

DEED OF TRUST

This DEED OF TRUST is made at [•] on this [•] day of [•], 2022 between [•], S/o/D/o [•], aged about [•] years, residing at [•] hereinafter referred to as the SETTLOR (which expression shall unless it is repugnant to the context or meaning thereof be deemed to include her heirs, executors, successors, administrator and assigns) of the **FIRST PART**;

AND

1. [•], S/o/D/o [•], aged about [•] years, residing at [•]
2. [•], S/o/D/o [•], aged about [•] years, residing at [•]

Hereinafter collectively called and referred to as the TRUSTEES (which expression shall unless it be repugnant to the context or meaning thereof be deemed to include their co-trustees and successors in office of the trustees and executors, successors, administrators and assigns) of the **OTHER PART**.

- i. WHEREAS the SETTLOR is now seized and absolutely possessed, inter alia, of an amount of Rs. [•] ([•]) in cash.
- ii. WHEREAS the SETTLOR is desirous of settling on Trust the said amount of [•] ([•]) to be utilized for Public Charitable Purposes.
- iii. WHEREAS the TRUSTEES hereto have given their consent to be the Trustees (as is testified by their being parties to and executing this Deed) along with the Settlor for administering the affairs of the Trust in accordance with the powers, provisions, agreements, terms, conditions and declarations hereinafter declared and contained of and concerning the same.

NOW THIS DEED OF TRUST WITNESSETH AS UNDER:

1. In pursuance of the premises above, the Settlor does hereby settle upon and convey unto the Trustees the sum of [•] ([•]) to hold the same in Trust with the powers and subject to the provisions hereinafter contained concerning the same.
2. The name of the Trust shall be “[•]” and its office shall be situated at [•] and/or at such other place or places as the Trustees may herein decide from time to time.
3. The first Trustee of the Trust shall be as under:
 - i. [•]
 - ii. [•]
4. The above named first Trustee shall constitute the first Board of Trustees. The Board of Trustees shall be empowered to co-opt additional Trustees with mutual consent not exceeding [•] in number. The minimum number of Trustees shall be two. The term of the additional Trustees shall be initially for a period of [•] years which can be extended. The First Trustee from the above named two trustees, specifically [•] shall be the trustee for life.
5. On the death of any Trustee, the remaining Trustees shall appoint a person as a Trustee in place of the deceased, with mutual consent.

6. The Trustees can receive gifts/donations either from anyone of them or from others in cash or in kind and the gift so received together with the initial sum of [●] ([●]) settled under this Deed shall form the corpus of the Trust.
7. The funds and properties of the Trust shall consist of the following:
 - i. The sum of [●] ([●]) which has been settled by the Settlor.
 - ii. Gifts/donations whether in cash or in kind which may be made by any philanthropic institutions /persons or members of the public who are in sympathy with the aims and objects set out therein including any donations made for any such specified purpose or objects.
 - iii. Properties, movable and immovable, which may be acquired by the Trust by purchase, gift, exchange, lease, or otherwise.
 - iv. Income and profits from the properties of the Trust.
 - v. Any other income which may be generated / received by the Trust.
 - vi. The Trustees shall receive and hold the Trust funds and properties subject to the Trust and in the first place reimburse or discharge all costs and expenses incurred in the formation of the Trust and its administration, including all taxes and other outgoings in connection with the Trust and only thereafter apply the Trust Funds for furthering the objects of the Trust.
8. The objectives of the Trust shall be wholly for the public and charitable purposes and incomes shall be applied for the same and accumulated in India wholly for public and charitable purposes without prejudice to generality of provisions mentioned herein and the following shall be deemed to be the principal objectives of [●]:
 - i. To promote, create awareness and work for welfare of needy women and children;
 - ii. To address and work on social causes and issues relating to needy women and children;
 - iii. To organize and take up Health, Educational and Welfare programmes for needy Women and children on priority basis;
 - iv. To organize vocational training, skill development programmes for women and needy people;
 - v. To work for the empowerment and sensitization of women, adolescents and children;
 - vi. To make up efforts for the education, welfare and development of women and children in both urban and rural areas throughout the country;
 - vii. To run, operate, establish and manage institute / college of higher / professional / vocational education in any part of the country for providing quality education and training to youth and children;

