

भारतीय गैर न्यायिक INDIA NON JUDICIAL

SCANNED
MOTIHARI

एक हजार रुपये

रु.1000



ONE THOUSAND RUPEES

Rs.1000

T.H
5563

बिहार BIHAR
Serial No. 5405

U 788401
Deed No. 47

जिला कोषागार, चम्पा,
मोतिहारी

10 MAY 2016



बिहार सरकार

जिला निबंधन कार्यालय, मोतिहारी

पृष्ठांकन का सारांश

दिनांक 17/05/2016 को Shankar Prasad Singh (Settlor) द्वारा यह दस्तावेज निबंधन हेतु उपस्थापित किया गया। इसमें, रु0 5000 मुद्रांक शुल्क एवं रु0 2040 निबंधन तथा अन्य शुल्क का भुगतान किया गया। दस्तावेज ग्राह्य पाया गया। निम्न लेख्यकारिणी ने चम्पा जिला इसका निष्पादन स्वीकार किया उनके तथा उनके पहचानकर्ता के नाम, फोटो, अंगुलियों के निशान एवं हस्ताक्षर पीछे अंकित हैं। इसे दस्तावेज सं0 47 के रूप में पुस्तक सं0 4 की जिल्द सं0 1 के पृष्ठ सं0 537 से 548 तक CD 1 में आज निबंधित एवं कुल 12 पृष्ठों में संधारित किया गया।

ch. No-73
जा

प्रामाणी लिपिक
दिनांक-17/05/2016

टोकन नं. 5563/2016

सुशील कुमार
निबंधन पदाधिकारी

Online Challan Verified

(Computer Operator)

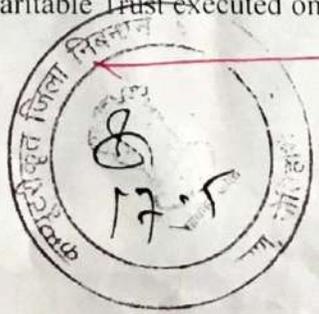
दस्तावेज जांचा

80 जांच लिपिक

TRUST DEED

"KUNTI SHANKAR EDUCATIONAL TRUST"

This Deed of Public Charitable Trust executed on this the 17. day of MAY 2016 of the Christian Era.



Sign. of Settlor
Executed trust deed. Read over the contents
found correct. Shankar Prasad Singh 17/5/16

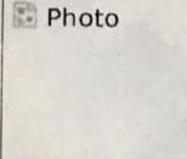
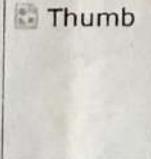
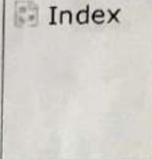
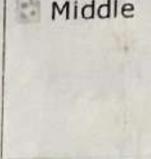
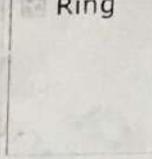
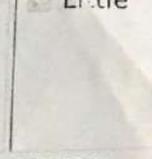
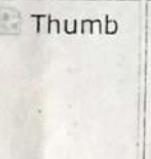
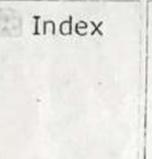
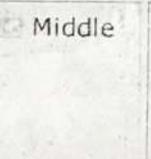
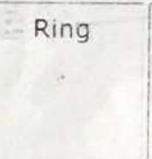
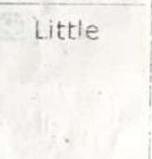
District Registry Office, Motihari

Token Number 5563

Reg. Year 2016

Serial Number 17/5406

Deed Number 47

PresType	Name	Photo	Thumb	Index	Middle	Ring	Little
Beneficiary	Kunti Shankar Educational Trust						
Sig.	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>						
Trustee	Kunti Devi Alias Kunti Singh <i>कुन्ती देवी</i> <i>कुन्ती सिंह</i>						
Sig.	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>						
Trustee	Madan Mohan Sah						
Sig.	<i>Madan Mohan Sah</i>						
Trustee	Om Prakash						
Sig.	<i>Om Prakash</i>						
Presented By	Shankar Prasad Singh (Settlor)						
Sig.	<i>Shankar Prasad Singh</i>						
Trustee	Shankar Prasad Singh (Settlor)						
Sig.	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>						
Identified By	Vinay Krishna						
Sig.	<i>Vinay Krishna</i>						

