



पश्चिम बंगाल पश्चिम बंगाल WEST BENGAL

C 368366

B.D. No. 218802 dt. 17.1.08

64

Rs. 200/-

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**TRUST DEED**

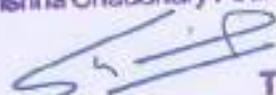
THIS TRUST DEED is made on this the 31<sup>st</sup> day of February Two Thousand and Eight by Shri Hari Krishna Chaudhary Son of Late Hanuman Das Chaudhary resident of 15, Belvedere Road, Kolkata - 700 027 hereinafter referred and called the 'Settlor', (which expression shall unless inconsistent with or repugnant to the subject of context thereof include his heirs, executors and administrators).

WHEREAS the Settlor is absolutely seized and possessed of is owner of and is otherwise well and sufficiently entitled to a sum of Rs. 11,000/- (Rupees Eleven Thousand Only.) herein referred to as 'The said property'.

WHEREAS The Settlor cherishes the desire of establishing in perpetuity a fund in the sum of Rs. 11,000/- (Rupees Eleven Thousand Only.) for the time being for various charitable purposes in India more specifically set out hereinafter.

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**Hari Krishna Chaudhary Foundation**

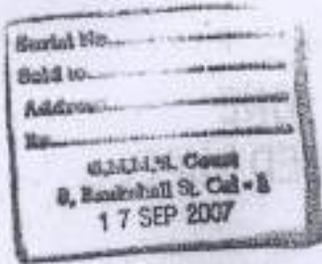
  
**Trustee**

139439

K.K. Chaudhary.

15. Belvedere. rd

Kol 27



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Postage for registration of ... 8 ... Feb 28

G. M. S. COURT  
8 Marshall Street Calcutta

Hari Krishna  
Choudhury  
The ...

K.K. Chaudhary



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K.K. Chaudhary

Hari Krishna Choudhury  
Sohati Hanuman Das  
Choudhury of 15  
Belvedere Road  
Kol 27

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Kolkata 55  
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Mukteshwar  
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Hari Krishna Chaudhary Foundation

*[Signature]*  
Trustee

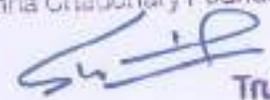
WHEREAS the following persons are appointed to be Trustees for holding the said property in Trust, for the purpose detailed in this trust deed:

SL No.	Names	Address
1	Shri Hari Krishna Chaudhary S/o Late Hanuman Das Chaudhary	15, Belvedere Road, Kolkata- 700027.
2	Smt Urmila Chaudhary W/o Shri Hari Krishna Chaudhary	15, Belvedere Road, Kolkata- 700027.
3	Shri Anil Chaudhary S/o Shri Hari Krishna Chaudhary	15, Belvedere Road, Kolkata- 700027.
4	Shri Gyanesh Chaudhary S/o Shri Hari Krishna Chaudhary	15, Belvedere Road, Kolkata- 700027.
5	Shri Manoj Kumar Sharma S/o Shri Subhash Chandra Sharma	67/68 Bangur Avenue, Block A, Kolkata-700055.

The number of Trustees at any time shall not be less than two and not more than twenty one at a time. The vacancy in the office of a Trustee caused by resignation / death shall be filled by nomination of another Trustee. The person nominated shall be acceptable to a majority of the Trustees.

AND WHEREAS the trustees appointed by the Settlor shall alongwith the Settlor administer the affairs of the Trust so to be founded with the said sum of Rs. 11,000/- (Rupees Eleven Thousand Only.) as the initial corpus of the Trust subject to accretions thereto be way of donations and contributions from any person or persons for the purposes of Public Charitable Trust as set out hereinafter for public and charitable projects and purposes in India. It is further agreed and assured by Trustees that they will try to contribute themselves and or arrange donations required for creating an infrastructure for objects of the trust, though as regards the aforesaid further funds they have not made any commitment and if need be the Trustees will collect donations from all or any person who may be willing to support / help the cause for which the Trust is created and for which the Trustees are hereby empowered by the Settlor.

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Now, therefore, this Deed of Trust declares and witnesses as follows:

The Trust hereby established shall be called HARI KRISHNA CHAUDHARY FOUNDATION. The office of the trust shall be at Kolkata or at such place(s) in India as the Trustees may from time to time think fit.

In pursuance of the said desire and for carrying out such desire in to effect, the settlor hereby grant, transfer and assign into the Trustees the said property (by way of corpus) and all his estate, right, title and interest claim and demand into or upon the said property shall vest in the Trustees but upon and subject to the Trustee's powers and provisions of the trust deed hereinafter declared and expressed.

For the consideration aforesaid, they, the trustees, do hereby consent with the settlor, his heirs, executors and administrators that they, the Trustees, will stand and be possessed of the said property and the investments for the time being representing the same and all shares, stocks, funds, and securities and other property, movable and immovable which may under the trusts and powers of this presents (all of which are hereinafter in this presents designated as "The Trust Fund") upon trust for the uses and subject to the powers, provisions and directions and agreements hereinafter declared and content in this Deed.

