

Copy applied for on 22/3/1976
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Delivered by V.P.P. on 22/3/1976
Copy

SHEHAKUNJA

35
Dra 6/1000
Expt 3. 18/3/1000
Recd. Soon
ACCRD 18/3/1000
Assistant Charity Commissioner
BELGAUM.

THIS DEED OF TRUST IS DECLARED IN THE CITY OF BELGAUM ON

Ist of April 1976 by Dr.Kusum B.Gorab, M.B.B.S., residing at present in the premises of St.Lukes Hospital, Shrirampur, District Ahmednagar, hereinafter called "THE SETTLOR" in favour of "SHEHAKUNJA" hereinafter called the "TRUST" investing the subject matter of the Trust in:-

- (1) Dr.Kusum B.Gorab : Settlor, Indian Citizen residing at St.Luke's Hospital, Shrirampur District Ahmednagar,
- (2) Dr.Pushpa M.Mutalik : Indian Citizen, residing at CSI hospital, Gadag-Betgeri, District Dharwad, Karnataka.
- (3) Dr.Subraya A.Kamat : Indian Citizen, residing at Flat No.B.149, Hindu Colony, Dadar-Bombay-400 014.
- (4) Prof.Anand R.Chandekar : Indian Citizen, residing at 1/5, Vishnu Prasad, Housing Society- M.G Road, Vile-Parle, Bombay-400057
- (5) Shri Shashinant S. Sangale : Indian Citizen residing at Shobha Nivas, Sangamner Road, Shrirampur, District Ahmednagar.

as trustees under this deed hereinafter called the "TRUSTEES AS SET FORTH HEREIN.

WHEREAS, the Settlor is desirous of setting up TRUST Rs.500/- (Rupees five hundred) only for the purpose of hospitals, medical centres, educational institutions, nurseries, homes for destitutes, children, woman and men, and all other things specified in the aims and objectives of this trust stated hereinafter for the development of health of the general public anywhere in India.



WHEREAS the TRUST above named and the Trustees constituting thereof have agreed to accept from the settlor, the sum said sum of Rs. 500/- for the purpose of carrying out the aims and the objectives of the Settlor under the directions set forth herein as to enable the Trust to

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prosecution its objectives according to the directions and wishes of the Settlor.

NOW THEREFORE, THESE PRESENTS WITNESS AND IT IS HEREBY AGREED AND DECLARED AS FOLLOWS:-

(1) Name and Registration:-

This charitable Public Trust shall be designated as and known by the name "ONEHAKUNDA" hereinabove and herein-after referred to as the TRUST which be registered under the BOMBAY PUBLIC TRUST ACT 1950.

(2) REGISTERED OFFICE :

The Registered Office of the Trust shall be at Kasarkod, Taluka Honnavar, North-Kanada District.

(3) PROPERTIES :-

The properties of the Trust shall consist of Rs.500/- paid by the Settlor to the Trustees at or before the execution of these presents, the payment and receipt whereof the trustees do hereby admit and acknowledge and movable and immovable properties as may accrue to and be acquired by the Trust from time to time by donations, grants, contributions, Gifts, purchase/s or in any other way whatsoever.

(4) AIMS AND OBJECTIVES :

(A) To organise medical aid to every kind to the poor and needy of every caste, creed and religion and to promote General Public Health.

(B) To look after destitute, children, women and men without distinction of caste, creed and religion and resettle them by arranging for their education employment etc.

(C) To promote study and research in medicines.

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- (D) To undertake RURAL HEALTH & DEVELOPMENT projects for improving the conditions of the Rural population in the Country.
- (E) To establish demonstration farms and dairies to educate farmers in Scientific farming, gardening and animal husbandry.
- (F) To do all such and other things, deeds, incidental or conducive to attain the above objects or any of them.

(5) MANAGEMENT & VESTING OF TRUST PROPERTIES :

The Management and the Control of the Trust or its properties shall vest absolutely in Trustees appointed by the Settlor under these presents and those as may be changed from time to time as provided hereinafter.

(6) Subject to the provision hereinafter contained in that behalf, the Trustees shall not be less than 5 or more than 10 in number.