AMONGST

Dr. Shankar Prasad Singh, Aged about 73 Years, son of Late Mangru Singh, resident of Raja Bazar, Motihari , PIN 845401 , P.S- Motihari, Dist.- East Champaran, Bihar Occupation- Doctor; hereinafter called the AUTHOR/SETTLOR' (which expression shall, unless excluded by or repugnant to the context, be deemed to include his/her executors, administrators and representative) of the ONE part. Mobile no 9431252881 AADHAR 6835 2509 3161

Dr. Prakash (Trustee)
17/5/16
Madan Mohan Sah (Trustee)
17.5.16

AND

(1) Smt Kunti Devi alias Kunti Singh, aged about 66 years, daughter of Late Lalbachan Singh, resident of Gram Lachhichak, P.S Bhore, P.O- Dist Gopalganj, Bihar, India hereinafter referred to as 'TRUSTEE' (which expression shall, unless excluded by or repugnant to the context, be deemed to include the trustee of trustees for the time being of these presents and his successors in office) of the OTHER PART. Moblie no 8298300663 AADHAR 5109 3375 9627

AND

(2) Sri Om Prakash, aged about 37 years, son of S P Singh resident of Kachahari road P.O- Motihari, Pin 845401 P.S- Motihari, Dist – East Champaran , Occupation- Physician hereinafter referred to as 'TRUSTEE' (which expression shall, unless excluded by or repugnant to the context, be deemed to include the trustee or trustees for the time being of these presents and his successors in office) of the OTHER PART. Moblie no 8521479843

Sri Om Prakash (Trustee)
17/5/16

AND

(3) Sri Madan Mohan Sah, aged about 70 years, son of Late Sita Ram Sah resident of Village Patkhaulia, P.O Koela Belwa, Bara Chakia, East Champaran, Bihar, India , Occupation-Teacher hereinafter referred to as 'TRUSTEE' (which expression shall, unless excluded by or repugnant to the context, be deemed to include the trustee or trustees for the time being of these presents and his successors in office) of the OTHER PART. Mobile no 9973202353 AADHAR 911136435475

Shankar Prasad Singh (Settlor)
17/5/16

All collective hereinafter referred to as 'TRUSTEES' (which expression shall, unless excluded by or repugnant to the context, be deemed to include the trustees or trustees for the time being of these presents and their successors on office) of the OTHER PART.



1. PREAMBLE:

Since independence, substantial development in Education in East and West Champaran was not taken up by any social worker. In a view to set up an English Medium school, Dr. S.P Singh, Principal R.D.K. Homoeopathic Medical College and Hospital as well as a renowned homoeopathic physician, along with some prominent personalities of the town started ARYA VIDYAPITH in January, 2004. To run the institution well, a committee was formed under the Chairmanship of Dr. S.P.Singh, Mr. Prakash Arun was made the Secretary. Dr. Awadh Lal Singh, Mr. Jay Narain Singh, Dr. D.N. Singh, Dr. B.N. Pandey, Mr. Madan Mohan Sah, Maj. Dr. Vinay kumar , Mr. Bhairav Lal Singh, Dr. om Prakash and Dr. Shashi Singh were founder members. Since then, meetings to promote better education have been organized time to time and the developed form of the institution today is the result of those efforts. In the meeting dated 12.05.2008, the committee decided to form a TRUST in order to get some patronage and guide lines with a legal binding.

Whereas a registered trust deed of "KUNTI SHANKAR EDUCATIONAL TRUST", Motihari was executed and registered on 30.07.2008 (Registration no- 121), this is being amended as per resolution dated 04/10/2015 passed by the board of trustees of aforesaid trust. Therefore, the trust deed dated 30.07.2008 (Registration no- 121) is being amended. I, Dr. Shankar Prasad Singh, Executant is executing this amended trust deed, as being authorized by the board of trustees, of aforesaid trust.

2. CORPUS:

Whereas Founder is desirous of creating a Public Welfare & Charitable Trust with an initial contribution of Rs 90,000/- (Rupees Ninety thousand rupees) only towards Corpus of the Trust which is declared as the Trust Property with a view to promote Educational, Medical, Social and Charitable Objectives.