The trustees shall by a covenant herein with the author of the Trust/ Settlor shall hold the said trust fund and shall apply the income thereof in perpetuity for the implementation, advancement and promotion of the objects of the Trust as set out herein. The trustees shall stand and be possessed of the trust fund as well as the property, movable and immovable, which may in future form part of the trust corpus for the use subject however to the power provision and direction hereinafter declared and contained in this Deed and investment of the Trust and income for the time being.

The trustees may at any time invite and receive or without such invitation receive any voluntary contribution from any person or persons by way of donation or annual or other subscription or legacies or otherwise for the support and benefit of the Trust hereby constituted.

The Trustee shall stand and be possessed of the said trust upon trust to receive the interest, dividend and other income thereof and in the first place to reimburse themselves or pay and discharge all the cost charges and expenses incurred in or about or incidental to the Administration or execution of the trusts or powers of these presents and also all outgoings, taxes, rates, assessments, dues, duties, lives and other taxes payable in respect thereof and the cost of meeting of ordinary repairs to any immovable property if for the time being subject to the trusts of these presents and subject here to upon trust to apply

Hari Krishna Chaudhary Foundation

  
Trustee

income') and at their discretion to apply the whole or any part of the corpus of the Trust Fund for public charitable purpose in India, including (a) Education, (b) Relief of the poor and (c) Medical relief as per definition of "Charitable Purpose" in section 2(15) of the Income Tax Act, 1961, as the Trustees may think fit and in such manner as the Trustees may think and for one or more of such public charitable purposes as aforesaid to the exclusion of one or more as the Trustees may think fit so as not to violate the provisions of Income Tax Act, 1961.

Provided that the said income as well as the corpus of the Trust Fund shall be applied only towards charitable purpose as aforesaid in India and any accumulation of income shall also be made and deemed to be made for application to such charitable purposes as aforesaid in India in accordance with the provisions of the Income Tax Act, 1961.

Without prejudice to the generality of the foregoing objects or purposes, but subject as aforesaid, it is declared that the Trustees shall each year apply the residue of the said income of the Trust Fund and may at their discretion at any time and from time to time apply also the corpus of the Trust Fund in or towards any one of the following objects or purposes to the exclusion of the or either of them in such proportion and manner in all respects as the Trustees may in their absolute discretion think proper:

### OBJECTS OF THE TRUST

#### GENERAL

To open, found, establish, promote, set up, run, maintain, assist, render financial support or aid in the setting up and/ or maintaining, running any institution, center, for advancement of education, relief of the poor, medical relief, establishment of Dharmshala, Orphanage, old age home and advancement of any other objects of general public utility not involving the carrying on of any activity for profit.

#### (A) EDUCATION

1. To open, found, establish, promote set-up, run maintain, assist, finance, support and or aid or help in the setting up and/ or maintaining and / or running of medical, engineering college, schools, colleges, lecture halls and other establishments or institutions for advancement of education and of knowledge in arts, science, literature, humanities and all other useful subjects in all other manifestations.

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and encouraging primary, secondary and higher education including technical and medical education also physical training, training of handicrafts, fine art and other useful arts crafts among the public including the establishment and maintenance of Shilpa- Shikshalayass, Kala Kendras and other welfare centers for them.

3. To promote, organize administer establish, support, maintain and / or grant aid to any person, institution or society or organization whatsoever having for its objects of charitable purposes and to incur expenditure in connection herewith.
4. To promote, assist and / or maintain all activities by whatsoever carried on or wherever carried on in India in conformity with the objects of the Trust and as are conducive to the well being and general welfare of the nation or are conducive for advancement of any object or objects of general public utility not involving / carrying on any activity of profit.

**(B). MEDICAL RELIEF:**

To open, found, establish, promote, set-up, run maintain, assist, finance, support and / or aid or help in the setting up and / or maintaining and / or running of medical colleges, hospitals, charitable dispensaries, maternity homes, child welfare centers, convalescent homes, sanatoriums, hostels and other similar institutions or centers for rendering or providing medical relief and / or to aid to the suffering humanity or for research centers and institutions for promotion of research and education for medical science including surgery.

**(C). RELIEF OF THE POOR**

- a. To open, found establish, promote, set-up, run, maintain, assist, finance, support and/ or aid to or help in the setting up and / or maintaining and/ or running orphanages, widow homes, lunatic asylum, poor houses, dharmshalas or other establishments for relief and/ or help to the poor, old and infirm people and/or destitute.
- b. To give, provide and/ or render help and assistance to and/ or implement any scheme for providing livelihood, upliftment of the poor.
- c. To give, provide and / or render help and assistance in cash or kind to poor and / or destitute people, widows etc.
- d. To give, provide and/ or render food, medicine and other help and / or assistance to any shape or form to the poor, deserving and needy persons.
- e. To give, provide and/ or render monetary and/ or other help and assistance for the relief of persons affected by natural and other calamities such as flood, fire, famine, cyclone, earthquake storm, accident, pestilence, drought, epidemic, unbearable cost of living and the like and to give donations.

