

n Number 8194	Reg. Year 2016	Serial Number 8	120 t	Deed Number 6	-
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WHEREAS the AUTHOR OF THE TRUST decided to create and establish a Trust to impart education and provide other charitable activities for the welfare of the community at large without discrimination of caste, creed, religion or etc. with objects and constitution as hereinafter set forth;

AND WHEREAS the said objects in view, the AUTHOR OF TRUST have decided to endow the said TRUST a nucleus of Rs. 51,000/- (Rupces Fifty One Thousand only) in cash to the Founder Trustees who have accepted the said amount as the initial contribution by the Author; and This Trust shall be constituted and administered in accordance with the term of this DEED OF TRUST and rules and regulations framed-hereunder.

NOW THIS DEED OF DECLARATION OF TRUST WITNESSETH AS FOLLOWS:

1. CREATION OF THE TRUST:-

In pursuance of the intention, the AUTHOR OF TRUST has settled the sum of Rs. 51,000/- (Rupees Fifty One Thousand only) by cash unto and in favour of the Trustees named hereinafter to be held by them for and on behalf of the Trust hereby created and known as "GURUKUL FOUNDATION" the receipt of sum of Rs. 51,000/- which has already been handed over to the Trustee mentioned hereunder, is hereby acknowledged by the Trustee, who hereby accept the appointment as such Trustees of the said Trust, under the terms and conditions, set out hereunder for the fulfillment of the objects of the Trust, more fully and particularly described and set out hereunder.

 A. "FOUNDER TRUSTEES" means the persons constitutes the first board of Trustees under this deed and shall unless excluded by repugnant to the subject and context, be deemed to include the Trustees or trustees for the time being of these presents and survivor or survivors of any of them and their nominees/ successor or successors in office.

B. BOARD OF TRUSTEES:

The Board of Frestees means Founder Trustees or "The First Trustees" or their nominees/ Successors. The following person will be the "THE FIRST TRUSTEES" of the trust and they have accorded their consent to become the trustees of these present as testified by their being the parties to and executing the same and act for the fulfillment of the main objects of the trust and agreed to function as Trustee under the terms of this Deed and to discharge the trusts obligations set out hereinafter and will be the members of board of trustees



- Sri Piyush Agarwal S/o Sri Bhupesh Agarwal resident at Hospital Road, Forbessanj, Araria, Bihar-854 318
- (ii) Sri Niraj Kumar Khemka, S/o Sri Vijay Khemka resident Sunouli Chowk, NH-31, P.S. Sadar, P.O. Gulabbagh, Dist-Pumea, Bihar
- (iii) Sri Ashok Kumar Sarraf, S/o Late Jhawarmal Sarraf resident at Ram Raj Chowk, NH-31, Gulabbagh, Dist-Pumea, Bihar
- (iv) Sri Shailendra Kumar Gupta S/o Late Jit Narayan Sah resident at Ram Raj Chowk, NH-31, Gulabbagh, Dist-Purnes, Bihar

The board of trustees shall not exceed more than eleven members including the author and shall not reduce to two including the author.

The board of trustees can appoint any efficient of India competent to enter into a contract as trustees. The board of trustees shall be the apex board and under it all, the managing committee, working committee and advisory board shall function.

3. AREA OF OPERATION:

Area of operation of the trust shall be whole of India.

4. PRINCIPAL OFFICE OF THE TRUST:

The Principal office of the trust skall be situated at NH-31. Gulabbagh. Purnea, Bihar-854 326

5. BRANCH:

The trust can open a branch(s) at any place(s) within India at any Place(s).

6. MAIN OBJECTS OF THE TRUST:

(i) To set up, develop, takeover a running school, acquire, purchase, take franchises of a school, construct, maintain, run, support, educational institutions, schools from pre to higher secondary, college, teacher's training colleges, engineering college, polytechnic college, IT1 college, nursing training institute, any other type of technical education, institution, mass communication college etc. for the benefit and use of the public at large.

(ii) To promote, construct, set up, improve, run, develop and/ or assist in constructing, running, improving and/ or developing clinics, hospital, dispensaries, super specialized hospital. Blood Bank, Serum deposit centre, medical college, dental college, para medical college, nurses training centers, pharmacy college.

Homeopathic College, Ayurvedic College, Engineering Colleges, Nurses training colleges, B.Ed. College, Polytechnic College, Industrial Training Institutes (ITIs) and all other professional or vocational training institutes for imparting training, education and / or providing treatment facility.

