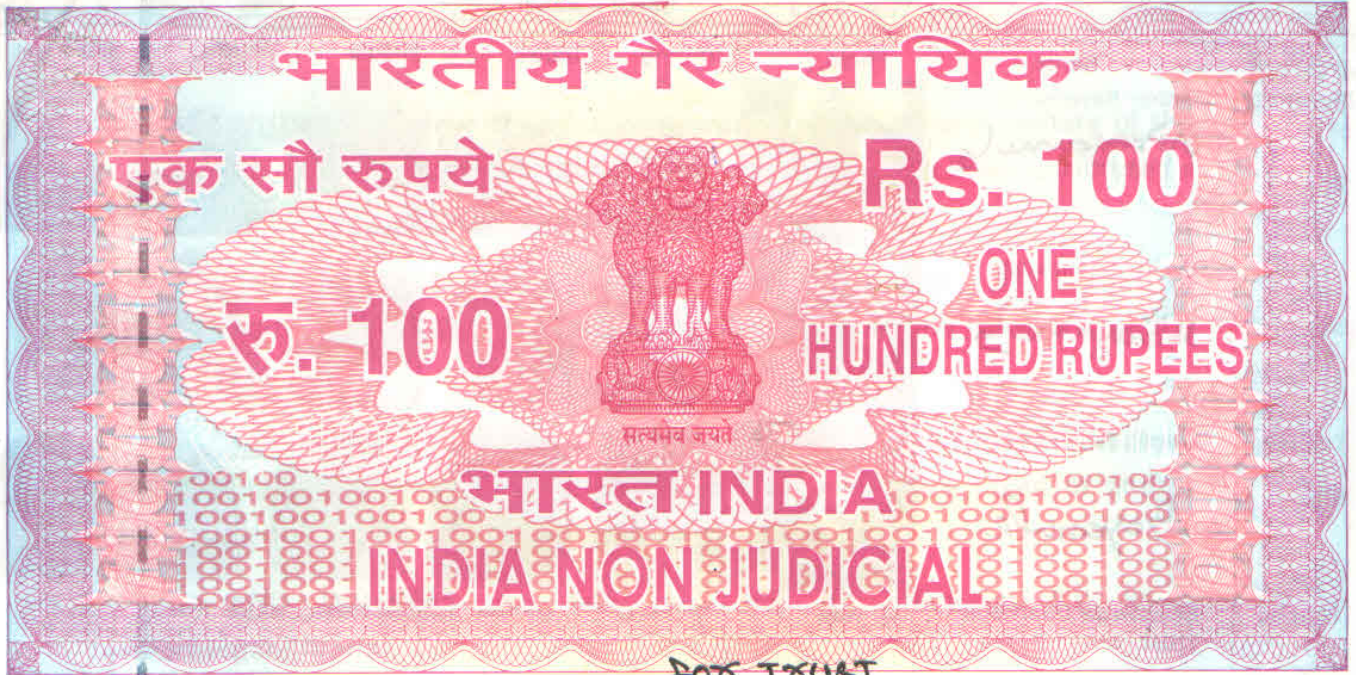


9003



FOOT TRUST

बिहार BIHAR

5428  
09/09/2019

Harihar Bayanwala &amp; Lalita

Hazarimal Bayanwala &amp;

S.K. Road, Forbesganj, P.S. Darjeeling

Govt. of Bihar Sub Registry Office, Forbesganj

X 770124

Deed No. 23

K. K. VARMA

STAMP VENDOR

LICENCE NUMBER 215/88

FORBESGANJ (ARARIA)

## Summary of Endorsement

This document was presented for registration on **09/09/2019** by **Harihar Bayanwala**  
A Stamp Duty of Rs. **6000/-** and other Fees of Rs. **11740/-** has been paid in it.

The document was found admissible. The Names, Photographs, Fingerprints and Signatures of the Executants  
and their Identifier, who have admitted execution before me, are affixed on the reverse page.