(7) FIRST TRUSTEES :

The following persons shall be the first trustees of the trust appointed by the Settlor under those presents:-

- 
- 1) Dr. Kusum Bhavanishankar Sorab, Trustee & President of Life
 - 2) Dr. Pushpa Mahavirno Mutalik, Gadag-Betgeri, Trustee
 - 3) Dr. Sibrayn Anant Kamat, Bombay, Trustee
 - 4) Prof. Anand Singhunath Chandekar, Bombay-Trustee
 - 5) Shri Shashikant S. Sangle, Shrirampur, Trustee.

(8) THE TRUSTEES :

- A) A trustee under these presents shall be ordinarily a resident of India and of an age not less than 25 years (Twenty five years) completed.

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Provided that all the Trustees who shall be appointed hereafter from time to time shall be appointed by the Trustees under a Resolution in their meeting by majority decision.

- (B) A trustee shall hold office until he/she completes the age of 70 years. Thereafter, the trustee may be re-appointed if the trustee remains physically fit and maintains a good working capacity. Otherwise his office shall be deemed to have been vacated on his/her completion of age of 70 years or on death of on his resignation duly accepted by the Trust or on his/her attracting legal disability of any kind or his/her absence from India for six consecutive months without leave or absence granted by the Trustees or on the trustee being adjudged by the appropriate Court or Authority to be unfit to act as Trustee.
- (2-A) As soon as expedient but not later than three months after a vacancy occurring in the office of the trustee, the continuing trustees shall appoint a person as Trustee under a resolution passed by majority in their meeting.
- (B) No action or decision taken by the continuing Trustees or trustees pending the filling of a vacancy or vacancies as provided in clause '(A)' of this article shall be deemed to be vitiated or invalidated on the ground of the fact that the number of trustees for the time being was less than five.

- (C) No person shall be appointed as a Trustee unless his prior consent in that behalf has been obtained in writing nor shall the appointment of a Trustee be effective and operative until it is recorded in the minute books of the Trust and is countersigned by him.
- (D) A trustee duly appointed under the provision of this article shall have the same power, authorities, discretions and he shall be subject to the same obligations and liabilities as if he were originally appointed as Trustee under Article '7' of these presents.

(10) BANK ACCOUNTS :

All the bank accounts shall be held by or in the name of the Trust and all transactions shall be made, executed in the name and on behalf of the Trust in the manner hereinafter provided.

(11) ADMINISTRATION OF THE FUND:

The funds of the trust shall consist of

- 1) Permanent fund,
- 2) Income.
- 3) Special fund if any.

(A) The trust shall invest all trust funds as required by Section _____ of Bombay Public Trust Act 1950. All accounts in the Bank pertaining to the trust shall be maintained in the name of the trust, and shall be operated upon as provided in Clause (F) of 13 herein.

(B) All interest and other yields from Investments of the Trust including the investments of the permanent fund and all donations and other incoming monies not earmarked for permanent funds or any special funds or for any other

Specific purpose shall be the income of the Trust.

- (C) The Trustees may in their discretion spend or disburse or otherwise employ all or any part of the income in furtherance of the aims and objects of the Trust and in exercise of their duties and powers under these presents, and they may if they so deem fit at any time a credit a part of income to permanent fund.
- (D) The Trustees may at any time accept or collect donations earmarked for any specific purpose or project in furtherance of the object of the trust and the monies so earmarked for any specific purpose shall be a special fund for that purpose. The special fund shall be administered or employed according to the stipulations subject however to the objects of the trust provided however always that any residue if left in a special fund after its purpose is fulfilled, shall be credited to the income.
- (E) The Trustees may obtain loans from Banks and other funding agencies for the project of the Trust on terms and conditions, they may deem proper in the interest of the trust.
- (F) The Trustees shall from time to time make such rules and regulations as are necessary for the smooth administration of the Trust property and the Trust activity. These rules and regulations must not however contradict the provisions of Section 80(G) of the Income Tax Act.
- 12(A) The Trustees shall elect from among themselves office-bearers viz. President, Vice-President, A Secretary, and a Treasurer. The tenure of the office-bearers shall be

for three years and this tenure shall continue till the new office-bearers are elected.