3. PRINCIPAL PLACE:

The principal place of the trust will be at Motihari, Distt- East Champaran (Bihar). It will come into force on the date of its registration. The Trust shall be a body corporate by the name of the Kunti Shankar Educational Trust, and shall have perpetual succession and a common seal, and may sue, or be sued by the said name.

4. AREA OF OPERATION:

The trust will operate all over India.

5. TRUST PROPERTY & RESOURCES OF THE TRUST:

Fund:

- a) Donation from Public.
- b) Grant from sister institution.
- c) Grant from benevolent organization and institution.
- d) Grant from the Government.



Dr Prakash (Trustee) Madan Mohan Sah (Trustee) 17.5.16

Dr Shankar Prasad Singh (Trustee) 17/5/16
9018196

e) Loans

Note: Donation may be movable or immovable properties but in the name of the Trust.

f) Income of the institutions managed by the trust.

g) Sale proceeds of the trust properties movable or immovable trees, fruits of tree, and sale proceeds of old damaged and useless furniture and other materials or articles for the benefit of the trust.

h) Rent of room/ building/part of the building

6. **BOARD OF TRUSTEES:**

The Board of trustees shall comprise of a maximum of Seven (7) Trustees and a minimum of two (2) Trustees. The executant has himself appointed as one of the trustees and settlor of the trust. In addition to himself, he has appointed three trustees. The trustee no- 1 and 2 and the executant will be lifelong trustees or till they resign or die. After the death of these lifelong trustees, the person nominated by him/her will be the trustee in his/her place. If he/she does not nominate any person during his/her life time, in that case his/her successor will be trustee in his/her place. If there is more than one successor, his /her eldest male heir will be trustee in his/ her place. The trustee no- 1 and 2, the executant and their successors, shall have right to nominate two more lifelong trustees in addition to trustees named above. Thus, the total number of the lifelong trustees will be up to Five (5). The lifelong trustees will have same succession process as described above in this para. The trustees should be person interested in educational development; he/she must be of good nature.

The Trustee no- 3 above listed will be only for three (3) Years. After expiry of three (3) years, he/ she may be re-nominated for a further period of three (3) years or the Trust shall nominate a new trustee interested in educational development. He must be of good nature.

7. **OBJECTIVES OF THE TRUST:**

(i) To promote and establish the Educational institution, of general education, technical education and commercial education, Such institution may be from the stage of school, college, Medical Education, Education for para – medical staff and Medical Technicians up to the university, The expansion of the institution will be in due course as per availability of the fund.

(ii) To advance, promote, establish, run and to render aid to Educational Organization, school, collage, Library, Reading Room and such other Educational Institute as the Trustees decide.

(iii) To open hospital for relief and medical aid to the suffering people of any caste, creed or sex.

(iv) To construct building, sanitary fittings, electrification of the buildings and their accessories and to maintain them for the use and utility of the Institution established by the Trust.

8. **POWER OF THE BOARD OF TRUSTEES:**

Management:-



Madan Mohan Seh (Trustee)
17.5-16

Om Prakash (Trustee)
17/5/16

Dr. Praveen (Trustee)
17/5/16

Shankar Prasad Singh (Settlor)
17/5/16

- a. That board shall have the power and authority to administer the trust, its institution, properties, funds etc. and do all acts, deeds and things required to promote and pursue the objects of the trust.
- b. The Trustees may also take over the management of any like charitable or public institutions on such terms and conditions as they think fit and proper and may manage such institution, but not on the cost the Trust or institutions established by it.
- c. The Trustees shall be entitled to permit any trust or charitable institution having similar aim and objective like this Trust, to amalgamate with this Trust on such terms and conditions as they think fit and proper.

Madan Mohan Seth (Trustee)
17.5.16

9. TRANSACTION OF BUSINESS BY THE TRUSTEES:-

Meetings:

- a) The meeting of the Trustees will be held as per its requirement, but it must be held minimum within six months. The Trustees will prepare the budget of the Trust and its institutions for every financial year, which must be done in every March of the year. The Trustees must discuss the budget in every March of the year, and may pass it or modify it. The meeting shall be presided by the settlor of the Trust.
- b) The notices for the ordinary meeting shall be given to trustees at least seven days before the meeting.
- c) In case of emergency the settlor can convene the meeting on a shortest possible notice.
- d) Quorum shall be three in the meeting of the trustees. However, if the meeting is adjourned for want of quorum. There will be no necessity of the quorum for the adjourned meeting.
- e) The settlor will preside the meeting. The proceeding of the meeting will be written by the settlor. If it is not written completely in the meeting in that case, it must be completed later on, but its true copy will be circulated to each trustee within 15 days or before next meeting, whichever is earlier. Proceeding shall be read out in the next meeting for its confirmation.
- f) The meeting may be attended through video conferencing or any other modern Audio-visual technique. Their presence as well as voting or other deliberation will be acceptable through the same or through electronic medium.
- g) Resolution will be passed by the majority of the trustees attending the meeting evidenced in writing under the hands of majority of the trustees or through digital signature in case of Video Conferencing or other modern techniques shall be as valid and effectual as a Resolution duly passed at a meeting of Trustees.
- h) In case of equality of vote, the settlor shall have the right of casting vote in addition to his own vote.
- i) That in case, the settlor of the Trust goes out of the Headquarters for a long period, or he becomes ill and unable to perform and discharge the

Om Prakash (Trustee) 17/5/16
Shankar Prasad Singh (Settlor) 17/5/16
Jitendra Singh (Trustee) 17/5/16
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functions of the Trust as settlor, he may authorize a person of his confidence to perform and discharge the functions of the settlor, till such period of his absence or incapability.

Vacancy in the office of the Trustees:

No proceeding or action of the Trustees will be invalid due to vacancy in the office of the Trustees.

Disqualification of the Trustees:

- (i) If, he/she absents from the consecutively 4 meetings without the leaves of the settlor of the Trust, or
- (ii) If, he/she becomes insane, or
- (iii) If, he/she defalcates the fund of the Trust or misappropriate the properties of the Trust, or
- (iv) If, he/she renounce the world.

Such trustee will cease to be member of the Trust.

The seat of such trustee being vacant, shall be filled-up by a person selected by rest of lifelong trustees.

A trustee will not be discharged from trustee-ship for being continuously out of India or if goes out of India for residing or holds citizen ship of other Nation.

10. MANAGING TRUSTEE:

All the work and affairs of the trust or other institutions established by the Trust, shall be managed by the settlor with the assistance/advice of the head of the institutions and trustees, However, if the settlor of the Trust considers fit and proper in circumstances, he may opt person or persons to manage such affairs who will be Managing Trustee, Executive director or Secretary but he shall have no right to vote in the meeting of the Trustees.

11. FRAMING OF RULES AND BYE LAWS:

Appointment of employees:

- a) The Trustee may appoint the employee of the Trust as per necessity, on monthly remuneration as fixed by the Trustee form time to time.
- b) The Trustee may frame rules and regulation for carrying out the purpose of this deed keeping in view the aim and objective of the trust, particularly.
 - i. For a smooth running of the separate institutions established and maintained by this trust.
 - ii. Appointment of teachers and other employees of the institutions of this trust and employee of this trust and their service conditions.
 - iii. Relating to journey.
 - iv. Maintaining of accounts.
 - v. Relating to admission of students in different classes and faculties.

12. ACCOUNTS:



Madan Mohan Seh (Trustee) 17.5.16

Om Prakash (Trustee) 17/5/16

Shri G. P. Singh (Trustee) 17/5/16

Shankar Prasad Singh (Settlor) 17/5/16

- (i) Account of the Trust will be operated by the Joint signatures of the Settlor of the Trust and one trustee authorized by the all lifelong trustees. However if, the settlor thinks proper he may delegate his such power to any person, and that delegate will operate the account for and on his behalf.
- (ii) Regular account of the trust shall be maintained which shall be audited once in a financial year by a chartered Accountant. A copy of the audit report shall be furnished to each trustee with in a period of 15 days from the submission of the Audit Report.
- (iii) The Trustees shall have a right to appoint their own auditor and to get the account audited.
- (iv) The head of the Institution shall be keeping the regular and accurate account of the income and expenditure.
- (v) The fund of the trust will be utilized only for the purpose of fulfillment of the aim and object of the Trust.

Madam Mohan Seh (Trustee)
17.5.16

13. LEGAL PROCEEDINGS:

Dispute:

- a) In case of any dispute, the point of the dispute shall be referred to the District Judge of the district (East Champaran) whose decision thereon shall be final.
- b) The learned District Judge, while deciding the dispute, we take into consideration the aim and object of the Trust.