*persons doing relief work on such occasions.*

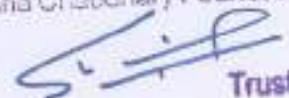
- f. To start, maintain and assist any relief measures in those parts, which are or become subjected to natural calamities such as, flood, fire draught, famine, cyclone, earthquake epidemic storm, accident pestilence etc.
- g. To give, provide, distribute among poor people dhotis, blankets, rugs, woolen clothes of other articles of necessity and facilities for the poor
- h. To establish and maintain widow homes, old-age homes, lunatic asylums, poor house or other establishments for relief of the poor, old and infirm and destitute.

**(D). OTHER OBJECTS OF PUBLIC UTILITY:**

Any other object of general public utility not involving the carrying on of any activity of profit. Without affecting the generality of the above objects, implementation of which the trustees shall be authorized to do any one or more of all of the following in particulars.

- i) To open , found, establish, promote, set-up, run, maintain, assist, finance, support and/ or aid or help in the setting up and/ or maintaining and / or running by monetary gifts or otherwise centers, playgrounds and parks for public use and other social welfare work and/ or activities.
- ii) To open , found, establish, promote, set-up , run maintain, assist finance support and/ or aid or help in the setting up and / or maintaining and /j or running of institutions, centers, auditoriums and the like for the running of welfare and other services to the public and to provide meeting room for cultural and socially useful activities and functions.
- iii) To open, found, establish, promote, set-up, run maintain, assist or render finance support and/ or help in the setting up and / or aid or help in the setting up and or maintaining establishments, such as Dharamshalas, to dig and maintain or help digging and / or maintaing wells, deep tube wells, tanks, to build and / or maintain and/or help building and/or help building and/or maintaining roads etc. for general public use and other public works.
- iv) To promote, organize, administer, establish, support, maintain and/ or grant aid to any person, institutions or society or organizations whatever having for its objects charitable purposes and to incur expenditure in connection therewith.
- v) To promote, assist and/ or maintain all activities by whomsoever carried on or wherever carried in India in conformity with the objects of the trust and as are

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for advancement of any objects of general public utility not involving the carrying on of any activity for profit.

- E) Establishing or giving subscriptions, contributions and/ or donations to any public Charitable Trust, Foundation, Fund, and Institution or to the Government or Local Authority for promotion of any or all of the aforesaid objects.
- F) To construct Dharamshala, Building or any place for use of general public.
- G) For the purpose to print, publish, sell, distribute, either free or for price, Books, Magazines, Lectures, Writing, periodicals, Bulletins, Journals and any other Literature.
- H) To conduct or arrange lectures, tours, shibirs (camps) or programmes of any kind approved by the Trust.
- I) To establish, promote and/ or take over and conduct hospitals, health and medical centers or such other centers of public utility.
- J) Personality development of human beings.

Provided that in case of any one or more of the objects specified in these presents are held not to be objects of public charitable nature, the trustees shall abandon and avoid and shall not carry out such object or objects as if the same were not ever incorporated in these presents having any invalidating effect on the public charitable nature of the Trust created by these presents which shall continue to the exclusion of such object as a trust for public charitable purposes unaffected in any manner.

Provided always also, without prejudice to the generality of the foregoing that the any help or aid or relief to be given under any of the foregoing heads of charity, wherever the case admits, may be given either in the form of cash/ cheque payments or the supply or distribution of food, cloths or medical relief or in any manner which the trustees may consider desirable.

The trustees shall, where any aid is proposed to be given for charitable purposes to any institution, association, society, organization, body or trust ascertain to ensure that the objects of such institution, association, society, organization, body or trust are of like nature of any wholly consonant with the objects of this trust and, if so satisfied, may give donation to such institution, association, society, organization, body or trust for being utilized only for such objects.

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infringement subsequent to donation or contribution made by the trustees herein the same shall not prejudice charitable nature of the donation or contribution and shall be in keeping with its charitable objects insofar as the act is meant to be so.

The surplus and unapplied portion of the income, if any, arising in any one or more year or years shall be accumulated and/ or invested in accordance with the provisions of the Income Tax Act, 1961, as may be in force from time to time and in accordance with further directions hereinafter in this regard.

#### CONSTRUCTION OF THE BOARD OF TRUSTEES

The trustees who are appointed by the Settlor shall form the Board of Trustees. The Trustees may by unanimous decision appoint new Trustee/ Trustees. The number of the trustees shall not be less than 2 and not more than 21 at any point of time.

The vacancy in the office of the Trust caused by resignation or death or on any trustee being adjudged insolvent by any Court of competent jurisdiction as the case may be, shall be filled by selection of another trustee by the existing trustees in exercise of their power and authority hereunder and the new trustee in all respects act in the same manner as if he had been constituted a trustee hereby.

