**DRAFT OF TRUST DEED AND**

**RULES AND REGULATIONS OF**

**TOWARDS EDUCATION & WELFARE TRUST (TEW), NEW DELHI, INDIA**

This **deed of trust** is declared and founded in Delhi, India on the 20th of October, two thousand and twenty (30.10.2020) by the committed people, who wish to associate together for the purpose of charity**.** They intend toserve the Indian people in general and those of Delhi in particular**.** Being active in their respective fields namely **education, health, environment, and general welfare,** they ought to create a **trust** named as above. They are

1. Sayyed Kalim (**settler/founder trustee**) S/o

(Here after called and referred as **settler/founder trustee**)

Age

R/o

1. Dr. Mohammad Shahid, educationist S/o (late) Mohammad Sulaiman Sabir

(Hereafter called and referred as **senior founder trustee**)

Age—70 years

R/o 2143—Ahata kale Sahib; Ballimaran; Delhi—110006, India.

1. Mr. Raees S/o

Age--

R/O--

1. Haji Mohammad Irshad S/o

Age,

R/o

1. Mr. Mohammad Ashraf, S/o

Age--

R/o—

1. Mr. Mohammad Usman S/o

Age,

R/o

Whereas the **settler/founder trustee** in association with **senior founder trustee** have constituted a sum of Rs.21,000/- (twenty one thousand rupees only) as initial corpus of the **trust fund** together with all the contributions and assets that may from time to time be vested in **the trustees** or be received by them, by way of donations or otherwise in relation to **the trust** here by created.

**N.B. the number of trustees shall not be less than three and not more than eleven.**

1. **Name of the Trust**

**TOWARDS EDUCATION & WELFARE TRUST (TEW), NEW DELHI, INDIA**

1. **Registered office**

3199, KUCHA TARA CHAND, DARYA GANJ, NEW DELHI—2

* Likely to be shifted to some other place/places as it may be necessary or deemed fit.
* The **trust** intends to open its other branches locally or/and at other cities of India and abroad.

1. **Aims and Objectives**

To assist and work to establish a charitable fund (herein after is referred to as the **trust fund**) to help and assist persons or itself establish **educational, charitable and Waqf institutions and welfare organizations, in order** to undertake **social and welfare work, health care and environment** principally for the benefit of the Muslim minority, backward communities and other disadvantaged groups of the Indian societies in various streams and professions as elaborated above.

Our **vision** defines our goals and expectations in various spheres to be accomplished in future. The emphasized **vision of the trust** centralized

* 1. **Towards Education**
  2. **Towards Health**
  3. **Towards Environment**
  4. **Towards Social-work**
  5. **Towards miscellaneous aspects**

In pursuance of the **above visions, the trust** visualizes missions as under**;**

**3.1 Mission towards education**

1. To establish a charitable fund in order to help and assist people.
2. To establish **charitable and waqf** institutions and **welfare organizations** for the benefit of minority and other under privileged communities.
3. Promote education for all the students, especially those belonging to minority and backward communities and in addition for the benefit of others, irrespective of cast, creed, race and religion..
4. Ascent of pedagogy from primary level up to senior secondary level.
5. To establish **coaching institutes** **at different places in Delhi and other cities of India** for identification and promotion of latent talents among students, their personality development, counseling, career counseling and to instruct them to acquire the excellence in academics through latest technologies.
6. Emphasis at teaching of mathematics and learning of English.
7. Shall undertake the motivational activities for students, parents, teachers and other stake holders.
8. To work for all round literacy development of the pupils and to develop human resources.
9. To promote better understanding and harmony among various regional, linguistic and religious groups of Indian societies.
10. To make educational arrangements for destitute, mentally retarded and handicapped children.
11. To collaborate with local, national or international organizations and establish working relationship/partnership for similar objectives in whatever way/s found suitable for the achievements of the objectives of the **trust.**
12. To arrange professional/vocational training for regular students as well as dropouts.
13. To establish computer training centre (CTC), sewing centers for girls etc.
14. Arrange accommodation for students coming from other cities for preparation of competitive examinations.
15. To promote moral and religious education.
16. To publish books, charts, illustrations, journals, magazines, periodicals and other publications on varied topics and subjects in different languages for promotion of the aims and objectives of the **trust.**
17. To collaborate with national and international agencies, societies and NGOs having the similar objectives.
18. To work for promotion of Urdu as a language.
19. To promote yoga and martial arts.
20. Literacy among adults and senior citizens deserves attention; the **trust** shall pay heed towards the same.