- (iii) To establish Library and Book Banks for the benefit of the students.
- (iv) To construct, maintain and run hostels for the benefit of the students.
- (v) To establish, improve, develop research institution, and / or do research work and/ or to assist, support any institution involved in research work.
- (vi) To run, organize, support, program, institution, facilities for spreading education and reducing illiteracy ratio from the society.
- (vii) To provide grants, scholarships, fellowships and other forms of financial assistance to the needy and deserving students for pursuing academic, technical vocational education, skill etc.
- (viii) Formation and management of self help group, capacity building training program for self help group, loan promotion for self help group.
- (ix) To promote and undertake program for upliffment of poor, backward, economically-backward, schedule caste & schedule tribe, women, girls, boys, handicapped person by imparting education, vocational or job oriented training.
- (x) To provide relief measures to the needy and affected persons during natural calamities like flood, fire, famine and earthquake, draught etc.
- (xi) To support and render financial assistance to charitable and educational causes and institutions, charitable companies, trust, societies or individuals in the form of donations, loans or otherwise on such terms and conditions as the board of trustees decides.
- (xii) To provide, render, impart, run vocational training program. course particularly for girls and women for their economic independences.

PROVIDED that the income and properly of the trust howsoever derived, obtained, received shall be applied solely for and towards the achievement of the objects of the Trust as set forth above, and the same shall be deemed to be held in trust on the obligation that they shall be exclusively so utilized and for no other purpose. And no part of the



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income or property shall be paid, used, utilized and applied, for the benefit of the AUTHOR or trustees either by way of dividend, interest or any other means.

Provided that this shall not prevent to make any payment in good faith, or remuneration to the trustee for extra services render by author or trustees to any person for any services rendered and any lawful expenses incurred by them on behalf of the trust.

7. SOURCES OF INCOME:

- (1) By Covernment aids,
- (2) By gift or donation from members, other individual, private firms, companies and organization, trust, society, and from foreign source as donation, gift.
- (3) By loan from members, trustee, person/ Government/ Banks/ Financial Institution or any other Institution.
- (4) By Any other legal sources.

8. TRUST FUND:

The expression "Trust Fund" appearing anywhere in the presents will mean and include the moveable property and will be deemed to include all moneys received as loan, grant in aid, donation, gift, or by sale or disposal of any trust property, moveable and any money received or recovered by any other way of surplus, income, gain from the Trust Fund or property or in any other from or by any other way whatsoever.

9. TRUST PROPERTY:

The expression "Trust property" appearing in this present will mean and include all other moveable or immoveable properties or other intangible rights received by the Trustee by way of loan, grant in aid, donation, grant in aid, gifts or purchases or other mode of acquisition or by any other way whatsoever.

10. APPLICATION OF INCOME:

The Managing Trustee shall, out of the gross income to be accrued, from the Trust property and Trust Fund shall be spent for satisfying all the liabilities, taxes, expenses incurred for achieving the object of trust.

11. INSURANCE OF THE PROPERTY:



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All the assets and property shall be properly and timely insured to protect from any loss to be caused by natural calamities, theft or otherwise.

12. BANK ACCOUNT:

One or more bank account(s) shall be opened and maintained in the name of the Trust in scheduled bank or private bank. The bank account(s) shall be operated with any two joint signatories out of the President, Vice-President, Treasurer or Secretary. Further the Board of Trustees, if they deem it to be fit, may authorize other office personnel(s) also to operate the bank account(s) for smooth functioning of the organization.

13. TO BORROW FUNDS:

The trustees shall have the power to borrow funds in furtherance of the objects of the Trust, from Banks, Financial Institutions and -Individuals/firms/companies for the purpose of fulfilling the objects of the Trust on a mortgage or pledge of the fixed/movable or any part thereof with or without any security and at such rate of interest and on such terms as the trustee shall think fit.

14. ACCOUNTS OF THE TRUST FUND AND PROPERTY:

The trustees shall keep and maintain proper and regular accounts of the Trust Fund and of the income and expenditure. They shall prepare or cause to prepare a Balance Sheet. Income and Expenditure Account and Receipt and payment Account for a financial year, starting from 1" April to next 31st March. The first year accounts shall be a period of from the date of registration of the trust and next 31st March. It should be signed by at least one Trustee and be sent for audit to a duly qualified chartered accountant, who will be appointed by the Managing Trustees. After receipt of the financial statement along with audit report thereon shall be placed before the board of trustees and after their approval and adoption the said financial accounts shall be final and binding upon the trust.