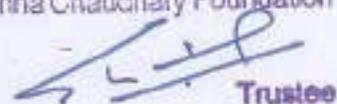
#### WORKING OF THE TRUST

The first meeting of the trustees shall be held within two months from the date of this Deed and shall be summoned by seven day' notice in writing to be given by the first-named trustee or any other trustee, if situation so needs, and shall be held at such time and place as shall be specified in such notice. The first-named trustee shall take the chair and conduct the proceedings at the meeting.

In the first meeting the trustees present and forming quorum shall elect one from among them the Chairman and another as Secretary of the trust for the systematic and orderly functioning of the trust. The Chairman and the Secretary so elected shall have tenure of three years. They may be re-elected on completion of their tenure.

Subject to the provisions of this present clause the meeting of the trustees shall be held at least once in two months on regular cycle for reviewing the activities of the trust and chalking out plans and programmer for achieving the trust objects and finding ways means therefore. On special occasions or in emergencies the Chairman shall have the power to convene special meeting of the Board of trustees.

Han Krishna Chauchary Foundation

  
Trustee

and in case of equality of votes, the chairman shall have a second casting vote PROVIDED ALWAYS that notwithstanding anything herein stated no question dealing with the disposal, transfer or mortgage of the corpus or any of the trust properties will be decided and disposed of except with the consent of all trustees for the time being.

It shall be the duty of the Secretary to summon a meeting giving notice to each trustee clear seven days' notice specifying the date, time and the venue of the meeting.

The Secretary shall enter the minutes of all proceedings at a meeting and supply a copy of the minutes certified by him to be the true copy thereof. Such certified copy shall be conclusive evidence for all purposes of the passing, doing or taking of resolution, act or proceeding and of the meeting at which the same took place having been duly convened and held and of the regularity of all proceedings thereat and of the appointment of the person certifying the copy as such secretary.

All matters including election of the Chairman and the Secretary and all questions arising at the meeting of the trustees shall be decided by majority of votes and in case of equality of votes the Chairman shall have a second casting vote.

Provided always that no question involving and dealing with the disposal, transfer, mortgage or otherwise transacting in the corpus or any trust property will be decided and finalized except with the consensus and unanimity of decision amongst the trustees.

The trustees for the purpose of transacting business may make the rules consistent with the provisions contained herein.

#### CONDUCT OF MEETINGS

There shall be one Annual General Meeting of the trustees when the audited accounts of the year along with the report of work and activity during the year and the budget of the ensuing year shall be submitted by the Secretary and the same shall be considered and passed.

The quorum for the meeting of the Board of Trustees including Annual General Meeting shall be one-third of the total trustees. In the absence of quorum at any meeting, the same shall be adjourned and the business of the meeting shall be transacted at the next adjourned meeting.

The Chairman shall preside over all the meetings of the Board of Trustees. In the absence of the Chairman, one of the members present in the meeting nominated by other members shall preside.

Han Krishna Chaudhary Foundation

  
Trustee

five members of the Board of Trustees setting forth the reasons and object of calling the same within seven days of the receipt of the requisition.

The Secretary shall with the consent of the Chairman have power to call any emergent meeting on giving a notice of at least three clear days of his intention to do so.

It shall be lawful for the trustees to decide on any matter by circulating the proposed resolution and in such resolution or decision adopted by circulation shall be as effective as a resolution passed at a meeting of the trustees in the ordinary course.

#### MINUTES

The minutes of the proceedings of every meeting of the trustees shall be entered in a book to be kept for that purpose and signed by the chairman of such meeting or of the following meeting when they are read over and shall, when so entered and signed, be conclusive of the business and other matters transacted at such meeting.

#### ACCOUNT BOOKS AND ACCOUNTING YEAR

The trustees shall cause true and correct accounts to be kept of all moneys received and spent and of all matters in respect thereof in course of management of trust properties or in relation to the carrying out of the objects and purposes of the trust as well as of all the assets and liabilities of the trust. The accounting year of the trust shall be from 1<sup>st</sup> April to 31<sup>st</sup> March every year provided that the 1<sup>st</sup> such year shall commence on the execution of these presents and end on 31<sup>st</sup> March 2007.

The trustees may accept any donation or contribution in cash or in kind from any person, firm, company, corporation, association, institutions or trust (including the settlor or the trustees or any of them) for the furtherance of the objects of the trust or for any or more of them upon such terms and conditions as they may in their absolute discretion think it and which are not inconsistent with the objects of the trust.

#### APPLICATION OF FUND

The sum of Rs. 11,000/- settled hereunder shall form the corpus of the Trust and shall be available for capital outlay towards construction of building for setting up the education institute, one of the priority objects of the Trust.

Any donation and contribution received from any person or persons shall form part of the income of the Trust and shall be applied for any purpose or purposes of public charitable objects as set out in the objects clause in the discretion of the trustees.