**3.2 Mission towards health**

Generally speaking, there is lack of sufficient medical facility. **The trust** aspires to supplement the available services. Endeavour to boost up the medical facility is desired to be undertaken in a way elaborated as under;

1. To open charitable clinic/s for the benefit of general public.
2. To inspire hope and contribute to **health** and well being by providing the best care to every patient through integrated clinical practice,.
3. Help people to have access to more accurate information on health facilities and service providers.
4. To undertake family welfare programs including planning of family, child birth, infant health care, counseling for healthy and restricted child birth, immunization against preventable diseases, prevention and treatment of communicable diseases, ways and means to prevent public from covid-19 (which is likely to stay for an unspecified time), and so on and so forth.
5. Opening of Pharmaceutical shops for sale/distribution of cheap generic medicines instead of branded costly ones.
6. To encourage the alternate system of medicine such as ayurved, unani, homeopathy, acupressure, acupuncture, yoga etc.
7. To promote martial arts, besides being a sport, it is a technique for self defense especially for girls.
8. To provide guidance for primary health centers and other schemes and facilities and bestowed to the public, either general or deprived.
9. To inform and advise the people about all the important information regarding any health emergency.

**3.3 Mission Environment**

Our mission is to protect human health and environment from the harmful effect of radiation, pollution and other un-healthy situations.

1. A clean, healthy and well protected environment is required for supporting a sustainable society and economy.
2. Endeavour to maintain the quality of air, land and water clean.
3. Our mission is to strive continuously for improvement and excellence through learning and development.
4. Being innovative, adaptive and open to new and flexible ways of working shall be our mission.
5. Try to design the project and services from the point of view of the citizen’s requirements.
6. Shall work to reduce the environmental risks based on the best available scientific information.
7. Undertake plantation practices that include shade regulation, field preparation and weed control, irrigation, and soil and water conservation.

**Simple things which we shall educate the people to help protect the mother earth;**

1. **Reduce, reuse, and recycle—follow 3 “R,s”,** Cut down on what you through away.
2. **Socialize the volunteers for cleaning activities and “SAFAI ABHYAN”.**
3. **Educate.** One can help others understand the importance and value of our natural resources.
4. Shop wisely
5. Reduce use of plastic.
6. Use long-lasting light bulbs.
7. Plant a tree.
8. Don’t send chemicals into our waterways.
9. Drive less, pool driving is recommended. Restrict the use of natural resources of energy.

**3.4 Mission social-work**

1. It is an academic discipline that promotes social change and development, social cohesion and the empowerment and liberation of people.
2. Principles of social justice, human rights, collective responsibility and respect for diversities, we believe are the basics for **social work.**
3. Our objective is to provide advice, support and resources to individuals and families to help them solve their problems.
4. We shall strive to work for children, elderly and families in crises and help them to solve the problems they might have been facing.
5. Work for social change on behalf of vulnerable and oppressed people.
6. Being respectful to every person and mindful of cultural and ethnic diversity.
7. Being trustworthy and upholding our mission, value, ethnical principles and ethical standards shall be our motto.

