination although the question involved may not have been actually raised shall be valid binding and conclusive and shall not be rejected to or reopened upon any ground whatsoever.

x. To settle, compromise or compound out of court all suits, actions and other proceedings and to settle all differences and demands and to

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refer any or all such suits, actions or other proceedings, differences or demands to arbitration and to adjust and settle all accounts relating to the Trust fund and execute, release and to do all things relating thereto as fully as if they are absolutely entitled to the Trust fund and without being answerable for the loss occasioned thereby.

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xi. The trustees shall be entitled from time to time to appoint with or without remuneration and on such terms and conditions as they may think proper, persons and agents and to appoint committees as they may think necessary to function under the authority and control of the trustees for carrying out the object of the Trust or the management thereof and may within the limits of their own powers invest them with all such powers including power to incur all such expenditures as may be necessary for carrying out the object of the Trust.

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xii. The trustees shall be at liberty to allow and permit any other Trust, institution or charity in an local area or areas whose objects are the same or to similar of THESE PRESENTS to be amalgamated, with the Trust created by These Presents to the intent and effect that such other Trust, institution or charity shall be deemed to

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be a part and parcel of the Trust of These Presents Provided that no conditions are accepted which involve a change in the name of the Trust or are inconsistent with repugnant to the objects thereof.

- xiii. To pay all costs, charges and expenses incidental to the managements, administration and execution of the trusts and powers herein contained.
- xiv. To purchase or hire or to take on lease lands, buildings and other immovable and movable properties in the name of the Trust.
- xv. To raise or borrow moneys required for the purpose of the Trust or mortgage or pledge of the Trust Estate or any part thereof with or without any security and at such rate of interest and on such terms as the trustees shall think fit.
- xvi. To do such acts and thins which may be incidental and necessary to attain the objectives of the Trust.

6. Duties of the Trustees :

- i. The trustees shall be chargeable only for such moneys, stocks, shares and funds that shall actually come into the hands and shall not be answerable or accountable for neglect, default, acts of omission or commission of the

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other trustees nor of any Bankers or other persons with whom the trust properties or any securities may have been deposited or handed over unless caused by their wilful neglect or default.

- ii. All the trustees shall be bound to maintain and defend all such suits and (subject to the provision of this deed) to take such other steps as may be reasonably requisite for the preservations of the trust and the assertion or protection of the title.
- iii. The trustees shall be bound to deal with the trust property as carefully as a man of ordinary prudence deals with his own property and in absence of contract to the contrary, as trustees so dealing, shall not be responsible for the loss, destruction or deterioration of the trust property.
- iv. If any of trustee shall be destructive or permanently injurious to the trust property, the remaining trustees shall be bound to take measures to prevent such act.
- v. The trustees shall be bound to keep clear and accurate accounts of the trust property at all reasonable times.

7. Rights of the Trustees :

- i. The trustees will not be entitled to receive any remuneration as trustees but may reimburse themselves of all expenses actually incurred by them in connection with trust or their duties

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relating thereto.

- ii. The trustees may from time to time associate with the activities of Trust any person or persons of public eminence as patron or patron in chief and may appoint or may have provision for appointment of committee or committees for conduct of the affairs of the Trust for the purpose of administration of any project(s) or scheme(s) undertaken by the Trust in consonance with the object of the Trust. Appointment of the committee members shall be by the Board of trustees. However the chairman of the committed so appointed by the Board, shall be elected by the members of the Committee. The committee shall work under the direct control and supervision of the Board to Trustees.
- iii. The trustees may from time to time, frame scheme, rules, regulations, laws and bye-laws for regulating the affairs of the various objects. Such rules as framed by the Board of Trustees for the conduct of affairs of the project shall be binding and no deviation shall be permissible from the rules so framed by any authority whatsoever connected with the said project without the prior approval for the Board of Trustees.
- iv. The trustees may have an Advisory committee of national level to advise the trustees on the activities of the Trust and to suggest how to make

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them better serve its aims and objects. The strength of the Advisory Committee if so appointed, shall be decided by the Board of Trustees.

- v. The Advisory Committee if so appointed, shall function under the direct control of the Trust.

8. **Indemnity to Trustees etc. :**

Trustees for the time being of these Presents shall be chargeable for only such moneys, stock, funds, deposits and securities as they shall actually receive not withstanding their signing of any receipts, neglects, defaults and not for those, of each other or of any Banker, auctioner or any other person with whom or into whose hands any trust moneys or securities may be deposited or come in accordance with These Presents nor for the deterioration or loss of any stock, funds, deposits or securities not for only defects or insufficiency of title nor for any other losses.

