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DEED OF TRUST

Admitted under Act VIII of 1950
 Governed by the provisions
 from stamp duty under the Indian
 stamp Act, 1899
 Schedule..... 1 No. 64

Sub-Registrar, Goalpara
 05-03-19

Trishna Das
Jintu Jyoti Sharma



THIS DEED OF TRUST made on 22nd day of February, 2019 year between (1) TRISHNA DAS D/O. NIRMALYA KUMAR DAS, W/O. JINTUJYOTI SHARMA, aged about 45 years, by religion- Hindu, by profession- Business, a resident of Ambika Giri Nagar, P.O. Zoo Road, P.S. Geetanagar, Dist. Kamrup (Metro), Assam, Pin No. 781006 (hereinafter called the "Founder/ Author/Settlor of the Trust" which expression where the context so admits, shall mean and include their successors and assigns) of the ONE PART.

AND

1. JINTUJYOTI SHARMA S/O. Paresh Ch. Sharma, aged about 47 years, by religion - Hindu, by profession- Business, a resident of Kharguli, P.O. -Kharguli, P.S.- Latashil, Dist. Kamrup (Metro), Assam, Pin No.781004.
2. TRISHNA DAS D/O. Nirmalya Kumar Das, W/O. Jintujyoti Sharma, aged about 45 years, by religion- Hindu, by profession- Business, a resident of Ambika Giri Nagar, P.O. Zoo Road, P.S. Geetanagar, Dist. Kamrup (Metro), Assam, Pin No. 781006 i.e. the Founder/Author/Settlor is also one of the Trustee (hereinafter called the "Trustees") OF THE OTHER PART.

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Sahab Ali
 Petition Writer
 Munsiff No-1
 Goalpara L/No- 10/2019

1390 21-2-19

DISTRICT TREASURY
GOALPARA
20 FEB 2019
Treasury Officer

05-03-19

Trishna Das 7074001

Nirmalya Kr. Das
Ambikajoyi Nayak
Kamrup M
Gutanagar
Hindu.

Sub Registrar Goalpara

05-03-19

Trishna Das.

Witnesed by Sri. Sushmita Deb
D/o Lt. Nirendra Kr. Deb
J N Road Goalpara
Goalpara State Assam.
Hindu.

By Profession

05-03-19

Having visited the residence of Trishna Das D/o Nirmalya Kr. Das 7074001 at. I have this day examined the said Trishna Das 7074001 who has been identified to my satisfaction by Sushmita Deb D/o Lt. Nirendra Kr. Deb of nil - J N Road Goalpara P.S. It - Goalpara by cast Hindu by profession and she said Trishna Das 7074001 admitted the execution of this document.

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Trishna Das

542

Jantu Jyoti Sarmah

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Sushmita Deb

05-03-19



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Janta Jyoti Samah

WHEREAS the Founder/Author/Settlor of the Trust is absolute owner of the Properties (movable or immovable) fully described in the Schedule Annexed hereto and desirous of endowing the said property (movable or immovable) for the purpose of founding a School and Nursing Home, under the name of "NIRMALYA PROVA EDUCATIONAL TRUST" in Moriom Nagar, Goalpara, on or by using below schedule property (movable or immovable). Permanent address of the Head Office of the said School and Nursing Home will be Moriom Nagar, P.O. Baladmari, P.S. Goalpara, Dist. Goalpara, Assam, Pin No. 783121 for the education & Training of Children, boys and girls of the town and other areas and also for treatment of any kind of patients of the town and other areas.

AND WHEREAS, the Founder/Author/Settlor of the Trust Proposes to settle his properties and assets mentioned in the schedule for the purpose of establishing the said School and Nursing Home.

AND WHEREAS, the trustees have agreed to carry out the Trust herein created.