**3.5 Mission miscellaneous**

1. To establish charitable fund for educational and professional institutions like schools, colleges, medical and pharmacy colleges, polytechnics etc., in association with government and private agencies, for boys and girls for the benefits of minority and under-privileged communities.
2. Erect buildings or structures on lands acquired by purchase, lease, gift from any person, company, society, state or central government, institutions and autonomous bodies.
3. Receive or collect any gift, subscription or donation either in cash or kind from anyone living or dead and from anywhere in India or abroad **by prevailing lawful ways and means.**
4. Pay the government or any other public authority, rent taxes or assessment dues, duties and shall abide by all the prevailing and amended laws of the land that may time to time be levied in respect of the trust assets or any part thereof, in accordance with the provision of the existing laws of income tax, foreign exchange and other laws whatsoever such as 8 OG, 12A rules etc.
5. Defray, out of the income of the trust, all expenses and other outgoings required for the creation of the trust.
6. Invest the trust assets in sound and profitable securities and ventures.
7. Raise or borrow money for the purpose of the trust on a mortgage or pledge of the trust estate or any part thereof with or without any security and on such terms and conditions as the trustees think fit.
8. Take over the management of any other public or charitable institution, project or branch of any such institution on such terms and conditions as the trustees may deem fit to manage such institutions.
9. Invest the funds of the trust not immediately required, in deposits with banks or with undertakings.
10. In general do or cause to be done apart from all the acts stated above, all such other acts or things as shall be conducive to the interest of the **trust** provided such things or acts are not contrary to nor inconsistent with the spirit and principles of law under which the **trust** has been established.
11. As and when required, **may amend these rules and regulations** by alterations, additions, substitutions or otherwise by the simple majority of the founder trustees.

**4. Board of Trustees.**

1. Including the **settler/founder trustee and the senior co-founder trustee** there shall be maximum 11 **trustees** and minimum 3 **trustees.**
2. **All trustees together** shall form the **board of trustees.**
3. **Settler/founder trustee and the senior co-founder trustee** shall occupy the office of the chairman alternately for a period of one year each. In case of an eventuality their nominee/s will adopt the chair and continue to function without detriment, objection or dispute.
4. **Settler/founder trustee and the senior co-founder trustee** shall be the **lifetime undisputed chairman and co-chairman of the** **trust** and shall enjoy the equivalent statutory and working powers without prejudice or dispute. .
5. **The trustees** shall elect amongst themselves two **Vice-Presidents,** a **Secretary** and a **Treasurer.**
6. **In case of vacancy** caused by resignation, death or otherwise the **remaining trustees** may fill up the vacancy by **Co-opting any other person as** **a member of the board of trustees** within a period of four (4) months from the date of occurrence of the vacancy, or the settler/founder trustee in consultation with senior founder trustee shall fill up the vacancy.
7. Till the vacancy or vacancies are duly filled up, the remaining **trustees** shall constitute **the board of trustees** and continue to carry on the normal activities of the **trust.**

**7. Category of trustees**

* Majority of the trustees are in agreement to invest the equal amount of money for the charity programs of the trust as mentioned above.
* Although keenly interested in the charity work of the proposed trust, some of the individuals find themselves in tight situation at the moment and unable to provide cash immediately that is needed to carry out the charity programs. They have been incorporated temporarily with an assurance to abide by **time limit** given. Mature status shall be attributed only after receiving the **identical amount paid by other trustees** within a period of **three months** from the date of registration of the trust.
* If he failed to keep the promise of paying the outstanding amount, the trust shall find itself unable to carry out his name any further for recommendation for the status of a trustee.

**8. Meetings.**

1. The board of trustees shall meet at least in two months to transact the business/progress of the **trust.**
2. **Seven** days notice shall be given for such meetings.
3. Any **three trustees** may in writing requisition the chairman to convene a meeting/emergency meeting of the **board of trustees** clearly indicating the subject matter to be discussed**.**
4. On receipt of such a requisition the he shall call for a meeting after giving five days clear notice to all the other trustees and the decision/s taken at such a meeting shall be valid and binding provided at least 1/3rd of the trustees attend such meeting and the decision is passed by the majority.
5. The President or the Presiding officer shall have a **Casting Vote** in case of even number of casted votes.
6. Notices of all meetings shall be sent by ordinary post/speed post along with information at WhatsApp or telephone/mobile.
7. Neither proxy/WhatsApp request nor telephonic call shall be adjudged as the attendance of the **trustee**. Only the physical presence of the trustees shall be taken into account.
8. Trustees who fail to attend four meetings consecutively without information in writing shall be regarded as less attentive towards the activities of the trust. They are liable to be admonishing for their insensitivity by the **board of trustees.**

**9. Quorum of the meeting**

1. The quorum for the meeting shall be 1/3rd of the **board of trustees.**
2. If at the time of meeting quorum is not complete, thirty minutes grace time shall be allowed to wait for the **quorum** to get complete.
3. If the trustees still failed to turn up, the meeting shall begin with the trustees present.