The document has been registered as Deed No. **23** in Book No. **4**, Volume No. **1** on pages from **271** to  
**284** and has been preserved in total **14** pages in C.D. No. **1** / Year **2019**

Date: 09/09/2019

Token No: 9003 /2019

Signature with Date  
(DEVENDRA PRASAD)

Registering Officer, Forbesganj

KNOW ALL MEN BY THESE PRESENTS that we (1) HARIHAR BAYANWALA son of  
Late Hazarimal Bayanwala residing at S.K Road, Forbesganj, (2) LALITA DEVI  
wife of Sri Harihar Bayanwala residing at S.K Road, Ward No. 17, Forbesganj, (3)  
ANURAG BAYANWALA son of Sri Harihar Bayanwala residing at Ward no. 2,  
Pradhan Nagar, Silliguri, Darjeeling, (4) MALVIKA BAYANWALA wife of Sri  
Anurag Bayanwala residing at Ward no. 2, Pradhan Nagar, Silliguri, Darjeeling.  
(which expression shall unless excluded by or repugnant to the context be  
deemed to mean and include their heirs, executors, administrators,  
representatives and assigns) SEND GREETINGS:



Signature with Date  
(DEVENDRA PRASAD)  
Registering Officer, Forbesganj  
09/09/2019  
Malika Bayanwala  
Lalita Devi






# Sub District Registry Office, Forbesganj

Token Number 9003

Reg. Year 2019

Serial Number 8789

Deed Number 23

PresType	Name	Photo	Thumb	Index	Middle	Ring	Little
Presented By	Harihar Bayanwala <i>H. Bayanwala</i>						
Sig.	Harihar Bayanwala <i>H. Bayanwala</i>						
Trustee	Anurag Bayanwala <i>A. Bayanwala</i>						
Sig.	Bayanwala Charitable Trust	<input checked="" type="checkbox"/> Photo	<input checked="" type="checkbox"/> Thumb	<input checked="" type="checkbox"/> Index	<input checked="" type="checkbox"/> Middle	<input checked="" type="checkbox"/> Ring	<input checked="" type="checkbox"/> Little
Trustee	Lalita Devi <i>Lalita Devi</i>						
Sig.	Malvika Bayanwala <i>Malvika Bayanwala</i>						
Identified By	Kunal Kedia <i>Kunal Kedia</i>						



*H. Bayanwala*  
9.9.2019

WHEREAS in view of undertaking works for the general welfare of the mankind in the year 1965 Sri Harihar Bayanwala, Smt. Lalita Devi, constituted a trust known as "Bayanwala Charitable Trust".

AND WHEREAS a school known as Shishu Bharti was started at Forbesganj in the District of Araria in the State of Bihar and the said school is still continuing.

AND WHEREAS in the year 2019 Sri Harihar Bayanwala, Smt. Lalita Devi, Sri Anurag Bayanwala and Smt. Malvika Bayanwala were taken in and/or appointed as Trustees of the said trust.

AND WHEREAS the said trust has its office at S.K Road, Forbesganj(Araria).

AND WHEREAS we (1) Harihar Bayanwala (2) Smt. Lalita Devi (3) Sri Anurag Bayanwala (4) Smt. Malvika Bayanwala are the present trustees of the said 'BAYANWALA CHARITABLE TRUST' and the said trustees are, inter alia, seized and possessed of the assets of the said trust.

AND WHEREAS in order to avoid confusion we are desirous of recording the terms and conditions on which the trust was created by the said Sri Harihar Bayanwala, Smt. Lalita Devi, Sri Anurag Bayanwala and Smt. Malvika Bayanwala and have been continuing as such.

NOW THIS INDENTURE WITNESSETH and its declare and confirmed as follows:

1. NAME OF THE TRUST:

The Trust shall to be known as "BAYANWALA CHARITABLE TRUST"

2. OFFICE:

The Office of the Trust will continue to be situated at S.K Road, Forbesganj(Araria). The Trust may have its additional office of Offices at other place or places in India of elsewhere as the Trustees may from time to time decide.



Harihar Bayanwala 9/11/19  
Smt. Lalita Devi  
Smt. Malvika Bayanwala  
9/11/19



3. **TRUSTEES:**

The number of the Trustees shall not be less than three and more than nine. The Trustees for the time being will supervise the affairs of the Trust in the manner hereinafter mentioned and the trustees may appoint new Trustees. The Trustees shall be entitled to appoint any person competent to be a trustee.

4. **PRESENT TRUSTEE :**

(1) Sri Harihar Bayanwala

(2) Smt. Lalita Devi

(3) Sri Anurag Bayanwala

(4) Smt. Malvika Bayanwala

5. **Qualification of a Trustee:**

No person shall be appointed to act as Trustee unless he is an Indian Citizen. No insolvent of person convicted under the Indian Penal Code of other Law of any offence involving moral turpitude shall be eligible to be appointed as a Trustee. No person who has been adjudicated in an insolvent and has not obtained his person discharge shall be eligible to act as Trustee. No Person of unsound mind or a minor shall be competent to act a Trustee.

