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Distt. Sub-Registral
Darjoeling

India Lingh Gumy

## DEED OF TRUST

THIS DEED OF TRUST is made the 200 day of November One Thousand Nine Hundred Ninetytwo

## BETWEEN

SHRI AMETR SINGH GURONG son of late Manahoj Gurung, resident of Village Bijanbari .P.O.Bijanbari.P.S. Pul Bazar, District Darjeeling hereinafter referred to as the <u>SETTLOR</u> which expression unless excluded by or regugnant to the context mean and include the Settlor his heirs, executors, administrators, legal representatives and assigns of the ONE PART

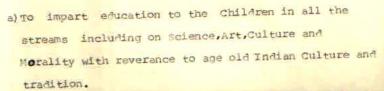
8167 Ambir Suph Gung, Bijat resented for Revistration at.... on the Mil day of October 19.92 at the Sub-Registry Office, Darfeeling y Honby Lingh gury Ander Sigl gang. District Sub-Resistrat Darleeline inities of Prasad ion of ... 13 894 # Datt Court escution is admitted Thana 9 District Dar Jeeung. Son of the Dan Chat Currenty by Case Hendley # Cubary y protossion. Mana Vool Pag Zo B.K. Prasa . District Danipaling. by Came ..... Hand workson ently to to ? Ambir Singh Garing.

- (1) DEO PRASAD BHAR son of Late Gour Chandra Bhar, resident of B.T.College, Darjeeling Town, P.C., P.S. and District Darjeeling.
- (2) SHRI AMRIT SINGH KHATI son of late Lal singh Khati
- (3) SHRI ASHOK KUMAR MARDA son of late Satya Narayan Marda
- (4) SHRI RABINDRA KUMAR RATHI son of late Ram Swarup Rathi
- (5) SHRI OM PRAKASH GUPTA son of Shri Ram Narayan Gupta
- (6) SHRI LAXMI NARAYAN DUDHANI son of Shri Physraj Dudhani
- (7) SHRI T. NUM son of late Rapgay Num and a
- (8) SHRI AMEIR SINGH GURUNG son of late Mandhoj Gurung,
  Nos. 2 to 8 being residents of Village Bijanbari
  P.O. Bijanbari, P.S. Pulbazar, District Darjeeling all
  hereinafter collectively and severally referred to
  as the TRUSTEES which expression shall mean
  and include the Trustees and each of the Trustees and
  their successors in office and assigns of the OTHER PART

WHEREAS the Settlor is desirous of creating a Trust in the name and under the style of DR. S. RADHA KRISHNAN MEMORIAL CHARITABLE TRUST amongst others for the purposes of

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- b) To includate the sense of discipline, Self realisation, dignity of labour and patriotic feeling amongst the students.
- c) To provide for medical and other reliefs to the need people.
- d) To help aged physically handicapped and indigent people and students and for that purpose to establish old age homes, vagarant homes, students day homes orphanges etc.
- a) To spread and propagate brotherly feelings amongst the different sections of people.
  - f) To educate people on health , sanitation family welfare, environment and other social welfare activities.
  - g) To premote cultural activities and for preserving the traditional cultures of different people.
  - h) To run educational institutions and take over management and ownership of the existing Vidya Jyoti Academy at Bijanbari with all its assets and liabilities.

 To start new educational institutions and hospitals, dispensaries and undertake other health and education programmes.

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- j) To Co-Operate with government, Local Bodies and other public or Private lodies to solve the social, educational, cultural and health problems of the common people.
- k) To collect Govt. grants, subsidies etc. and to receive gifts donations, etc. from the people for the purposes of the Trust.
- To own and sale properties including immoveable properties for better and efficient functioning of the purposes for which the Trust has been formed
- m) To negotiete and accept loan from Banks, individuals etc. for further development of the purposes for which the Trust has been created and for that purpose if required to encumber the properties of the Trust. AND

whereas the Settlor desirous of creating a Trust with respect to the properties as described in the Schedule below for the purposes as stated hereinatove and also to hereinafter appearing