9. **Rules of the Trust :**

The trustees may from time to time frame rules for the conduct of the affairs of the Trust and regulating the meeting of the trustees in the absence of the regulations.

- i. All matters will be decided by majority and two trustees shall form a quorum for meeting of trustees provided however if the number falls below two then for the purpose of appointing a trustee one will be a quorum.
- ii. Resolution passed without any meeting of the trustees and evidence in writing

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under the hands of three fourth of the trustees or the number nearest thereto shall be as valid and effectual as resolution duly passed at the meeting of the trustees.

- iii. The existing trustees may appoint one or more trustees at their discretion from time to time, but in any case the total number of the trustees including the new trustees to be appointed shall not exceed seven.

10. **Restriction of use of Trust Fund and Disposal of Fund on dissolution :**

- i. It is expressly declared that no part of the trust property or its income shall be applied for any purpose which is not a public charitable purpose in law and nothing herein shall be construed to authorise the trustees to utilise the trust assets or its income for any non-charitable purpose. All the powers and provisions hereof shall be construed as being subject to the restriction herein contained.

- ii. All activities financed from the fund shall be conducted in accordance with the ideals and objects as stated herein and no discrimination shall be permitted therein on grounds of religion, caste, creed or sex provided that any donations earmarked or accepted for any specific purposes falling within the object mentioned in These Presents shall be used for such specific purposes.

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- iii. In the event of dissolution of the Trust which may be decided by unanimous resolution of trustees, the funds held with the Trust on that date will be donated to any other Trust or Institution having similar objects as that of the Trust as determined by the Board of trustees. However, no part of the funds of the Trust will directly or indirectly be given to either of the trustees or their relations.

11. **Accounts and Audit :**

The accounts of the Trust shall be closed on 31st March each year and after the closing the statement of accounts in such form as the Board of Trustees may decide or determine will be prepared and thereafter the same shall be presented to the Auditors for report, as the Board of Trustees may appoint from year to year, and their remuneration will be decided accordingly in the meeting.

12. **Meeting :**

- i. The meeting of the Board of Trustees shall be held at least four times in a year but more number of meeting may be called if necessary. The meeting may be held at any place in India at the discretion of the Chairman of the Board.
- ii. A minute book shall be kept by the trustees wherein entry of all the proceedings of the meetings of the Board of Trustees shall be made which shall be signed by the Chairman of the meeting either at the conclusion thereof or at the next meeting.

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iii. The trustees may if they consider necessary in the interest of Trust, add, delet or amend this declaration of Trust and on such addition, deletion or variation of terms contained in the deed by a resolution of trustees unanimously, the terms of this declaration shall be deemed to contain the terms with such amendments, deletion or variation. In case of difference of opinion arising among the trustees and in all matters where the trustees shall have the discretionary power, the opinion of the majority of the trustees present except as provided in various foregoing clauses, shall prevail and be binding on the majority as well as on those trustees who may not have noted and if the trustees are equally divided, the matter shall be decided according to the casting vote of the chairman.

iv. All the powers and provisions hereof provided in the Trust Deed shall be construed as being subject to the restriction and limitations herein contained.

13. **Allowance to Trustees and Office Beares :**

If at any time trustee acts as a whole time office bearer of the Trust or renders any special service, the trustees may in their discretion pay such remuneration or allowance to him as they may think proper.

Ashok Kumar Singh. Reading Mr. Singh
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14. Board to Reimburse :

The trustees of These Presents are entitled to be reimbursed and also to pay and discharge out of the Trust Fund, all expenses incurred by them or on their behalf in or about the execution of the trust and power of These Presents.

IN WITNESS WHEREOF of the parties here to have set and subscribed their respective hands on the day and year first above written.

ORIGINAL AND DUPLICATE COPY ARE THE SAME AND EXACT OF EACH OTHER.

Nitish Prasad Sinha

(Drafted by Sri N. P. Sinha, Advocate)

SIGNED AND DELIVERED BY THE
SETTLOR :

अशोक सिंह
12/12/01

Witnesses :

Signature of Trustees :

1. *Napishan*
MF-3, 8/43, Gahadurban
H. Lalams, K. Bansi, Patna

2. *Digbijay Singh*
Ashok Nagar
Kantabagi
Patna, 20.

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Pradyum K. Singh
12/12/01