- viii. To subscribe, contribute and/or donate to any public fund or institution established for promotion of public charitable purposes with such conditions as the Trustees may think fit;
 - ix. To give financial or other assistance in kind or in cash or otherwise, including by way of distribution of books, notebooks, uniforms, or meals to children;
 - x. To promote and create awareness, conduct seminars, workshops and conferences about welfare of women and children; and
 - xi. To pursue, implement and carry on any of the above objects if any only if it can be termed as charitable as defined under the Income Tax Act, 1961 or any statutory modification thereof.
9. The Trust is not organised for profit. No part of the earning of the Trust shall be utilised to the benefit of any Trustee of the Trust, or any private individual except that reasonable compensation may be paid for services rendered to or for the Trust effecting one or more of its purposes, and no Trustee of the Trust, or any private individual, shall be entitled to share in the distribution of any of the Trust assets on dissolution of the Trust. No part of the activities of the Trust shall be carrying on of propaganda, or the Trust shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.
10. It is hereby provided that any contribution from Trust Funds by the Trustees to any other Trust, society, institution, organization, fund, or scheme having all or any of the aforementioned objects with charitable purposes, and also to armed forces shall be deemed to be in furtherance to and in achievement of the objects of the Trust as stated herein.
11. The Board of Trustees has following powers and shall have power to appoint or remove the Authorized Trustee in writing to do any or all following acts on behalf of the Board of Trustees:
- i. The Board of Trustees shall hold the properties of the Trust for the objects stated herein and shall have all powers as may be required for the proper conduct of the affairs of the Trust.
 - ii. The Board of Trustees is entitled to open account or accounts in any Bank or Banks in the name of the Trust and the said accounts shall be operated by anyone Trustee jointly or severally or the authorised representative of the Trust on behalf of the Trust or such other person or persons as may be authorised by him.
 - iii. The Board of Trustees is entitled to borrow monies for the purposes of the Trust with or without security from banks, financial institutions or others and also have the power to place any movable or immovable property or other funds of the Trust as security.
 - iv. The Board of Trustees is entitled to appoint personnel for the purpose of carrying out the objects of the Trust and also fix the terms of employment and to dismiss or dispense with services of such personnel.
 - v. The Board of Trustees is entitled to appoint Chartered Accountant, Legal Advisors and such other professionals on such terms as the Board of Trustees deem fit from time to time.

- vi. The Board of Trustees is entitled to defend and initiate legal proceedings as may be reasonable and proper for safeguarding the assets and properties of Trust and the expenses incurred thereof shall be met out of the funds of the Trust.
- vii. The Board of Trustees shall have the power to acquire capital assets for the purpose of the Trust and the likewise power to dispose them off.
- viii. Notwithstanding anything contained in any other provisions of this Trust deed, the Trustees shall comply with the provisions of section 2(15), 11, 12, 13, 80G and other applicable provisions of the Income Tax Act, 1961 as may be amended from time to time.
- ix. The Board of Trustees shall have power to sell, lease, mortgage or otherwise deal with any of the properties of the Trust both movable and immovable in the course of managing the Trust. However, sale of immovable property will require prior consent of 3/4 majority of Trustees.
- x. The Board of Trustees shall have power to invest the funds of the Trust in accordance with the provisions of the Income Tax Act, 1961 and Rules made thereunder from time to time or any other law for the time being in force.
- xi. The Board of Trustees shall have the power to receive donations or gifts for and on behalf the Trust.
- xii. The objects of the Trust shall be achieved without involving any activity for profit.
- xiii. The Board of Trustees shall have full powers and discretion to take decisions in regard to collaboration or co-operation with any other Trust, association, organization, institution or Government agency having objects similar to the objects of this Trust within India and abroad.
- xiv. The Board of Trustees shall have such other powers as may be found reasonable or necessary for the implementation of the objects of the Trust.
- xv. The Board of Trustees shall have the discretion to accept, for the Trust upon such terms and conditions as they deem fit, any donations, contributions, grants, gifts and so on as stated earlier, whether in cash or in kind, whether movable or immovable, from any private or public trust, institution, Government agency, non-Governmental organization, company, firm, individual or group of individuals, from within the country and/or abroad.
- xvi. The Board of Trustees shall have powers to make donations, contributions, grants etc. in cash or kind to different charitable institutions, organizations or trusts already established or to be established to enable them to achieve objects similar to the objects of this Trust.
- xvii. Notwithstanding the powers aforementioned, the Board of Trustees shall have the powers to accumulate, for such period as may be permitted by law, the whole or any part of the TRUST funds or income and invest the same on such terms and conditions as they may deem fit, so long as such investments are as permitted by and prescribed under Section 11 or such other provisions of the Income Tax Act, 1961. The resultant income and accretions shall be added to and become part of the TRUST funds.