Han Krishna Chaudhary Foundation



Trustee

contributor that the donation shall form part of the corpus of the trust shall, however, be treated as corpus donation and part of the trust corpus not being the income of the trust.

The income of a year shall be applied for no purpose other than the public charitable purpose as set out in the objects clause either wholly or at least to the extent specified by the Income Tax Act 1961, any part of income, though having accrued has not been realized in the accounting year. The balance shall be carried forward for application in the subsequent year, in the immediately succeeding year.

In case the trustees decide to set apart any portion of the income for future application for any specific purpose they shall notify such decision for accumulating income to the prescribed income tax authority in accordance with the provisions of the Income Tax Act 1961.

Income as so set apart and accumulated shall be invested in the manner prescribed in Section 11(5) of the Income tax Act 1961 and shall not be interfered with or diverted during the period of accumulation or applied otherwise than for the purpose of setting apart and accumulation.

The trust may decide to apply any part or whole of its income by way of capital expenditure for the public charitable purpose and such expenditure shall be considered as application of income for its charitable purpose.

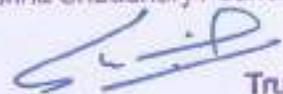
The Trust shall not invest its fund in acquisition of any equity share of any company.

Any sum received on distribution of any capital sum or capital asset or by way of bonus shares or otherwise in respect of any investment or securities received as corpus donation whether in respect of such deposit securities forming part of the asset of the trust fund shall be added to the same and shall not be deemed to be income.

The trustees shall not in compliance with the prohibitory provisions of the Income Tax Act 1961 make any application of money in a manner as may have the effect of conferring benefit on the settlor or on any of themselves or any related persons of the settlor or on any of themselves or any related persons of the settlor or of themselves as required in the said Act.

The trustees shall utilize the net consideration received on sale or transfer or otherwise of any of the capital assets of the trust in acquiring a new capital asset or in the alternative utilize the capital gain arising from such sale or transfer for the charitable purposes of the trustee.

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Trustee

surplus shall be recycled or fed into the carrying out of its public charitable objects.

#### DUTIES OF THE TRUSTEES

The Trustees shall within one year from the date of creation of the trust apply to the respective Income tax authority under Section 12A for Income tax subject to the conditions and limitations prescribed in the said Act.

The trustees shall from time to time realize, collect and get in all incomes of the Trust including dividend, interest income and/ or rent from immovable property or properties that may hereafter form part of the trust fund.

The trustees shall invest and keep invested all the trust funds as may in their discretion not be required for the time being only in such form and manner as required under section 11 (5) of the Income Tax Act 1961. The application of such income accumulated in the form of investment shall be used, however, for the purpose of accumulation as notified to the Income Tax Department in accordance with the requirement of the provisions therein. The accretion thereto from year to year shall, however, be open for being drawn and used for current need arising from the objects of the Trust in the respective year.

Each of the trustees for the time being of these presents hereby binds himself and his heir, executor and administrator in the event of retiring from or otherwise ceasing to be a trustee or in the event of death, to do all necessary act, deeds and things for duly vesting and transferring over in the name and names of the new trustee or trustees as may be required by the trustees belonging to the Trust as may be standing in his name either singly or jointly with that of the other trustees.

The trustees shall be respectively chargeable only for such money or security or other property as they shall actually receive for the sale of any of such securities or properties and shall be answerable and accounted for only for their own act, neglect or default and not for acts or defaults of others or of any bankers or other person with whom or into whose hands any trust monies or funds or securities may be deposited or may come in or any other loss unless the same shall happen through their own willful default.

It shall be the duty of the trustees to ensure that proper account showing all receipts and disbursements on account of the Trust hereby created is kept by the trustees and shall be duly audited with all necessary vouchers every year by auditors being professional Accountant as the trustees shall appoint.

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Trustee

and the prescribed Audit report.

### POWERS OF THE TRUSTEES

For the accomplishment of the objects of the trust of these presents and without prejudice to the generality of any powers hereby or by law conferred or implied or vested in the trustees, the following powers and authorities are hereby expressly conferred on the trustees, that is to say: -