**10. Power of the board of trustees.**

1. Demand all moneys payable and receivable by the trust and give effectual receipts and discharge for the same.
2. Conduct, defend or compromise legal actions, appoint legal advisors for conducting the legal proceedings and to perform all such acts incidental to them by themselves or through their accredited agents.
3. Execute all documents relating to the immovable properties or to any loan secured or obtained by the trust.
4. The **board of trustees** shall enter into contracts, agreements or arrangements with the third parties as may be decided upon by the majority of the trusties in writing at a meeting duly called for the purpose.
5. The trustees shall act jointly and if any difference of opinion arises at any time amongst them in relation to the doing or forbearing to do anything or otherwise, the opinion of the majority shall prevail, and be binding and shall be effectively carried out. In case the dispute still failed to resolve, the Chairman and co-chairman in association shall take a decision that shall be binding to all.
6. The board of trustees may delegate any or all their powers to anyone or more of them for such time and purpose as they deem fit. The decision of majority of trustees shall prevail.
7. The **investor** **trustees** are fully empowered to carry out the aims and objectives of the trust in any manner it is deemed fit.

**11. The Managements**

1. The management and control of the properties and affair of the trust shall be vested in the board of trustees.
2. The trustees by themselves or through an agent or agents employed by them manage and deal with the **trust property or properties** in such manner as may be most beneficial to the **interest of the trust.**

**12. Responsibilities of Office-bearers.**

**Vice-president**

1. The President shall preside at the time of the board meeting, and in his absence one of the two Vice-Presidents shall elect amongst themselves as President of such meetings.

**Secretary**

1. The Secretary shall be in charge of and responsible for the safe custody of all records relating to the administration of the **trust and its properties.** All records, documents in dupliate shall be kept at the registered office of the trust.
2. He shall commence the meetings of the **board of trustees** under the direction/consultation of the chairman and co-chairman and maintain regular records/minutes of all the proceedings of such meetings.
3. All correspondence and all financial statements and returns required in connection with the management of the trust will be carried and prepared by the Secretary.

**Treasurer**

1. The Treasurer shall receive and disburse all the moneys of the trust and maintain or caused to be maintained proper accounts of the same.
2. All legacies, donations and subscriptions shall be paid to the treasurer whose receipt will be valid and binding on the trust.

**13. Functions**

1. **The trustees** shall open account in the name of the trust in a bank therein deposit all moneys payable to and receivable by them by virtue of these presets and shall keep and maintain or shall cause to be kept and maintained proper books of accounts subject to audit by a Chartered Accountant.
2. All transactions in bank/s shall be operated on cheques to be signed by any two of the three namely President, Secretary and Treasurer.
3. The office of the **trustees** shall be honorary but they are entitled to draw such allowances as are prescribed by the board for carrying out their duties.
4. Any trustee may retire on giving notice of one calendar month in writing of his intensions to do so in an uncontroversial manner.
5. The trustees are **wholly indemnified** against any expenses and losses incurred or suffered or any payments made by them in the administration of the trust.
6. Such expenses or losses and payments shall be borne by the trust, and none of the trustees shall in any manner be personally liable or responsible for the same.
7. All deeds and other documents to be executed by or on behalf of the trust shall be done by the Secretary of the Trust and that the trust may sue or be sued in the name of the Secretary of the trust.
8. A record of all meetings shall be kept by the Secretary and the minutes of the meeting in writing shall be sent to each trustee within seven days.
9. Trustee/s is entitled to get certain fixed amount as stipend for the special service he renders in individual capacity that is considered to be of vital value for the promotion and benefit of the aims and objectives of the trust.