- xviii. The Board of Trustees shall have the powers to use their discretion to, in order to further the objects of the Trust to acquire, purchase, construct, exchange, lease, maintain, or deal in any other manner whatsoever, in lands, buildings, equipments, instruments, libraries and any other properties, movable or immovable, and to hold, maintain, improve, modify, reconstruct, repair, alter, let on hire or lease, mortgage, sell or otherwise deal with or dispose of all or any of the assets, in any manner and for such consideration as the Trustees may decide at their discretion in the best interests of the Trust and its objects.
- xix. The Board of Trustees shall have the full powers and discretion to enter into formal arrangement with any Government or municipal or local authority that may be considered conducive to further the objects of the Trust and for that purpose, to obtain from such authority, such rights, concessions, and privileges which the TRUSTEES in their discretion may consider desirable to obtain, and to comply with any terms that may be stipulated in the context.
- xx. For the purposes aforementioned, the Board of Trustees shall have the powers to sign, execute and deliver all such assurances and deeds as may be necessary.
- xxi. The Board of Trustees shall have powers to appoint separate committees to run any institutions, laboratories, centers or such other Institutions that may be established for this purpose and the Trustees shall have powers to provide separate regulations for the day-to-day administration of such institutions and centers.
- xxii. The Board of Trustees shall have the powers to resolve, modify, enlarge or terminate any of the objects of the Trust or the powers, purposes, discretions and powers granted in terms of these presents, subject to the approval of the concerned authority under Income Tax Law, but without affecting in any manner the important general purpose and object of the Trust which is the utilization of the TRUST fund for public charitable purpose for the benefit of society and mankind in general without distinction on grounds of caste, creed or religion and the intent and direction that the TRUST fund and the income arising there from shall at all times be utilized only for such charitable purposes and not otherwise under any circumstances. Further, in the event of the Trustees passing a resolution to terminate any object, purpose, provision, power or discretion, the same shall thereafter cease to be applicable but such cessation will be without prejudice to the rights of the Trustees to subsequently pass a resolution to restore any such object, purpose, provision, power or discretion, either in the original form or with such modification thereto as the Trustees may determine, provided the same is consistent with the provisions in this clause.
- xxiii. The Board of Trustees shall have the powers and discretion to determine and decide whether this Trust could be and may be amalgamated with any other charitable trust having similar objects, with a view towards attainment of its own objects more effectively or more economically or for any other reason in connection with the fulfillment or discharge of any of the objects of this Trust.
- 12. The Board of Trustees shall ensure proper working of the Trust and in that regard, prepare, amend and alter, from time to time, any bye laws, rules and regulations, which the Board of Trustees may deem necessary for the proper and effective accomplishment of the objectives of the Trust. It is agreed that as

and when such bye laws, rules and regulation are prepared, the same shall be called [●] Bye laws, Rules and Regulations and shall expressly form part of the Trust Deed.

13. The Trustees shall not carry out any amendment whatsoever to this deed which is repugnant to the provisions of Sections 2(15), 11, 12, 13, 80G and other applicable provisions of the Income Tax Act, 1961. The Trustees hereby undertake that they shall not carry out any amendment without prior approval of the Commissioner of Income Tax or Director of Income Tax (I.T. Exemptions) and other such authorities appointed under the Income Tax Act, 1961.
14. The Board of Trustees is authorized to frame rules for proper conduct and administrations of the Trust but any such rules shall not be against the objects of the Trust or any other conditions of this DEED of TRUST.
15. The Board of Trustees shall maintain proper accounts of the Trust on an annual basis and the same shall be audited by a Chartered Accountant every year. The accounting year for the trust shall be from 1st April to 31st March each year.
16. The Board of Trustees is authorised to collect any fees for carrying out the objects of the Trust but such collections shall be only to meet the actual expenses without any intent of profit.
17. This Trust is irrevocable and no part of the funds of the trust or income of the Trust shall ensure directly or indirectly for the personal benefit of the Trust (or the Trustees) or of the Settlor as the case may be. The funds/income of the Trust shall be solely utilised for achieving the object of the Trust and no portion of it shall be utilised for the benefit of the Trustees by way of interest, bonus, dividend, profit etc.
18. It is hereby declared for the removal of doubts that the beneficiaries of the Trust shall be the public at large, Irrespective of any caste, creed or religion.
19. It is hereby declared that in the implementation of the objects of the Trust or of the conditions of the Trust, the decisions of the Trustees shall be final and cannot be called into question by any person whomsoever.
20. The Trust shall not make any investments which will jeopardize its charitable purposes for which the trust has been formed.
21. Subject to the Provisions of Section 13(1) (d) and other applicable provisions of the Income Tax Act, 1961, the Trustees may charge reasonable fees or claim reasonable remuneration or compensation for any service which they may render to the Trust in the achievement of its objective.
22. The office of the Trustees shall be vacated under only the following circumstances.
 - i. If a Trustee is found to be lunatic or becomes of unsound mind.
 - ii. If a Trustee is absent from four consecutive meetings of the Board of Trustees without prior consent and the Board of Trustees resolve that the Trustee ceases to be a Trustee.
 - iii. If a Trustee resigns from the Office of the Trustee by notice in writing at the Office.