NOW IT IS DECLARED BY THE AUTHOR/FOUNDER/SETTLOR OF THE TRUST AS FOLLOWS :-

1. In pursuance of the promises, the Author/Founder/Settlor of the Trust as beneficial owner of the properties and assets mention in the schedule hereby conveys, transfers and grant unto the trust all and every such properties and assets mentioned in the schedule and

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Goalpara L/No-10/2015



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to hold the same in trust for the object of trust as described below to be used and appropriated by the said trustees in order to carry on and fulfil the said object in accordance with the directions of the Author/Founder/Settlor of the Trust.

2. The name of the Trust shall be "NIRMALYA PROVA EDUCATIONAL TRUST".

3. The Head Office of the Trust shall be situated at Moriom Nagar, Goalpara, P.O. Baladmari, P.S. Goalpara, Dist. Goalpara, Assam, and/or such place or places as Trustees may decide from time to time.

4. The Trustees shall build, Construct on the land if they desire to purchased, or the Trustee may taken lease a plot of land for construction of building for office, School and Nursing Home and other related construction for the object and the trustees may taken lease of Houses for the Office, School and Nursing home and others houses which are necessary for the Trust to using the Schedule amount of the Trust.

5. The Trustees, shall manage and develop the said property (movable or immovable) and every part thereof as mentioned in the schedule.

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Trishna Das
Jintu Jyoti Sharma

6. **TRUSTEES :-**

(a) The First Trustee shall be :-

1. JINTUJYOTI SHARMA S/O. Paresh Ch. Sharma, aged about 47 years, by religion – Hindu, by profession- Business, a resident of Kharguli, P.O. & P.S.– Latashil, Dist. Kamrup (Metro), Assam, Pin No. 781004.
2. TRISHNA DAS D/O. Nirmalya Kumar Das, W/O. Jintujyoti Sharma, aged about 45 years, by religion- Hindu, by profession- Business, a resident of Ambika Giri Nagar, P.O. Zoo Road, P.S. Geetanagar, Dist. Kamrup (Metro), Assam, Pin No. 781006. (The Founder/Author/Settlor i.e. also one of the Trustee).

The aforesaid Trustees have signed this DEED also in acceptance of the office assigned to them.

(b) TRISHNA DAS D/O. Nirmalya Kumar Das, W/O. Jintujyoti Sharma shall be the **Managing Trustee** and JINTUJYOTI SHARMA S/O. Paresh Ch. Sharma shall be the **Joint Managing Trustee** and both shall hold office for life or till voluntary retirement in the event of the office of the Managing Trustee becoming vacant, the Joint Managing Trustee will take over as the Managing Trustee, in the event of the office of the Joint Managing Trustee becoming vacant the Managing Trustee will also taking charge of Joint Managing Trustee.

(c) The Managing Trustee and the Joint Managing Trustee shall at their discretion co-operation any person/or persons who may be helpful in achieving the objects of the Trust as a Trustee.

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- (d) The Maximum number of Trustees shall not exceed 3 (Three) Nos.
- (e) A Trustee shall cease to hold office of Trust on the Trustee becoming insane or lunatic.
- (f) On the death of any Trustee, the remaining Trustees may, if they so desire, appoint a person as a Trustee in place of the deceased.

7. THE OBJECTS OF THE TRUST ARE :-

The objects of the Trust shall be any or all of the following :-

- (i) To establish, run and maintain an educational and vocation school for the children and/or boys and girls (exclusively) and to develop the character and discipline amongst the students.
- (ii) To establish, run and maintain a boarding house for the students.
- (iii) To establish, run and maintain a Library and Laboratory or other facilities i.e. reading rooms and distribution of books etc. for the students.
- (iv) To engage Professors, Teachers and instructors to impart education to the students in all subjects, Physical training culture, research work, intellectual and other useful pursuits.