**14. Difference of opinion**

* All the trustees shall work jointly and if any difference of opinion arises at any time amongst them in relation to the doing or forbearing to do anything, or otherwise, the opinion of the majority shall prevail.
* In case of equal number of votes casted in favour and against the disputed matter, the settler/founder trustee will cast his casting vote to finally decide the matter, but compulsorily in consultation with the senior trustee in order to resolve the matter. The matter so decided shall be binding to all and shall be effectively carried out.
* The trustees are supposed to work in conjugation. However in case of serious dispute an **“arbitration committee”** shall be constituted by the **board of trustee** in order to resolve the issue amicably.
* The arbitration committee thus constituted shall also include the Settler/founder trustee and the senior trustee as the members of the said committee in order to avoid the litigation. The litigation route is forbidden in any case.

**15. Incorporation of the new trust**

1. The **board of trustees** shall be entitled to incorporate fresh application/s with a specific subscription from any person/s above the **age of 18 years,** who accepts the **aims and objectives** and agrees to abide by the **rules and regulation of the trust. He/they** may be allowed to join the **trust** with a unanimous decision of **the board of trustees** to any of the following **categories of membership** of the **trust.**
2. **Associate Member (fee—Rs.1,100/- eleven hundred)**

Any person/s above the **age of 18 years,** who accepts the **aims and objectives** and agrees to abide by the **rules and regulation of the trust** anddesires to join it, will be required to apply in writing along with a cheque of Rs.1,100/- (eleven hundred rupees) or more for becoming an **“Associate member”** of the **trust**. The unanimous decision of the **fonder trustees** warrants for acceptance of the request.

**(b) Associate Trustee (fee—Rs.5,000/-)**

Any person/s above the **age of 18 years,** who accepts the **aims and objectives** and agrees to abide by the **rules and regulation of the trust** anddesire to join it, will be required to apply in writing along with a cheque of Rs.5,000/- (five thousand rupees) or more for becoming an **“Associate Trustee”** of the **trust**. Only the unanimous decision of the **board of trustees** warrants for acceptance of the request.

**(c) Patron (contribution—Rs.50,000/-)**

* Distinguished persons who are **requested by the board of trustees** to accept the **Office of Patron, with no contribution,** in view of their help and guidance to the **trust.** They will be entitled to take part in regular meetings of the trust.
* Thosewho wish to associate with the trust and offer a sum of Rs.50,000/- (fifty thousand rupees) or more, can become a **Patron** of the **board of trustees,** if the request isaccepted unanimously by the board of trustees. The incorporation is subjected to the conditions applicable recommended by the board.

Whenever required, the **board of trustees** shall decide the course and extent of participation (in activities of the **trust)** of those categorized as **(a), (b) and (c) above**

**16. Members of Governing Council**

Only the **original members of the trust** shall constitute the **governing council. Its** meeting shall be held quarterly and theminutes of its meetings shall be sent to **these trustees only.**

**17. Powers of Governing Council of trustees**

1. Powers to appoint agents and committees.
2. It shall carry out the **aims and objectives** of the **trust.**
3. Powers to compromise, any disputed matter or refer it to arbitration or adjudication.
4. Power to purchase, hire or take on lease.
5. Opening and operating of the bank accounts.
6. Power to determine all matters of doubt or difficulty.
7. **Governing Council** of **trustees** may delegate any or more of them for such time and purpose as they deem fit.

**18. Power of amending the rules.**

If in the opinion of **trustees,** circumstances so require, these **rules and regulations** may be amended by alteration, deletion, addition, substitution or otherwise in a meeting of the **trustees** through a resolution passed by the simple majority of the **founder trustees** present at the time of meeting that is convened for the purpose after a notice of seven days served in advance.

**19. Management and control of properties**

* The management and control of the properties shall be vested in **settler/founder trustees and senior founder trustee.** Theyby themselves, or through an agent or agents empowered by them, manage or deal with the **trust property** in such a manner as may be most beneficial to the interest of the **trust.**

**20. Difference of opinion**

**Governing council** shall work jointly. If any difference of opinion at any time among them in relation to the doing or forbearing to do anything or otherwise, the opinion of **settler/founder trustee** in consultation with **the senior founder trustee**  shall prevail and be binding and shall be effectively carried out.