Om Prakash (Trustee)
17/5/16

14. INDEMNITY:

The Trustees shall be kept indemnified and harmless by the Trust against any action, claim, demand or liability arising against them for anything done by them in good faith, pursuant to the power or authority vested in them under these presents.

Jitendra (Trustee)
17/5/16

15. AMENDMENTS:

The Trustees shall have the power by three fourth majorities to make Amendments to the Trust Deed as may be required for the smooth functioning of the Trust From time to time. However, no amendments to the Trust Deed shall be made which may prove repugnant to the aims and objective of the trust.

Shankar Prasad Singh (Settler)
17/5/16

16. UTILIZATION OF INCOME:

Investment:

- (i) Keeping in view the availability of the fund, expenditure on the aims & objective of the Trust and its institutions, the Trustees may invest the fund. They can also invest funds in nationalized bank either in form of a fixed deposit, saving account, current account as they think fit and proper or under special scheme of the bank or post office.



- (ii) To acquire immovable properties on rent/lease/purchase for constructing the building/structure for the purpose of the Trust.
- (iii) Trust is free to invest in the areas of its interest as laid down in para "OBJECTIVES OF THE TRUST".

Liability and responsibility of the Trustee and employees of the Trust.

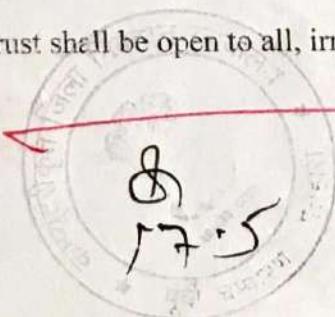
- (i) If, the custodians of the property of the Trust or the Institution, defalcates any portion or the Trust fund or misuse it. Or divert that towards his personal purpose or misuses the trust property, he shall be no longer Trustee and liable to be prosecuted, sued for the realization of the amount with due interest and the cost of litigation. If the employee of the Trust of its institution, commits such offence, he will be liable to be dismissed in addition to prosecution and civil suit.
- (ii) If, any of the Trustees misuses the office putting the Trust in loss in any manner what so ever or defalcates the fund or the Trust or diverts the fund of the Trust for his or her personal purpose, he will be similarly liable to be prosecuted, sued for the realization of the amount with interest and the cost of the litigation, and he /she will cease to be Trustee.
- (iii) If any of the trustees or custodian of the Properties or employee of trustees after defalcating the amount his/her heirs will be liable to pay the defalcated amount with interest and will be sued for the realization there of with interest and the cost the litigation.
- (iv) A Trustee who is liable for loss caused by breach of Trust in respect of any portion of the Trust property can be set-off against his personal property gains accrued outside of the trust property/institution.
- (v) A person who succeeds in the office of Trustee shall not be liable for misdeeds/ defaults of his/her predecessors – in – office.

Remuneration:

- (i) No remuneration will be payable at present to the Trustee for holding the office of the Trust and for performing or discharging the duties as a trustee. But, if a Trustee goes out of the head quarter for the purpose and work of the Trust, he may get the minimum possible T.A and haltage.
- (ii) A Trustee, if he comes from outside of the head quarter for attending the meeting of the Trust or for other purpose of the Trust, he may paid the minimum possible T.A and haltage, if he likes and the fund permits.
- (iii) When the fund of the trust improves, the trustees may reconsider the above clause (i) and pass proper resolution by the majority of the Trustees for the payment of honourium/ remuneration/salary etc.
- (iv) A Trustee, who provides professional services, outside his/her role as trustee, for the various professional requirements, can be paid reasonable remuneration for those professional services only.

17. BENEFITS OF THE TRUST:

The benefits of the trust shall be open to all, irrespective of caste, creed or religion.



Medan Mohan Sah (Trustee) 17.5.16

Om Prakash (Trustee) 17/5/16

Shankar Prasad Singh (Trustee) 17/5/16 (Section) 96/9/93

Beneficiary of the trust: Particular section of the society who comes under the preview of the aims and objectives of the trust.

18. DISSOLUTION:

The Trust hereby created is irrevocable. However, if for any reason this Trust fails or it is resolved to dissolve this Trust at any future time, the trustees shall transfer the Assets and Liabilities, Properties, Institution and funds to any other charitable Trust or Society whose objectives are similar to those of this Trust. The Assets remaining, after paying off credits and loans, as on the date of dissolution shall under no circumstances be distributed among the Trustees.