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Talpara L/No - 10/2015



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- (v) To establish, run and maintain a Nursing Home and Nursing Schools for better treatment of all patients and to develop the health of all peoples and for medical education of all Communities peoples of all areas.
- (vi) To establish, run and maintain a boarding house for Nursing Students, Nurse and Doctors.
- (vii) To establish, run and maintain a Library and Laboratory or other facilities i.e. reading rooms and distribution of books etc. for the students of Nursing and for testing of disease of patients.
- (viii) To engage Professors, Teachers, Doctors and Nurses and others Instructors/Expert and other officials relating to Nursing Schools and Nursing Home to impart education to the nursing students in all subjects, research work, better tests and other works.
- (ix) To accept grants, donation, presents, gifts and offering from the parents of the students and other person and to deal with the same for the purpose of the Trust, even though the Trust is beneficial to the Trustees.
- (x) To invest, dispose off, transfer and otherwise deal with properties and assets of the Trust in such manner as the Trustees may deem fit, for the attainment of objects of the Trust.
- (xi) To pay stipends and scholarships to the students on such terms as the Trustees may deem fit.

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Goalpara LT No - 10/2015

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Jyoti Samal

(xii) To do all other acts and things as may be necessary or conducive to the attainment of the above object.

8. The financial year of the Trust shall end on 31st March every year. The first financial year of the Trust shall close on the 31st March, 2019-20.

9. The Trustee may also take over management of any other Trust for the purpose of propagating object of the Trust.

10. MANAGEMENT :-

(a) The management, control of the property and affairs of the Trust aforesaid shall be vested in the Trustees with full powers and authority to purchase or any land or hereditament and construct building for the object of the Trust or any funds or any other properties or investment at any time subjected to the Trust of these present.

(b) It shall be lawful for the Trustees from time to time to frame such rules and regulations for the management and administration of the Trust and to alter or vary the same from time to time as per the proper provisions of Law of Taxes.

(c) The Trustees shall meet as often as possible but not less than three times in year for efficient management of the Trust to consider the income and expenditure and for disposing of all such other matters as may arise in such meetings.

S. Ali
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Goalpara L/No - 10/2015

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Prishnaden
Janta Anjali Samah

- (d) At all meeting of the Trustees, two members will form quorum, in absence of one Trustee (cause of absence should be enact with a proper application) the other Trustee will take all administrative and other decision as may required.
- (e) At all meeting of the Trustees, Managing Trustee or his absence the Joint Managing Trustee or their absence Managing Trustee shall take all decisions.
- (f) All proceeding of the meeting of Trustees shall be recording in a "Meeting Register of the Trustees" kept for the purpose.
- (g) In case of any difference opinion amongst the Trustees in any matter connected with the Trust and its administration, then the said Trust may appoint a Arbitrator to settle the dispute of the Trust as per provision of Trust Act and the decision of the Arbitrator will be final and binding on all the Trustees.

POWER AND DUTIES OF THE TRUSTEES are as under :-

- (i) The Trustees will construct a School, Nursing Home, Nursing Schools and boarding house, Library room and reading room and other rooms in the land mentioned in the schedule in accordance with the plan and also other place/places may be used for the greater interest of the aforesaid Trust.

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Sahab Ali
Petition Writer
Munsif No-1
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S. Shrodder
Joint Managing Trustee

- ii) The Trustees will defray the expenses for running and maintaining the school, nursing home, nursing schools and boarding house etc. from out of the income of the school, nursing home, nursing schools and boarding house etc., but if the income of the school, nursing home, nursing schools and boarding house etc. is insufficient for meeting the expenses, the Trustees may spend money out of the portion of corpus of the Trust fund or some other ways as may be necessary.
- (iii) The Trustees will empowered to borrow money for meeting the expenses for the purpose of Trust on the security of the Trust properties and assets.
- (iv) The Trustees will invest the surplus fund in their hands in such securities.
- (v) The Trustees shall be entitled from time to time to open, maintain and operate a Bank Account or Accounts in any **Nationalized or Scheduled Commercial Bank in India** in the name of the Trust. The Trust fund or the income thereof to the credit of any such Account or Accounts either by way of fixed or current Account or any other Account. Any such Bank Account shall be operated in the name of the Trust jointly by the Managing Trustee and joint Managing Trustee or/and by any two of the other Trustees as to be decided by the Trustees.
- (vi) The Trustees shall have powers to maintain and defend all such suits and take such other steps as may be reasonable and requisite for the preservation of the Trust property and the protection of the title thereof. At the discretion of the Trustees the Managing Trustee, the Joint Managing Trustee or any other Trustee or Trustees or such other authorised person or persons shall represent them in all such proceedings.