NOW THIS INDESTURE WITNESSETH that the Settlor hereby conveys transfers and assigns to the Trustee the properties described in the Schedule hereunto annexed TO HOLD THE the same to the use of the Trystees upon the following Trusts namely:-

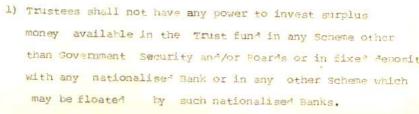
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- a) To name the Trust as DR. S. RADHAKRISHNAN MEMORIAL CHARTTABLE TRUST with now power to change the name at any time.
- b) To have the office of the Trust at Village Bijanbari, P.O. Bijanbari, P.S. Pulbazar, District Darjeeling with power to change the officel the Trust to any other Place for the better and more efficient running of the Trust affairs provided the Trustees by majority decision agrees to such change in address.
- c) The Original Trustees shall hold office for life provided they do not become functus officio disqualified for the reasons as stated hereinbelow.
- d) The Original Trustees shall have the power to nominate another person as a Trustee in his or their place during their life time in his or their place and/or line of him or them as the case may be but such nominated Trustee shall have no such power to nominate any trustee as being enjoyed by the original Trustees.
- e) The Trustees including the original Trustees may vacate him or their office by resignation.

f) Any vacancy created in the Board of Trust by death, resignation, disqualification and/or being expelled and, or ceasing to be a Trustee shall be filled in by the majority of the remaining Trustees decided and/or elected in a meeting specially called for the purpose.

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- g) Any trustee shall cease to be a Trustee if he absence from three consecutive meeting without any leave from the Board of Trust.
- h) The Trustees shall amongst themselves elect president, Vice- President, Secretary and Accountant Cum Treasurer
- i) If any Trustee including the original Trustee is declared an Isolvent or is convicted in a Court of Law in an office of moral Turpitude the said Trustee will automatically cease to be a Trustee.
- j) The Board of Trustees in a meeting shall have the power to expel a Trustee including the oringial Trustees by a resolution passed with simple majority of the members present in the meeting for any act of offending Trustee which is prejudicial to purposes for which the Trust has been created or is found otherwise unfit to remain a Trustee.
- K) The quoram of a meeting for the Trustees shall be 50% of the Total numbers of Trustees and resolutions will be passed by simple majority in the meeting except in the case of expution of a Trustee for which special



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- m) No body can be elected a Trustee unless he or she as the case may be makes a donation of atleast No. 21000/-Towards the Trust fund and the Trustees shall have the power to increase the amount of said minimum donation.
- n) The Trustees shall have the power to increase the number of Trustees to the maximum number of fifteen.
- o) For which no provision has been made in this Trust Deed, the Trustees shall have all the other powers as provided for in the Indian Trust Act or may be provided for in its suceding Act.
- p) Accounts will be audited within four months from the end of Account year which will be 1st.April to 31st. March of the next year.

AND IT IS HEREBY agreed and provided for that in the event of the Trustees being unable to run the Trust the public and/or the beneficiaries shall have the power to move the Court for reconstitution or for forming a Scheme for running the object of the Trust and/or to merge the Trust to some other simillar trust or Government agency.

AND IT IS HEREBY agreed and declared that the Trustees herein appointed or to be appointed in future as hereinalove provided shall subject to the limitations as stated hereinalove shall have full power at any time to sell transfer alienate or convert any one or more of the properties of Trust which is now at their disposal or may be acquired hereafter and to convert the propeeds in other properties and other Government securities and bonds as are prescribed by law.

IN WITNESS WHEREOF THE SAID AMEIR SINGH GURUNG has hereto signed at Darjeeling the day and year first above written in presence of:

WITNESSES:

Amlin Singh Gurany.
AMBIR SINGH GURANG
SETTLOR

1. B. B. Rai

2. Belam Gurung.

## SCHEDULE ABOVE REFERED TO

%. 21,000/- (Rupees Twentyone Thousand ) only

in cash donated by the Settlor.

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Ver the Year \_\_\_\_\_10,23



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