19. INTERPRETATION:

Where there appears some ambiguity or vagueness in the interpretation of any clause of this deed that shall be always interpreted to promote and fulfill the aim and object of the Trust, and never in derogation thereof.

In witness whereof the founder & trustees hereto have hereunto seen and subscribed their respective hands, on the day, month and year first mentioned hereinabove.

Witnesses:-

1. Binoj Krishna
Kale Ram Krishna Prasad
At/P.O- Soh-Sarai
Bihar
Dist - Muzaffarpur

2. Mamta Ranjona Kumari
S/O Suresh Singh
At+Po Gaurhat
P.S Harsidahi
Dist East Champaran

Founder's Signature-

Shankar Prasad Singh
17/5/16
(Dr. SHANKAR PRASAD SINGH)

Trustee's Signatures

कुन्ती देवी कृष्ण कुन्ती सिंह
1.....
17/5/16
(Smt KUNTI DEVI alias KUNTI SINGH)

2..... Om Prakash
17/5/16
(Sri OM PRAKASH)

3..... Madan Mohan Sah
17.5.16
(Sri MADAN MOHAN SAH)

Drafted as per instruction of the Founder & Trustees

Shankar Prasad Singh

Stamp Paid - 10000 =
by challan 40000 =
50000 =



17/5/16
Regn fee 1800 =
Sert. fee 240 =
2040 =

Endorsement of Certificate of Admissibility

Admissible under Rule 5 : duly Stamped (or exempted from or does not require stamp duty) under the Indian Stamp-Act, 1899, Schedule I or I-A, No. '64'. Also admissible under section 26(a) of the B. T. Act.

Stamp duty paid under Indian Stamp Act	Rs. 5000/-	Amt. Paid By N.J Stamp Paper	Rs. 1000/-
Addl. Stamp duty paid under Municipal Act	Rs. 0/-	Amt. paid through Bank Challan	Rs. 6040/-

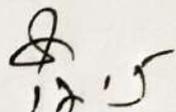
Registration Fee

FEE PAID	A1	1800	C	0	H1b	0	K1a	0	Lii	0
	A8	0	D	0	H2	0	K1b	0	Liii	0
	A9	0	DD	0	I	0	K1c	0	Mb	0
	A10	0	E	0	J1	0	K2	0	Na	0
	B	0	H1a	0	J2	0	Li	0		
TOTAL- 1800										

LLR + Proc Fee Service Charge

LLR	0	
Proc. Fee	0	240
Total	0	

Total amount paid (Reg. fee+LLR, Proc+Service Charge) in Rs. - 2040


Registering Officer
Motihari

Date: 17/05/2016

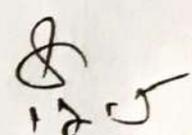
Endorsement under section 52

Presented for registration at Registration Office, Motihari Sadar on Tuesday, 17th May 2016 by Shankar Prasad Singh (Settlor) Late Mangru Singh by profession Business. Status - Trustee


Shankar Prasad Singh

Signature/L.T.I. of Presentant

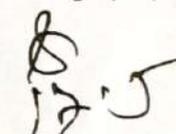
Date: 17/05/2016


Registering Officer
Motihari Sadar

Endorsement under section 58

Execution is admitted by those Executants and Identified by the person (Identified by 'Vinay Krishna ' age '51' Sex 'M', 'Ram Krishna Prasad', resident of 'Sohsaray, Bihar Sharif, Nalanda'.), whose Names, Photographs, Fingerprints and Signatures are affixed as such on back page / pages of the instrument.

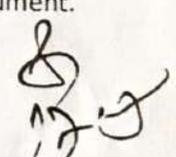
Date : 17/05/2016


Registering Officer
Motihari

Endorsement of Certificate of Registration under section 60

Registered at Registration Office Motihari Sadar in Book 4 Volume No. 1 on pages on 537 -548 , for the year 2016 and stored in CD volume No. CD-1 year 2016 .The document no. is printed on the Front Page of the document.

Date : 17/05/2016


Registering Officer
Motihari

Token No. : 5563

Year : 2016

S.No. : 5405

SCORE Ver.3.0

Deed No. : 47