S.A.
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Goalpara / No - 10/2015

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(vii) The Trustees are bound by all the liabilities cast upon them under the Indian Trust Act. of 1882 except to the extent of the powers specifically conferred under these presents.

(viii) The Trustees at their discretion may sell any immovable property or properties which may for the time being the subject of the Trust of these presents, with power to buy and sell the same without being responsible for any loss that may thereby be incurred and in case of such sale, to execute and do all such deeds and acts for the purpose of carrying such sales into effects as the Trustees may think necessary and all moneys accruing from any such sale shall be deemed to be part of the Trust Estate and shall be applied accordingly.

(ix) Proper accounts showing all receipts and disbursements made on account of the Trust hereby constituted shall be kept by the Trustees who shall prepare Receipts and Payment Accounts, Income and Expenditure Account and Balance sheet as 30th April every year and shall be duly audited by a qualified Chartered Accountant.

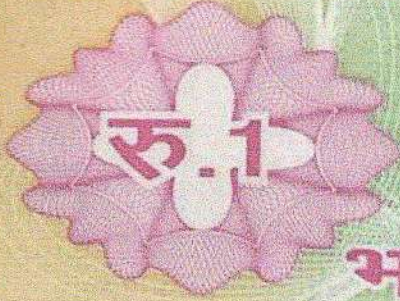
(x) The Trustees may from time to time appoint any Accountant, Clerk and other officials and employees, Teachers, Doctors & Nurses etc. as the Trustees may deem fit expedient and fix and pay their remuneration out of the Trust Fund or the Income thereof.

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Prishnadas
Janta Tyoti Samra

(xi) All the funds of the Trust shall be dealt with under Section 13 of the Income-Tax Act of 1961 or as per the provisions of Law of Trust and as per the Author/Founder/Settlor of the Trust or as consent of majority Trustees as because this Trust is a non Charitable / Private Trust.

(xii) The profit of the Trust will get the Trustees and after their death their inheritors will get the same.

(xiii) The said Founder/Author/Settlor of the Trust hereby expressly reserves to himself the power to revoke or modify at any time and at his pleasure the Trust hereby created but such revocation or modification will not affect any act already done by the Trustees in execution of the Trust.

12. If any of the Trustees becomes Bankrupt, insolvent or found guilty by court of an offence involving moral turpitude or remaining absent from Indian for a period of six months or resigns from his post, the remaining Trustees will be entitled to appoint his substitute.

13. For the purpose of stamp duty, the value of the Trust properties and assets is Rs. 1,00,000.00 (Rupees One Lakh) only.

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In witness whereof the parties hereto append their signatures on the Trust Deed on the 22nd day of February, 2019 at Goalpara.

Signature of the Trustees

Place and Date

1. Krishna Das
(Signed of Settlor of Trustee No. 1)
2. Turta Jyoti Samal
(Signed of Settlor of Trustee No. 2)

Goalpara
22/2/19.
Goalpara
22/2/19

Witnesses :-

1. Sushonita Deb
D/O Late Nikendia Kumar Deb
J.N. Road Goalpara
2. Chayanika Ray
D/O Lt Gishish Ch. Ray
Santinagar, Goalpara, 783121

Drafted & Interpreted by :

Harunur Rashid
22.02.2019
(Mr. Harunur Rashid)
Advocate, Goalpara.

Sahab Ali
Petition Writer
Munsiff No-1
Goalpara L/No- 10/2015