6. **Disqualification of a Trustee:**

Any Trustee who is convicted of any offence involving moral turpitude under the Indian Penal Code or any other law shall cease to act as Trustee and any Trustee who is adjudicated insolvent shall be deemed to be removed from the office of Trustee. Any Trustees, may on giving two months notice in writing addressed to the other Trustees, retire from Trusteeship. On expiry of the period of notice unless such notice be withdrawn in writing prior to the date of such expiry the Trustee retiring shall cease to be a Trustee. Any Trustee who has been found to be of unsound mind by a competent Court shall cease to be a Trustee.



*H. Bayanwala*  
*Lalita Devi*  
9/9/19

*Bayanwala*  
*Malvika Bayanwala*  
9/9/19

7. Trustees to receive no benefit of remuneration:

No Trustee shall directly or indirectly enter into any contract or engagement or receive any benefit directly or indirectly from the Trust Estate.

8. Vacancies/ Additional appointment:

Vacancies in the office of Trustee by death, retirement or for the cause mentioned in clause 6 hereof shall be filled up as follows:-

a). That on the retirement of a Trustee, the remaining Trustee or the Trustees shall be entitled to and competent to elect a new Trustee in his place subject to the qualification the appointment shall be made out of the family members of the Found of this Trust;

b). In the event of a vacancy being caused by death of due to any of the causes enumerated in paragraph 6 hereof the remaining Trustee or Trustees shall proceed to select a proper and duly qualified person subject to the condition laid down in preceding clause to fill up the vacancy.

Upon such nomination of election as aforesaid he Trustee of Trustees so nominated of elected shall be and he deemed to have been Trustees as if originally appointed.

9. Vacancy:

In the event of death, retirement or resignation of a Trustee without having made any appointment, it shall be the duty of the remaining Trustees to appoint a Trustee in place of the Trustee so dying, retiring or resigning within two months thereof.

10. Formalities on appointment:

Without prejudice to any other power of appointing new Trustees whether contained elsewhere in this deed of conferred by statute of otherwise a new trustee may be appointed by resolution of a meeting of the trustees.



H. Bayamula  
Kalita Devi

9/9/19

Bayamula  
Kalita Devi  
9/9/19



11. **Convener:**

The Trustees shall from time to time appoint one from out of themselves a Convener to call meetings of the Trustees. It should however be open to any two Trustees at any time to convene a meeting of the Trustees.

12. **How Trustees are to act:**

The Trustees shall act by a majority at a meeting and also in all matters upon which any difference arises.

13. **Trustees shall act by majority:**

No act in the administration or management of the Trust herein contained including the appointment of the new Trustee shall be valid or binding or can be carried out or given effect to if objected to by majority of the Trustees.

14. **Quorum:**

In all meetings of the Trustees, two shall form a quorum.

15. **Chairman:**

At every meeting of the Trustees, the Trustees shall select one of themselves to be the Chairman who shall also be entitled to vote.

16. **The Remuneration of the Trustees:**

The Trustees shall receive no remuneration of any kind or receive any money from the Trust Estate directly or indirectly by way of remuneration or otherwise. The Trustees shall be entitled to reasonable actual travelling and halting allowances for purposes of inspection and other work of the Trust.

17. **Objects of the Trust:**

The general object of the Trust is for the benefit of mankind and for establishing hospitals, orphanages, schools, temples, widow's homes, hostels, the advancement of Physical, technical and general education, the relief of distress and works of similar nature including advancement of learning, establishment of or help to schools and colleges especially for the development of Technical Commercial and Industrial education, contribution or establishment of Libraries, Reading rooms, maintenance of poor students,



*Bayanula*  
*Malvika Bayanula*  
*9/9/19*

9/9/19

supply of books of study, school, college or examination fees to deserving students, founding of scholarship and stipends etc. refunded or otherwise for study at home and abroad and for encouragement of special branches of learning, the medals, establishment of or help to schools or colleges for female education, establishment of or help to hospitals, infirmaries or dispensaries, founding of wings or provision of beds in same, foundation of Nursing homes for the sick and the infirm and of maternity and children welfare centers, foundation of orphanages, establishment of poor houses of alms-houses or houses for the deserving poor, establishment of Narikalyan Samities for help to helpless widows and indigent women, distribution of cloths and bread to the poor, establishment of or help for maintenance of Temples, Dharmshalas, provision for supply of pure drinking water by sinking tube wells or wells in localities where there is dearth of pure drinking water construction of or repair to paths, roads, bridges, etc. help for marriage of poor girls, donations, refundable of otherwise, to deserving persons for starting of continuing industries and shall also include the following:-

a). To establish, provide, carry in, maintain and/or assist in the maintenance in India of Schools including Primary, Middle, High School, Higher Secondary School and colleges for boys and or girls where students may obtain classical, cultural, physical, commercial, medical, technical, scientific and general knowledge of the highest order, throughout the Union of India.