- (B) In the case of casual vacancy of the President, Vice President, or Secretary or Treasurer by resignation of such office by the office bearer ceasing to be a Trustee, or residing his position as an office bearer, the remaining trustees shall elect a new office-bearer for the duration of the unexpired period of office of the original office bearer.
- (C) There will be an election to elect the Vice-President, secretary and treasurer every year.

13) MEETINGS OF THE TRUST AND MANAGEMENT :

- (A) The president shall ordinarily preside as Chairman at all meetings of the Trustees, in the absence of the President at a meeting the Vice-President shall preside at the meeting.
- (B) The President shall generally supervise and conduct the activities of the Trust specially in relation to the object of the Trust and he may at anytime take such steps as are necessary for due compliance with the duties, functions and procedures of the trustees as laid down in these presents.
- (C) Subject to the general supervision of the President and specific direction of the trustees the Secretary shall conduct the correspondence and other normal affairs of the Trust, including the maintenance of the minute books and such other registers from time to time as directed by the Trust under the resolutions.

(d) Subject to the General supervision of the President and specified directions of the Trustees the Treasurer shall look after all receipts and disbursements of the funds and income of the trust as provided under article 11 of these presents and shall maintain true and faithful records of all these accounts.

(E) All the money received by the Trust shall be banked. The President or the Vice-President in the absence of the President and may from time to time draw cash for such expenses as are generally not paid for cheques, provided that such cash in hand does not exceed one thousand rupees except by a resolution by the trustees for a specific purpose at any onetime.

(F) The Bank account of the Trust shall be operated by the President and Treasurer under their Joint signatures or in absence of any one of them under the signature of the President or the Treasurer and any one of the remaining Trustees under their Joint signatures.

14) FINANCIAL YEAR:

The financial year of the Trust shall be from 1st of January to 31st of December of the year provided that the first official year shall be the period from the date of these presents to the 31st December 1976.

15) MEETING OF THE TRUSTEES:

- (A) The Trustees shall meet at least once in every half of the financial year.
- (B) a meeting of the trustees shall be called by the Secretary (1) at the instance of the President and or the Vice President in the absence of the President

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or (ii) on a written requisition received from at least three trustees. The notice of such a meeting must be issued by the Secretary within two weeks of receipt of such a requisition.

- (C) The president shall decide the date, time and place of each meeting of the Trustees.
- (D) Atleast 10 clear days notice in writing shall be given for every meeting of the Trustees. The notice must include the agenda of the meeting, provided further that, the President may call an urgent meeting of the Trustees one any day at any place by sending telegrams three days prior to date of the meeting. Any resolution passed in the said urgent meeting shall be valid and shall be treated as one passed in a regular meeting.
- (E) Two thirds of a total number of Trustees or three whichever is less will form quorum of the meeting of the Trustees. In case there is no quorum within half an hour after the time appointed of a meeting, the meeting shall be adjourned for another day which is atleast twenty days later and notice of such adjourned meeting shall be given as hereinbefore provided. No quorum shall be required at such adjourned meetings.
- (F) At the instance of the President a proposed resolution may be circulated for adoption and such resolution shall be deemed to have been adopted only on the assent of all the trustees for the time being. Such a resolution must be confirmed at in the first meeting of the Trustees, held after the circulation of the resolution.
- (G) Subject to specific provisions contained in these ~~xx~~ presents the trustees from time to time may frame rules,

governing the meetings of the trustees and the functions of the office bearers.

(16) POWERS TO APPOINT AGENTS, ATTORNEYS AND SERVANTS:

- (A) The Trustees may from time to time in their discretion employ persons on such terms and recommendations as they deem proper and may similarly terminate such appointments.
- (B) The Trustees may from time to time hire the services of architects, contractors and /or agents to carry out the work undertaken by the Trust in pursuance of the objects of the trust on such terms and conditions as they may consider proper.
- (C) The Trustees shall engage the services of a duly qualified person or firm or auditor or auditors to inspect and audit the books of accounts and the investments of the Trust.
- (D) The trust may from time to time and at anytime engage the services of solicitors to promote or safeguard the interest of the trust, and may take such steps and institute, support defend, oppose, compound or drop such proceedings at law or arbitration or before any duly constituted authority as they may consider desirable and/or necessary in the interest of the objects, properties, rights, income-obligations undertakings or administration of the trust.