15. INVESTMENT OF FUND:

The managing trustee shall invest the Trust Funds in the authorized securities including Bank Accounts or deposits, in debentures of public undertaking as specified under the Income Tax Act. 1961 but not in the shares of any commercial companies and the income raised from such securities only will be used in carrying on the



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objects of the Trusts. Investment mode may be changed from time to time as may beneficial to the Trust.

16. MAINTENANCE OF INVESTMENT REGISTER:

The managing trustees shall maintain a register of Trust Fund and its investments and keep it up to date by making additions to or alterations in the same as and when new investments are purchases or acquired or disposed of by the Trustees. The Trustees shall physically verify the list or register of such investment at least once in year.

17. FUNCTION OF THE BOARD:

- (i) To accept any donation, contribution, grant or subscription in each or in kind from any person, body, or body of persons or trust with or without conditions in name of trust but the terms and conditions shall not be in any case inconsistent or repugnant against the trust object.
- (ii) To apply the whole or part of the income of the trust fund of accumulation thereof of whole or part of the trust fund to any one or more of the objects of the trust as the trustees in their discretion from to time determine.
- (iii) To administer and control and appoint managing committee.
- (iv) To make, vary, alter or modify schemes, rules and regulations for carrying out the objects of the trust and fir management of the affairs thereof and/or running any institution in furtherance of the objects of the trust and otherwise for giving effect to the object of the trust.
- (v) To set apart and/or allocate the whole or part of the income of the corpus of the trust fund or part thereof for any of the objects of the trust.
- (vi) To get the accounts of the trust audited every year by a chartered accountants who shall be appointed by the board.
- (vii) The audited account of the board shall be adopted in the board meeting called for the purpose.
- (viii) The board shall have management of the affairs of the trust and the overall supervision and control of the trust and all institutions run under the umbrella of the trust and any other matter incidental thereto.
- (ix) To call meeting and quorum for the meeting shall be two third of the member of the board or minimum three.



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(x) If meeting adjourn due to quorum then adjourn meeting shall be held on same day, same time and same place in the next week.

18. MANAGING TRUSTEES:

The board of trustees shall appoint the member of managing trustees and the managing trustees shall consist of not less than three and not more than five members. The first managing committee shall be of four members and amongst them Sri Plyush Agarwal will be President, Sri Niraj Kumar Khemka will be Secretary, Sri Ashok Kumar Sarraf will be the Treasurer and Sri Shailendra Kumar Gupta will be the Vice President and they will continue so until and unless otherwise decided by the Board of trustees. The other members of the managing trustees shall be member of the trustees for a period of three years and they may be reappointed for further three years but in no case the can continued for consecutive three term and the managing trustees will solely responsible for the board of trustees. The managing trustees can delegates their power to working committee and the working committee shall act and function as prescribed or specified by the managing trustees. The managing committee shall not be empowered to invest in immovable property or sell or disposal of immovable property without having approval of the board of trustee.

19. APPOINTMENT OF ADDITIONAL TRUSTEES:

The existing Board of Trustees can appoint additional Trustees, if think fit to carry out to objects of this Trust more effectively and efficiently. But in no case the total number of the Trustees including author, at any point of time, shall be more than eleven. In the event of ceasing of any Trustee by reason of death, resignation or physical or mental incapacity or otherwise, the remaining Trustees shall have power to appoint any other person in his place as trustee.

20. VACANCY IN THE BOARD OF TRUSTEES:

A vacancy shall be caused in the board of trustees:

- (i) When he/she dies.
- (ii) Disclaims.
- (iii) Desirous of discharge.
- (iv) If he refuses to act.
- If he is found to be unsound mind by a court of competent jurisdiction.



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- (vi) If he is convicted by a court of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six month.
- (vii) If he becomes unfit or incapable to act as trustee.
- (viii) If he declares insolvent.
- (ix) If he make obstruction in passing the resolution passed by two third majority. The trustees affected shall be given reasonable opportunity to show cause against the proposed action.

On death or on becoming incompetent or may reason of a permanent trustee, the heirs and the legal representatives of the said permanent trustee may be appointed a trustee of his family in place of the said trustee.