- iv. If a Trustee has been appointed by the Board of Trustees for a specified period or for a particular specified purpose, on the expiry of the specified period or on fulfillment or completion or cessation of the specified purpose.
 - v. If a Trustee is lawfully declared to be insolvent or if insolvency proceedings have been initiated against him.
 - vi. When the Trustee becomes physically unfit due to paralysis or road accident or some such unforeseen liability or is declared lawfully deceased.
23. The Trustees shall convene the meeting of the Board of Trustees at the time and the place as may be determined by them and each Trustee for life shall have the right to vote by proxy.
24. The Trustees shall ordinarily transact business in an assembled meeting duly convened as and when required. Such business may also be transacted through written circulars to be issued by or at the instance of the Chairman of the Board of trustees and circulated among the Trustees in order to have their opinions regarding the matter or matters under consideration recorded thereon in writing; the vote of the majority shall prevail in respect of such meetings through voting by circular as aforementioned. The Trustees shall maintain proper minute books recording (a) the names of the Trustees present at the meetings and (b) all Resolutions and proceedings at all the meetings including Resolutions passed through circulars from time to time.
25. Notice in writing of every meeting (other than adjourned meeting) shall be delivered to each Trustee at his/her recorded place of residence at least forty-eight hours before the meeting. Such notices shall be issued by the Chairman of the Board of Trustees if one is so appointed. Accidental omission to issue notice of a meeting to a Trustee or non-receipt by a Trustee of notice of meeting shall not invalidate the proceedings of the meeting or of any Resolutions passed at the meeting.
26. The quorum for any meeting shall be two trustees or one-third of the total number of Trustees including the Chairman, rounded off to the next higher number; no business shall be transacted unless the quorum is present.
27. All matters and questions arising at any meeting shall be determined by a majority of votes by the Trustees present.
28. Any meeting of the Trustees at which the quorum is present shall be competent to exercise by majority of the Trustees present, all the powers, discretions and directions vested in the Trustees under these presents.
29. In the event of the number of Trustees falling below two, the continuing Trustee shall nevertheless act only for the purpose of appointing new Trustees but shall not act for any other purpose until the number of Trustees is raised to at least the minimum number of two. No business shall be transacted at any such meeting with only one continuing Trustee.
30. Invalidity, if any, of any provision contained in these presents shall affect the validity of neither the Trust created nor the proper effect of the other provisions contained in these presents.

31. No person or body dealing with the Trust and no purchaser in respect of any sale made by the Trust shall be required to enquire into the application of any money paid to the Trustees or property transferred to or transferred upon the order of the Trustees.
32. The decisions taken and acts performed by the Trustees in all matters arising under these presents in respect of the objects of the Trust either by exercise of the powers of discretion vested in the Trustees by these presents or otherwise, shall not be liable to be called into question or challenged in any manner whatsoever.
33. No portion of the Trust money shall be lent to, or kept in deposit with, any of the Trustees or any firm in which any of the Trustees may be a partner, nor shall any of the Trustees apply any portion of the Trust property or fund for his own use or benefit either directly or indirectly.
34. If the Trust is to be dissolved or wound up for reason that the objects of the Trust cannot be achieved or for any other reason thought fit by the Trustees, then, in the event of dissolution or winding up of the Trust, the assets remaining as on the date of dissolution shall under no circumstance be distributed among the Trustees but the same shall be transferred for charitable purposes to another Charitable Trust, Society, association, or institution whose objects are similar to those of this Trust and which enjoys recognition under relevant sections of the Income Tax Act, 1961.

IN WITNESS WHEREOF THE SETTLOR OF THE TRUST AND THE TRUSTEES HAVE SET AND SUBSCRIBED THEIR RESPECTIVE HANDS TO THIS DEED OF TRUST THE DAY THE MONTH AND THE YEAR WRITTEN FIRST HEREINABOVE IN THIS DEED OF TRUST

Signed, Sealed and Delivered by the Settlor of the Trust named within
Settlor **Trustee**

Witness

(1)

(1)

(2)

(2)