b). To provide for research work and for the delivery and holding of lectures demonstration, exhibitions, public meetings, classes and conferences calculating directly or indirectly to propagate and advance the cause of education, religion, welfare of the human beings.

c) To provide or, establish and maintain and run libraries museums societies lecture halls and other institutions and to furnish the same with books reviews magazines newspapers and other publications.

d) To collect and preserve old classical manuscripts writings and literature of all kinds and painting curious and sculptures.

e) To print, publish, distribute and sell books newspaper magazines, pamphlets, leaflets, brochures, souvenir and other publications having irts objects teaching propagation promotion and development of thought of culture, literature, science and technology.



H. Jayaram  
Talita Devi

9/9/19

Bayanul  
Malika Bayanul  
9/9/19



f) To award grant and present stipends, scholarships prizes bonus, medals, study-loans and other allowances, concessions, gratuities to students, workers, writers, authors, editors and other interested persona in the advancement of religion education and culture.

g) To help needy person whether victims of flood epidemic earthquakes, war, civil disturbances of any other cause whatsoever with medicines, cloths, accommodations and rendering all other helps in such manner as the Trustees shall from time to time think fit and proper.

h) To extend help and relief in the form of free distribution of medicine of giving aids of donations in money or in kind to institutions, societies and other bodies of medical relief or for advancement of art and culture and for the overall mental and physical upliftment of any society in general.

i) To establish support and maintain institution or institutions and societies intended to relieve poverty and distress such as hospital, Alms-house of orphanages homes for working trial, homes for refugees, homes for disabled crippled persons and helpless widows etc.

j) To establish support and maintain social institutions for promoting and spreading social consciousness monuments and preserving or promoting the preservation of lands, tenements, temples, monuments or any other place or thing of historic interest.

k) To establish support and maintain or assist in the preservation of wells, tanks or any other means of water supply parks, dharamshalas, atithishalas, resthouses, roads, paths, waterways, common grassing grounds, veterinary hospitals, institutions, catering the general welfare of animal life, cremation ground, clubs and other public utility subjects for the use and benefit of the general public with the sole object of public charity and without any purpose to make gains.

l) To do all of such other lawful things as are incidental of conducive to the attainment of one or more of the above of similar objects.

m) To collect raise and receive subscriptions donations, gifts in cash or in kind for all of any of the objects and to apply the same in accordance with the conditions, if any, presents objects of this Trust.



J. Jayaram  
Kalita Devt

9/9/19

Abayamule  
Molika Bayamula  
9/9/19



18. **No portion of corpus to be utilized in charities:**

No portion of the corpus shall be applied towards any of the objects hereinbefore mentioned or hereinafter particularized. All expenditure in relation to the Trust shall be met out of the income of the Trust properties and not out of the corpus or capital.

19. **Power to receive and accept Gifts:**

The Trustees shall hold all gifts, presents, contributions, subscriptions, donations, requests, other moneys of property as and when the same shall be paid to or vested in them upon trust.

20. **Management:**

The general management and control of the Trust for due and affective administration of the Trust affairs and properties and carrying out the objects and purposes of the Trust aforesaid shall be vested in the Trustees and without prejudice to the generality of the objects and powers above mentioned they shall have power to do all or any of the following acts that is to say:-

- a) To enter into contracts and borrow money for the purpose of the Trust and management of its properties and assets.
- b) To appoint officers and servants at such remuneration (if any) as they think fit.
- c) To receive grant, donations and subscriptions.
- d) To make rules and regulations from time to time for the management and conduct of the affairs of the Trust and its properties and assets.

21. **Power of Trustees:**

i) To apply the whole or part of the income of accumulation thereof, for one or more of the objects and purposes of Trust determine provided, however, that if any donations, contributions, gifts or presents are earmarked by the donor for any particular purposes, the same will be utilized for that purpose alone.

ii) Any act, deed or thing required to be done or executed by the trustees including any deed of transfer, conveyance lease or other document or documents of any kind whatsoever shall be deemed to be done by all the trustees if it is done or executed by any two of the trustees, in pursuance of a resolution of the Board of Trustees.