21. POWER OF THE MANAGING TRUSTEES:

The managing Trustees shall have the following general powers save as otherwise provided in this present.

- (i) To receive loan, donations or gifts, grand in aid in money or in kind on such terms & conditions as the Trustees may agree upon from any person, members, institution, bank or etc. and which are not inconsistent with the object of the Trust.
- (ii) To acquire movable property, required for carrying out the objects of the Trust, by way of purchase, lease, gift, constructions or on leave license basis or otherwise howsoever.
- (iii) To acquire or sell any immovable property or any part there of or give on lease immovable property or part or parts thereof not required for carrying out the objects of the Trusts subject to the approval of the board of trustees-and any authority if required under any law.
- (iv) To appoint an advisor or a Board of Advisors to advise the Trustees in formulation of general policies of in such other matters as are referred to them, provided however that, it shall be open to trustees to accept or not their advice wholly, partly or to reject it.
- (v) To form working committee for a particular or general work.
- (vi) To sanction recurring and non recurring expenses from month to month required for in connection with carrying out the object of the trust.
- (vii) To institute, conduct, defend, compound, withdraw, compromise, adjust, settle all accounts and to compromise.



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compound, abandon or refer to arbitration any action or proceeding or dispute, claim, demand or if think proper for such purpose without being responsible or any loss occasioned thereby.

(viii) To invest, dispose of, transfer or otherwise deal with the funds of the Trust, subject to the provisions of any law to that effect in such manner as the Trustees may deem fit, so as enable them to carry out the objects of the Trust effectively and efficiently.

(ix) And generally to do any other act or acts not mentioned above that might be necessary to the discharge of their duties and execution of the powers vested in them.

- (x) To acquire by lease, purchase, gift, mortgage, license as beneficiary under any other Trust or otherwise lands, properties, machinery etc., from Government or semi Governmental authorities, trusts and corporations, institutions and societies as well as individuals to sell, alienate, gift lease mortgage manage or in any other legal manner transfer properties belong to the Trust and also to give the same on lease or license for the furtherance of the objects of the Trust.
- (xi) To raise secured or unsecured loan from any schedule Bank or any other financial institutions or firm or individuals or as any other institutions including any registered society or trust with or without interest whenever necessary for furthering of objects of the Trust.
- (xii) To receive voluntary donations in cash and kind from any person, individual or associations for the purpose of carrying out the objects of the Trust.
- (xiii) To seceive grant in aid from any government, institution, trust, society, or son profit organization for the purpose of carrying out the objects of the Trust.
- (xiv) To frame rules or bylaws and other codes for the conduct of the affairs of the Trust.

22. MEETING OF THE BOARD OF TRUST:

The Trustee may at any convenient place and at convenient intervals hold meetings from time to time, as occasion shall require for the transaction of business of the Trust. But in case less than two meeting in a financial year shall be held. The meeting shall be called, convened and held as may be prescribed by the by laws of the trust.

23. LIABILITIES OF THE TRUSTEES:

The Trustees shall be chargeable for and held responsible for such money, stocks, securities and other property as they actually receive and receipt thereof issued by them and shall be answerable and accountable or responsible for the acts, receipts, omissions, breach of Trust, misapplication of fund of the trust.

24. REMUNERATION TO TRUSTEES:

The Trustees shall not be entitled for any remuneration or to pay any remuneration to any person for acting as Trustees out of Trustees out of Trust Fund, but if they provide extra services to the trust then for that they will be entitled to get the remuneration as prescribed by the board of trustees.

25. REIMBURSEMENTS TO TRUSTEES:

The Trustees may reimburse themselves or pay and discharge out of the Trust Fund all expense properly incurred in or about the execution of the Trusts/or powers under this Trusts or any the them: Provided however that this right and / or power of reimbursement shall not be operative in case of a Trustee held liable for the loss caused to the Trust for his acts of commissions of fraud or misconduct.

26. REMOVAL OF TRUSTEES:

Apart from death or resignation etc. a Trustees can be removed from the board of trustees or managing trustees. For this approval of two third of existing Trustees is precondition, further the trustee who is subject to removal shall be entitled to get not less than one month notice before his removal for presenting their case and after consideration of that he will be removed from trustees and from the date of resolution passed in the meeting he shall be ceased to be trustees from that date. But only due to difference of opinion amongst the trustees no trustees can be removed unless and until their act are detrimental and against in the interest of the trust' object.