- i) To appoint any one from amongst them as a Managing Trustee with such powers as may be delegated to him or her from time to time, by way of a resolution passed by the majority of the trustees.
- ii) To permit any one or more trustees to operate on any banking account without any liabilities on the other trustees, to examine the said accounts or to be in any way responsible for the acts, deeds or defaults of such trustees or trustee in connection with such accounts.
- iii) To purchase, construct or hire or take on lease any immovable or movable property for all or any of the purposes of the said trust at such price, cost or rent and in such terms and conditions and for such period and with or without option for renewal as the trustees may think fit. In case the immovable property owned by the settlor or any trustee is taken in lease, the rent payable shall not exceed the fair market rent as assessed by the local authority.
- iv) To let out, devise, mortgage, charge or license any property belonging to the Trust for such rent or compensation and on such terms and conditions and for such period as the trustees may think fit.
- v) To appoint and dismiss and re-appoint executives, officials, doctors, nurses, clerks, caretakers, attendants and other employees on such salary and on such terms as they may think fit.
- vi) To delegate by Power of Attorney or otherwise by way of resolution, to any trustee or trustees or any other person or persons, powers and authorities implied by law or conferred by statute or vested in the trustees by these presents. The trustees shall, however, not be held liable or responsible for the acts or defaults of any such person or persons but only their own respective acts and defaults.
- vii) To reimburse themselves or pay and discharge out of the funds or any property subject to the trust of these presents and income thereof, all expenses that may be incurred in or about the execution of the trusts and powers of these presents, including reasonable amount of traveling expenditure incurred for attending any meeting of the trustees.
- viii) To decide (by majority decision) all questions arising in the administration of trust thereof and including all questions relating to the interpretation of these presents, the administration of any institutions maintained by the trust or concerning anything or any matter relating to or connected with or arising out of these presents or the operation thereof. The decision of the trustees on all or any of the matters aforesaid shall be final.

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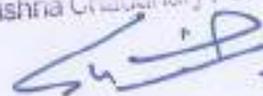
Trustee

actions, suits, proceedings, debts, claims or things whatsoever arising of the administration of the trust fund or any institutions maintained and for any of these purpose may enter into, give, execute and sign agreements, instruments, arrangement, releases and other things as may seem to them expedient, without being liable or responsible for any loss occasioned by any act or things so done by them in good faith as fully as if they were absolutely entitled to the Trust Fund and the said institutions without being answerable for any loss occasioned in good faith.

- x) To set up one or more Managing Committee from amongst themselves or other persons nominated by the trustees for the routine and day to day management and administration of any such institution, under their ultimate supervision and control. The trustees shall be entitled to frame the constitution and regulate the procedure of such committee and to delegate to them such powers, as they may consider proper and necessary.
- xi) To frame such rules and regulations for the management and make administration of institutions set up by the trust as they shall think fit and to alter or vary the same from time to time and to make new rules and regulations: Provided that such rules and regulations shall in no case be inconsistent with the terms of these presents.
- xii) To deposit by way of safe custody and documents held by them relating to any property belonging to the trust with any bank and to pay any sum payable in respect of such deposit.
- xiii) To borrow or raise any money that may be required by the trust upon such terms as may be deemed advisable.
- xiv) To appoint an Advisory Committee to help the trustees in the management of the affairs of the trust or any institutions maintained or run by it and the discharge of their duties in such terms and conditions as they may determine.
- xv) To transfer all the assets of the trust fund to any other trust or institution having similar to those of this trust in the event of the trustees unanimously coming to the conclusion that they are unable to continue to manage the affairs of the trust.
- xvi) To do all such other lawful things as may be incidental or conducive to the attainment of the objects of the Trust.

Subject to any mandatory provisions of any law for the time being in force and applicable to the Trust, the trustees shall invest all moneys which shall require investment in any investments or properties of whatsoever nature and wheresoever situate and whether involving liabilities or producing income or not or upon personal credit with or without security and in the manner authorized by law for the investment of the trust funds and to call in, sell, convert or exchange such investments as properties, both movable and immovable, wherever, they in their absolute discretion, think it desirable to do so.

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Trustee

Invest any moneys: -

- a) In the purchase of any immovable property situated in India or elsewhere and for the development thereof, the trustees may borrow money at such interest as they may think fit for the purpose without security or on security of the trust fund or any property forming part of the Trust Fund.
- b) In making loans upon the security of any immovable property or movable property, for achieving the charitable purposes mentioned earlier.
- c) In any business which may be carried on by the trustees as such trustees for and on behalf of the trust provided the business is carried on in the course of the actual carrying out the primary purpose of the trust.
- d) In the purchase of any immovable property or acquisition of flats, by becoming members of Co-operative Societies for achieving the objects of the trust.
- e) In the execution of the powers of investment hereby or by law conferred upon the trustees, no trustee shall be liable for any loss to the trust fund arising by reason of any investments made in good faith nor shall any trustee hereof be liable for any loss to or in respect of the trust fund unless such loss is attributable to his own dishonesty or willful commission of an act known by him to be breach of trust.