H. Bayamul  
Lakhta Devi

9/9/19

Bayamul  
Lakhta Devi  
9/9/19

iii) To keep and maintain regular books of accounts of all receipts and expenditures relating to the Trust. The said accounts at the end of each calendar year shall be examined and approved by the Board of Trustees at a meeting duly held for the purpose.

iv) To invest and keep invested the trust properties either in the purchase of mortgage of immovable properties or in shares, debentures or other securities, and investments whether authorized by the Indian Trusts Act or not in the name of the trustee singly or jointly or in such other name as the trustees from time to time may decide, and to alter, vary, or transpose such investments from time to time as the Trustees shall in their absolute discretion think fit provided however all investments will be in due compliance of the provisions of laws relating to taxation of income so that income of the Trust may be eligible for exemption from income tax, wealth tax and other taxes affecting taxation of trust properties and income.

v) To sell, dispose of, alienate or otherwise deal with any property moveable or immoveable comprising the Trust properties.

vi) To open accounts with any Bank of Banks to operate such accounts and to give necessary instructions to the Bank from time to time and to provide for opening and operation of such accounts by any one or more of the Trustees or by one Trustee and any officer or officers of the trust.

vii) To let out or demise any immoveable property comprised in the Trust properties.

Viii) To adjust, settle, compromise, compound, refer to arbitration all actions, suits, claims demands and proceedings regarding the trust properties or affairs.

ix) To make, vary, alter or modify schemes rules and regulations for carrying out the objects of the Trust and for the management of the affairs thereof and of running any institution in furtherance of the objects of the Trust and otherwise for giving effect to the objects of the Trust.



H. Bayamle  
Lalita Devi

9/9/19

Bayamle  
Lalita Bayamle  
9/9/19



22. Obligations of Trustees:

i) Each Trustees shall be chargeable only for such moneys, stocks and funds as shall actually come into his hand and shall not be an answerable of accountable for any negligence, default, act, omission or commission of the other Trustees nor of any Bankers or other persons with whom the Trust properties or any securities may have been deposited or handed over unless caused by his willful neglect or default.

ii) The receipt of any person authorized by the Trustees or by a resolution of the Board of Trustees for any moneys paid or any property transferred or delivered to the Trustees in the execution of any of the Trusts or powers hereof or for the sale of any trust property duly authorized to be sold, shall effectually discharge any person of persons so paying or transferring or delivering.

23. Power of Frame Rules:

The Trustees shall be competent to frame rules not inconsistent with the provisions of the Trust Deed for the proper administration of the Trust and to enable them to more efficiently carry out their duties. Such rules may provide inter alia, for the appointment of a committee of trustees for the supervision of the trust, for ensuring that the moneys allotted by the Trust are being properly utilized by donees, for withholding payments in cash they find that the object for which the money so granted is not being properly utilized, for payments of grants in lump sum or in installments for the formation of a provident fund for employees of the Estate, for laying down duties to be discharged by any manager to be appointed by them and for their subordinates for the method in which the books should be kept and for all other matters calculated to promote the carrying out of the objects of the Trust.

Beyanle  
Malika Bangwala

9/9/19

24. All the powers and provisions hereby shall be construed as being subject to the restriction and limitation herein contained.

25. The Trustee here by declares that the Present Capital of the Trust is Rupees 5,11,189.49/-

26. The Trust hereby created is made irrevocable



Malika Bangwala  
Zakita Devi

9/9/19

IN WITNESS WHEREOF the parties hereto have set their respective hands on this 09<sup>th</sup> day of September 2019,

SIGNED SEALED AND DELIVERED

By the Declarants at Forbesganj (Araria)

in the presence of :-

Kunal Kedia  
09/09/19

KUNAL KEDIA S/O BINOD KR. KEDIA  
WARD NO-05, FORBESGANJ (ARARIA)  
P.S. - FORBESGANJ

H. Bayanul  
Zabita Devi

Bayanul  
Malvika Bayanwala  
9/9/19

Ashish Kumar  
09/09/19

Ashish Kumar S/O - Raj Mohan Jha  
AT-Khawaspur, W.N-01, P.S-Simsoha  
ARARIA, BIHAR, 854318