27. MEMBERSHIP OF THE TRUST:

Any individual citizen of India, age of eighteen of sound mind, Not convicted by any court or insolvent of any cast and creed or religion may take membership of the trust after paying the annual subscription as determined or fixed by the managing committee.



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Their membership shall be for one year and if subscription is not received within two months since it become due then their membership automatically ceased to be member of the trust. A member can resign any time with the period of currency of his membership. The member can participate in the working of the trust as and when required by the trustees.

28. AMENDMENT OF THE TRUST:

In all the cases in which it is found necessary or desirable to insert or delete, add or amend any clause of the this the Board of Trustees shall have the right under this trust to make such insertion, addition, deletion and the managing trustees shall apply to the appropriate authority for giving effects where the such approval of statutory authority or a court of law is required.

29. IRREVOCABILITY

The Trust shall be an irrevocable trust.

30. RESOLUTIONS:

The Trustees may exercise all the powers vested in them in clause.

12 under these presents by resolution passed at a simple majority of the trustees attended such meetings of the Board or Trustees.

Any resolution in writing signed by all Trustees holding office for the time being shall be valid and binding.

31. INDEMNITY:

Every Trustee shall be indemnified out of the fund in respect of any loss arising from or contingent upon any investment made out of the monies of the Trust unless such loss shall have been occasioned by own negligence and also every Trustee shall be indemnified out of the Trust against all proceedings, suits, claims, costs, damages and expenses occasioned by any claim in connection with the matters or affairs relating to the Trust created by these presents or in the exercise of powers or discretion vested in them by virtue of these presents.

The trustees shall be chargeable only for such moneys, stocks, funds deposits, and securities, movable or immovable properties as they shall actually receive by him with proper receipts for the sake of conformity and shall be accountable only for their own deliberate or willful acts of omission or commission.

No trustee shall be liable for any breach of trust committed by the co-trustee except in respect of his own act and in respect of any



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property in his custody. Every Trustee shall be indemnified out of the fund in respect of any loss arising from or contingent upon any investment made out of the monies of the Trust unless such loss shall have been occasioned by own negligence and also every Trustee shall be indemnified out of the Trust against all proceedings, suits, claims, costs, damages and expenses occasioned by any claim in connection with the matters of affairs relating to the? Trust created by these presents or in the exercise of powers or discretion vested in them by virtue of these presents.

32. RULES AND REGULATION OF THE TRUST:

The Trustee shall have power from time to time to frame rules and regulations as they may think fit and proper for the administration and carrying out the provisions of this Trust and to provide for the Management of Trust Fund and also from time to time after any such rules and regulations or to repeal them and substitute others in their place, provided always that, no such rules or regulations as framed or subsequently amended shall in any manner be inconsistent with any of the provisions of this Trust.

33. DISSOLUTION:

That the Trust can wound up its affairs if it finds it difficult to run the activities of the Trust any more but no part of the funds of the Trust and its property shall revert back to the Trustees. In case the Trust decides to wind up its activities it may handover the corpus of the Trust, its assets and liabilities to another Trust having same or similar objects, or to State Government or Government of India as per laws applicable at that time.

34. JURISDICTION OF THE COURTS:

The competent courts in the state of Bihar shall have exclusive jurisdiction to decide any question regarding the interpretation and construction of this Deed or administration of the Trust and the related matters. In the event of such courts having jurisdiction with any other court or courts in respect of any claim or dispute against or by the Trust or Trustees or any other matter connected therewith, the competent courts in the state of Bihar shall have jurisdiction to entertain, try and determine such claims or dispute in exclusion of such other court or courts;



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IN WITNESS WHERE OF THE SETTELER HAS PUT HIS SIGNATURE ON THE DAY AND YEAR FIRST HEREINABOVE MENTIONED.

WITNESSES:-

AUTHOR OF THE TRUST

Piyush Agarwal S/o Sri Bhupesh Agarwal R/o - Hospital Road. Forbesganj. Dist- Ataria Bihar-854 318

TRUSTEES OF THE TRUST

Piyush Agarwal S/o Sri Bhupesh Agarwal R/o - Hospital Road, , Forbesganj, Dist- Araria Bihar-854 318

Niraj Kumar Khemka S/o Sri Vijay Khemka R/o Sunouli Chowk, NH-31, P.S. Sadar, P.O. Gulabbagh, Dist-Purnea, Bihar





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NIRAS KUMAR KHEMEA