It shall be lawful for the trustees to construct build, erect building, houses, tenements, pull down, renovate, rebuilt, alter, adopt, improve, add to, develop or repair any immovable properties comprised in the trust fund and to expend for all or any of the above purpose such moneys out of the trust fund or the income thereof as the trustees may in their discretion think fit and proper. The trustees, as such, shall also be entitled in their name or the names of one or more of them to become members of any Co-operative Society or other like institutions for the protection, benefit and improvement of the trust fund or any property comprised therein as also to enter into such contracts and take such other actions and proceedings as they may think proper for the purpose of such protection, benefit and improvement of the trust fund or any property comprised therein as also to enter such contracts and take such protection benefit or improvement and to pay all fees and subscriptions and defray all charges and expenses as may be considered proper. The trustees shall be entitled to enter into any agreement or covenants with other persons for the benefit of the properties comprised in the Trust Fund or other properties as they may in their absolute discretion think fit from time to time. The trustees shall also have the power to insure any premises comprised in the Trust Fund against loss by fire, lightning or civil commotion or other risks or losses as the trustees may think proper from time to time but no liability shall attach on the trustees or any of them by reason of any property remaining uninsured in any way. The trustees shall also have the power after paying all rents, rates, taxes and other outgoings and expenses out of the rents and profits of any immovable properties to set aside out of the balance thereof from time to time such sums of money as the trustees consider proper to meet the expenses of heavy repairs or by way of depreciation or sinking funds and to utilize the same and the income thereof for heavy repairs or for rebuilding or re-installing immovable property or existing new building and in the meantime to invest the same in the manner authorized by these presents. It shall also be lawful for the trustees to permit any immovable property forming

Han Krishna Chaudhary Foundation

  
Trustee

other purpose of these presents.

Upon any sale or other transfer by the trustees under the power aforesaid, the purchaser or purchasers, transferee or transferees dealing bona fide with the trustees shall not be concerned to see or enquire whether the occasion for executing or exercising such powers has arisen or whether the provisions as to the appointment and retirement of trustees herein contained have been properly regularly observed and performed except that the decision to sell the properties has been taken in accordance with these presents. Neither shall the purchaser or purchasers, transferee or transferees be concerned to see the application of the purchase money or other consideration or be answerable for the loss, misappropriation or non-application thereof.

The purchasers shall get a valid title in respect of properties purchased in good faith from the trustees.

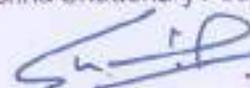
The trustees are hereby authorized to invite or accept donations of money, shares, debentures, bonds, businesses and other movable or immovable properties from the Settlor or any one else by way of gift, grant, legacy or other wise on such terms and conditions as the trustees may think fit not being inconsistent with the terms and conditions of these presents and such donations shall be held by the trustees as accreditation to and augmentation of the Trust Fund. Provided, the trustees may refuse to accept any such donation, grant or legacy which they may in their absolute discretion consider unsuitable.

The trustees may meet together for taking decision as to work of the trust, adjourn and or otherwise regulate their meeting and proceedings as they may think fit. A resolution passed without any meeting of the trustees and evidenced by written under the hands of the majority of the trustees shall be as valid and effectual as a resolution duly passed at a meeting of the trustees held in accordance with the provisions of these presents. The quorum at a meeting of the trustees shall be three (Quorum can be fixed by the settlor / trustees depending on the number of trustees). Notes made in the Minute Book relating to the Trust shall be conclusive evidence of the facts and matters noted therein. The trustees shall keep or cause to be kept proper books of account for all receipts and expenditures relating to the Trust Fund and of any other institutions maintained or run by it.

The settlor of the Trust or the trustees shall not be entitled to use or apply any trust property or income thereof for their personal benefit in lieu of or for remuneration of the services rendered or to be rendered by him for the trust.

The receipt of the trustees or trustee or the managing trustee, as the case may be, for any moneys paid or any stock, funds or securities or other investments transfer to them or him in the execution of any of the trusts or power hereof or for the purpose money paid to them or him, shall effectually discharge the person or persons paying or transferring the same there from.

Han Krishna Chaudhary Foundation



Trustee

be trustee or trustees of this trust on a permanent basis or such periods as may be specified in the deed or deeds appointing the trustee or trustees provided that the trustees appointed hereby under these presents shall be permanent trustees. It shall be lawful for the person or persons for the time being entitled to appoint a new trustee or trustees hereof to appoint any bank, company or corporation to be a trustee of these presents jointly with the continuing trustees upon such terms and as to remuneration or otherwise and for such periods as the trustees may think fit.

The number of trustees shall at no time be less than three (three or more that as may be fixed). On every appointment of trustee, the Trust Fund shall if and so far as the nature of the property and other circumstances shall require or admit and unless the trustees otherwise resolve but so as not to prejudice the powers of the Managing Trustee be transferred so that the same may be vested in the trustee or trustees for the time being.

And every trustee so appointed as aforesaid may be well before or after such transfer act or assist in the execution of the trusts and powers of these presents as fully and effectually as if he had been hereby constituted a trustee.

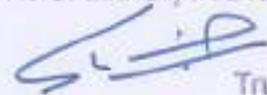
Where the trustee in the purported exercise of the trusts, discretions and power, hereby or by law conferred act on the advice of any counsel, solicitor or other lawyer, engineer, surveyor, land or estate agent actuary broker cashier, accountant or expert, the trustee shall not be responsible for any loss that may result from acting on such activities but the act or commission shall be deemed to be authorized and proper and the advice shall operated to protect the trustee/s in the like manner as if the act or commission had been directed or authorized under and order of a Court of Competent jurisdiction.