(17) POWER OF SALE OR BUY MOVABLE OR UNMOVABLE PROPERTY:

The Trustees from time to time and in the interest of the objects and other provisions of these presents, buy, sale, lease, rent, mortgage, exchange, hold or manage

property of any kind. They shall maintain proper records of such transactions and an inventory of such property.

(18) REIMBURSEMENT OF EXPENSES INCURRED :

The Trustees may re-imburse, actual travelling expenses incurred by them for attending the Board meetings. The Trustees shall not be paid any honorarium or remuneration.

(19) INDEMNITIES :

No Trustee shall be personally liable for any deterioration or loss of property or for loss of any money that may occur in the course of the administration of the Trust, unless and except in so far as such loss or deterioration is incurred in direct consequences of wilful neglect, gross negligence, or criminal mis-conduct as recognised under the panel law, on the part of any individual trustee or Trustee.

(20) The Trustees may time to time select the person/s for training in different fields useful to the institution or Institutions started or to be ~~xx~~ started by the Trust, and the expenditure ~~for~~ for such training in full or part may borne by the trust.

(21) All provisions of these presents are and shall be construed to be in compliance with the provisions and requirements of all laws, local and central and it shall be duty and responsibility of the trustees to diligently ensure due compliance with such provisions and requirements of the relevant laws.

(22) In the event of winding up or dissolution for failure of the Trust or for any other reason, the assets and funds

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of the Trust after meeting all liabilities shall be transferred to a charitable trust with similar objects, with prior permission of the Asst. Charity Commissioner, The decision in this regard shall be taken in a meeting specially called for the purpose, on simple majority. Under no circumstances, the assets and funds shall be divided among the trustees.

(23) The trust shall be a public charitable one. The benefits of the Trust shall be thrown open to the public irrespective of caste, creed or community.

(24) No amendments to the terms of the Trust deed shall be made which might prove repugnant to the provisions of Section 2(15)/80G of the Income Tax Act 1961.

(25) The Trustees may amend the clauses of the Trust deed and/or add clauses to the Trust deed on a majority decision in any meeting of the trust.

(26) INVESTMENT CLAUSE : The funds of the Trust shall be invested in the modes specified under the provisions of Section 13(1)(d) read with Section 11(5) of the Income Tax Act 1961 as amended from time to time.

(27) ACCOUNTS CLAUSE :- There shall be maintained all accounts of the Trust regularly. The accounts shall be duly audited by a Chartered Accountant. Every year, the accounts shall be closed by 31st March.

(28) AMENDMENT CLAUSE :- No amendments to the Trust-deed memorandum of Association/Bye-Laws/Rules and regulations shall be made which may prove to be repugnant to the provisions of Section 2(15), 11, 12, and 13 and 80G of the Income Tax Act, 1961 as amended from time to time. Further no amendments shall be carried out without the prior approval of the Commissioner of Income tax.

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(29) DISSOLUTION CLAUSE : In the event of dissolution or winding up of the Trust, the assets remaining as on the date of dissolution and under no circumstances be distributed amongst the Trustees/members of the Managing Committee/Governing Body but the same shall be transferred to another Charitable Trust whose objects are similar to those Trust and which enjoys recognition u/s.80G of the Income Tax Act 1961 as amended from time to time.

(30) MISCELLANEOUS CLAUSES : The trust formed shall be irrevocable. The benefits of the Trust shall be open to all irrespective of caste, creed or religion.

The funds and the income of the Trust shall be duly utilised for the achievements of its objects and no portion of it shall be utilised for payment of the Trustees/by way of profit, interest dividends etc.

IN WITNESS WHEREOF, the Parties hereunto have hereunto set and subscribed their seals consecutively thereto the day, and the month and year first hereinabove written.



Signed, sealed and delivered by the within named Settlor. X

Dr. Kusum Bhavanishankar Sorab X sd/-

in the presence of X

1. Dr. M. P. Terkar X sd/-



Note:-

1) Enquiry No. 61/2000

113/77 dt 2/8/77

333/87 dt 15/10/87.

COMPARED BY

R. Deekshatulu
CLERK

2-2-2001

M. P. Ahalye
T. V. S. C. T.
SHEKHARAKUNJA TRUST
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Office Assistant

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