**21. Investment of Trust funds**

**Investment of the fund:** all moneys forming part of the **trust fund** and requiring investment shall be invested on behalf of and in the name of the **trust.**

**22. Legal proceedings**

The General Secretary or any other person authorized unanimously for the purpose shall represent the **trust** in all legal proceedings by or against the **trust.** All documents executed by or in favour of the **trust** shall be in the name of General Secretary.

**23. Dissolution of the Trust.**

* If the circumstances so require, **trustees** in association shall decide to dissolve the **trust**.
* In such a case **movable and immovable properties of the trust** will be handed over to the duly **registered Trust or society** working for similar objectives, in accordance with the relevant resolution of the **trustees** as specified here above.

**IN WITNESS WHEREOF THE SETLLER TRUSTEE ALONG WITH THE FOUNDER TRUSTEES HAVE HERE UNTO SET AND SUBSCRIBED THEIR HANDS AFTER READING AND UNDERSTANDING ALL THE CONTENTS OF THE DEED ON THE DATE, MONTH AND YEAR AS WRITTEN BELOW.**

1. Sayyad Kaleem

S/o,

Age

R/o

Signature………………………….

1. Dr. Mohammad Shahid, S/o (late) Mohammad Sulaiman Sabir

Age—70 years

R/o 2143—Ahata kale Sahib; Ballimaran; Delhi—110006, India.

Signature………………………….

1. Haji. Raees sahib

S/o,

Age--

R/O—

Signature………………………….

1. Haji Mohammad Irshad sahib

Age,

S/o,

R/o

Signature………………………….

1. Mr. Mohammad Ashraf, S/o

Age--

R/o—

Signature………………………….

1. Mr. Mohammad Usman

**WITNESS**

**1.**

**2.**

Signature of settler trustee………….

**Dated: 30.10.2020**

A meeting of the **prospective founder trustees of “TOWARDS EDUCATION & WELFARE TRUST” NEW DELHI, INDIA** will held at 6.30 P.M at, ……………………………………………………………………………………………………………………………………………………………………………… to discuss and finalize the following agenda.

All those concerned are requested to make it convenient to attend the meeting.

AGENDA;

1. To discuss the modalities to be adopted by the **proposed trust named as above.**
2. To approve the name and **“Aims and Objectives & Rules and Regulations”** and the complete draft of **Trust deed** compiled by Dr. Mohammad Shahid under the direction of Sayyed Kalim**.**
3. To carry out the requisite formalities of registration of the above named trust through the **settler trustee** Sayyad Kalim.
4. Expenditure pertaining to the registration formalities of **the trust.**
5. Approval to start the ground-work required to under-take the proposed charitable activities.
6. Consent to invest a minimum amount sufficient to launch into for the basic **aims and objectives of the trust.**

**Sayyed Kalim**

(Settler Trustee)

**Note:**

1. All the prospective trustees are required to attend the meeting to get their names approved unanimously.
2. Informed for the proposed meeting is sent to all the prospective trustees through WhatsApp and their respective mobile numbers.

**To begin with**

Open a service window/shop to facilitate the general public in an endeavor to solve the problems pertaining to

* Adhaar-card, Voter I-card, Ration-card, Pan-card,
* Passport new and renewal,
* Haj applications,
* Photocopying and lamination of documents etc.
* E-stamp papers
* Guidance to parents to avail different facilities provided by government, private agencies
* Charitable clinic
* To provide cheap generic medicines
* Charitable counseling and career counseling
* Lamination of documents
* Color photocopy
* On line FIR
* On-line birth certificate
* Color scanning

1. However he may change the name of his nominee at any time during his life. Such an act shall require an application by the trustee on a stamp paper.
2. **No trustee** shall have the power to replace or recommend his replacement. In case of serious injury/injuries, he may delegate his powers to his nominee to be in charge of his responsibilities and act for him.
3. Retransfer of responsibilities/powers to the **original trustee** shall not be entertained.
4. **Crucial decisions** shall only be taken by the investor trustees.
5. If non-trustees intend to invest in the activities of the trust, **investor trustees** shall decide the mode of investment. Their decision shall be final and binding to all the trustees.