#### RULES OF THE TRUST

The trustees may from time to time frame rules for the conducted and regulation of the meeting of trustees. In the absence of such regulations: -

- a) One third of the total number of trustees subject to a minimum 2 of trustees shall form a quorum for a meeting of the trustees.
- b) Majority will decide all matters as mentioned herein.
- c) Resolutions passed without any meeting of the trustees but by circulations thereof and evidenced in writing under the hands of two-thirds of the trustees shall be as valid and effectual as a resolution duly passed at a meeting of the trustees.

Hari Krishna Charitable Foundation

  
Trustee

## PROHIBITIONS

The trustees shall not engage in ---

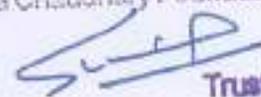
- (a) Lending of the income or property of the Trust to any one of the persons specified in Section 13 of the Income Tax Act 1961 without either adequate security or adequate interest or both.
- (b) Making available any building or other property of the Trust or Institution for the use of the said specified persons without charging adequate rent or other compensation.
- (c) Payment of excessive remuneration in any of the specified persons for services rendered by him to the Trust or Institution.
- (d) Making the services of the Trust or Institution available to any of the said specified persons without receipt of adequate remuneration or other compensation.
- (e) Purchasing shares, securities or other properties for the institution or any of the said specified persons for more than adequate consideration.
- (f) Selling of shares, securities or other properties of the Trust or Institution to any of the said specified persons for less than adequate consideration.
- (g) Diverting substantial proportion of the income or property of the Trust or Institution in favour of any of the said specified persons.
- (h) Investment of the trust fund in any concern in which any of the said specified persons have been substantial interest.

The specified persons referred to in the above Clauses are the following persons:

1. The Settlor
2. Any person who made a substantial contribution to the Trust or Institution.
3. Member of the Settlor's family or his relative
4. Any concern in which the said persons have substantial interest.

The word Substantial interest for this purpose and in this behalf means such interest as are defined as substantial interest under the Income Tax Act in this context.

Han Krishna Chaudhary Foundation

  
Trustee

### REMUNERATION AND RE-IMBURSEMENT OF EXPENSES

The trustee will not be entitled to receive any remuneration as trustee but may reimburse themselves for all expenses actually incurred by them in connection with the trust or their duties relating thereto.

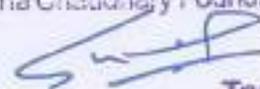
### AMENDMENT OF THE PROVISION OF THE TRUST DEED

The trustees for the time being together with the settlor (if living) may be three fourth majority of their total number amend any of the provisions other than objects of the trust deed.

### DISSOLUTION OF THE TRUST

The trustee may decide for the revocation of the Trust in case for any impediment whatsoever the objects of the Trust proved to be difficult of being achieved by the Trust. The net assets after satisfaction of the debts and liabilities shall not be paid or distributed amongst the settlor or settlers, heirs or amongst the trustees or their heirs and successors but shall be given to some other public Charitable Trust or Charitable Institutions pursuing similar objects as those of the Trust constituted hereby, Such decision shall require the consenting votes of not less than three- fourths of the members present personally.

Han Krishna Chaudhary Foundation



Trustee

		Thumb	1st finger	middle finger	ring finger	small finger
	left hand					
	right hand					

Name HARI KRISHNA CHAUDHARY  
 Signature [Signature]

		Thumb	1st finger	middle finger	ring finger	small finger
PHOTO	left hand					
	right hand					

Name .....

Signature .....

		Thumb	1st finger	middle finger	ring finger	small finger
PHOTO	left hand					
	right hand					

Name .....

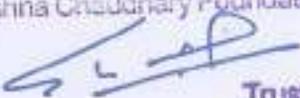
Signature .....

		Thumb	1st finger	middle finger	ring finger	small finger
PHOTO	left hand					
	right hand					

Name .....

Signature .....

Han Krishna Chaudhary Foundation

  
 Trustee

In witness whereof the settlor hereto has hereinto set his respective hands and seal the day and year first hereinabove written.

SIGNED SEALED AND DELIVERED by the within named in the presence of: -

Settlor

*[Handwritten signature]*

In the presence of:

Witnesses *Murali Chandra*  
MURALI CHANDRA  
B 6 BANGOR AVENUE  
KOLKATA - 5

No.1

S/O *Pranab Paul*  
*Somajpur*  
Resident of

S/d

No.2 *Murali Chandra*

S/O *Pranab Paul*  
*Somajpur*  
Resident of

S/d

*Draft by*  
*K. C. Karanika*  
*Advocate*  
*High Court, Calcutta*

Han Krishna Chaudhary Foundation

*[Handwritten signature]*

Trustee

Back No. 508  
Volume No. 26  
Page No. 89-129  
Issue No. 1832  
Year 2008



29.11.08

Handwritten notes on the left margin:  
H.K. (at)  
L.H.  
A.H.  
S.H.  
M.H.  
2008



Registrar of Assurances  
Hyderabad

Han Krishna Chaudhary Foundation

Trustee