

CA-100: P10/22-23

TV-43/2018-19



TRUST DEED

THIS DEED OF TRUST IS MADE ON 25th DAY OF JUNE, 2018 BY AND BETWEEN;

Document No. 43 of 2018-19 of Book IV contains 151 sheets

SUB REGISTRAR

1. Sri. **SANTHOSH KUMAR NAYAK**, S/o. Koragappa Nayak, aged 35 years, residing at 'Amma Nivas', House No. 1-95/2, Nitte Block 1, Near Jilla Panchayath Higher Primary School, Kalambadi Padavu, Attur North Post, Nitte Village, Karkala Taluk, Udupi District - 576 117. - (Here-in-after called the Life time "Founder and Managing Trustee" and he is the "Author of the Trust")

2. Sri. **ANANDRAYA NAYAK**, S/o. Koragappa Nayak, aged -40 years, residing at House No. 1-45/2, 'Srinivas Nilaya', Kalambadi Padavu, Attur North Post, Nitte Village, Karkala Taluk, Udupi District - 576 117.

3. Sri. **SANTHOSH P. SHETTY**, S/o. Partha Sarathi, aged 41 years, residing at 'Nidhi', H.No. 11-2-55B (1), Rajaram Mohan Roy Marg, Behind Service Bus-Stand Udupi, Udupi Taluk & District - 576 101. - (Here-in-after called the "Trustees")

The parties are herein being the aforesaid members of the Trust are called as Trustees and collectively the Board of Trustees shall mean and include the aforesaid Trust members of the Board of Trustees.

The Authors of the Trust are desirous of creating and establishing a Charitable Trust for promoting education and to help the poor and downtrodden and to ameliorate the weaker sections of the society in particular.

NOW THIS DEED OF TRUST WITNESSETH AS FOLLOWS :-

1. TRUST FUND:-

(In order to effectuate the said desire, the Trustees have made over to the Trust a sum of Rs. 1,000/- (Rs. One Thousand only) and may hereafter be subject to the Trust (here-in-after referred to

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 ಕರ್ನಾಟಕ ಸ್ಟಾಂಪ್ ಮತ್ತು ನೋಂದಣಿ ಇಲಾಖೆ
 Department of Stamps and Registration

ವಿವರಣೆ

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as Trust fund) for the objectives and purposes herein contained concerning the same.

2. NAME:

The name of the Trust shall be "JAGRATI FOUNDATION" and JURISDICTION OF THE TRUST : Karkala and all over Karnataka and India.

3. LOCATION OF THE TRUST OFFICE :-

The office of the Trust shall be situated at No. 1-95/2, Nitte Block 1, Near Jilla Panchayath Higher Primary School, Kalambadi Padava, Attur North Post, Nitte Village, Karkala Taluk, Udupi District - 576 117. The Board of Trustees may shift the registered office to any other place for their convenience.

4. OBJECTIVES OF THE TRUST :-

The objectives of the Trust are:

- a. To open and operate one or more schools and vocational training centers for the differently abled persons (Mentally, Physically, Autism, Blind, Deaf and Dumb, C.P. and other disabled persons).
- b. To open and operate a Residential home for different types of Disabled persons.
- c. To establish and to operate babysitting, Nursery, Primary, High Schools, CBSC, ICSE schools, college, Technical institutions, Adult education, Commerce training college, M.B.A., Business Management School, Colleges, M.C.A., B.C.A., Computer education in Software & Hardware, Networking, DTP, Auto CADD and English Spoken Class, Tuition, Self-employment, Evening college, Vocational training centre etc.
- d. To open school of Nursing, College of Nursing, Pharmacy, Paramedical, Industrial Training Institute, Residential School, Law, D.Ed, B.Ed, CP Ed, BP Ed, teachers training college, B.B.M., M.B.A., Diploma Training college and other Educational institutions.
- e. To promote, assist or associate with medical help to the needy by organizing blood donation camps and to arrange for donation of organs such as kidney, liver, heart, eye etc.

Document No 43 of 2018-19 of Book IV Contains 9 2nd Pressions Sheets

SUB REGISTRAR



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सूची संख्या

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पृष्ठ संख्या 1/1

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Document No. 43
of 2018-19 of Book IV
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SUB REGISTRAR

- f. To encourage Fine Arts, commercial Arts and Cultural activities in Music, Dance and Drama and also Sports Activities.
- g. To serve the objectives of the society the Trust may establish educational institutions of different kinds as and when requires.
- h. To establish libraries, hostels, boarding to facilitate the promotion of student community.
- i. To look after the welfare of the poor public.
- j. To conduct national functions like Independence Day, Republic Day, Kannada Rajyotsava etc.
- k. To promote higher education and to open poor 'boys' and 'girls' hostels.
- l. To promote women and children welfare programmes.
- m. To conduct classes for Tailoring, Knitting, Arts and Crafts.
- n. To make provision for research, advancement and disseminating of knowledge and to establish print media and publicity, Marketing Journalism etc.
- o. To establish state of the art facilities for education and training.
- p. To create centers of excellence for research and development for sharing knowledge and its application.
- q. To develop ability in extracurricular activities and participate at regional, national level along with curricular activities.
- r. To maintain, administer, promote education, medical relief, to run marriage bureaus, home nurse agencies for the benefit of weaker sections, development in all fields for all types of disabled, old age persons, street children, women mentally ill persons, beggar eradication, mobile, Medical service, health day care centre and non institutions services anywhere in Karnataka particularly and India in generally.
- s. To provide food, shelter, cloth, training in various trades and to create self-help awareness and employment opportunity for poor needy and or neglected disabled men and women and their family.
- t. To take up any constructional development activity programmes under various developments that involve poor

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2	ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸರ್ಕಾರದ ಜನತೆಗೆ ಸೇವೆ ಸಲ್ಲಿಸುವ ಕಾರ್ಯದ ವಿಷಯದಲ್ಲಿ	K. Lakshmi

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labour and rural employment programmes to develop rural poor.

- u. To create and foster a general interest in education among the scheduled castes and on particular to give them special facilities, scholarships, and free-ships for higher education. To promote science, literature and fine arts and to impart useful knowledge.
- v. To render financial assistance to other charitable institutions or organizations engaged in activities similar to those of this Trust and which are recognized under section 80G or 35 of the Income Tax Act, 1961.
- w. The objectives of the Trust shall not include any activity for profit within the meaning of Income Tax Act, 1961 as amended from time to time.
- x. To obtain financial assistance from Government and other sources.
- y. To create awareness among public in various fields like social, environment, literacy, cultural, scientific, research, social security, legal, training, architecture etc.,

Document No 43
 of 2018-19 of Book IV
 Contains 4-16 sheets
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5. POWERS OF THE TRUSTEES :-

For furtherance of the objectives, i.e. for service to the community in general and to the poor and weaker sections of the Trust as mentioned in clause 4 the Trustees will have the following, which will be exercised by them.

- a) To accept any donation, contributions, grant or subscriptions in cash or in kinds from any person, body of persons or Trust.
- b) To apply the whole or part of the income of the Trust accumulation thereof in whole or part of the corpus of the Trust fund for any one or more of the objectives for the Trust as the Trustees may, in their discretion from time to time, determine.
- c) To convert and deal with investments of the Trust fund and or to carry the investment for the time being in the modes prescribed u/s. 11(5) of the I.T. Act, 1961.
- d) To keep the investment the Trust fund either in the purchase or mortgage or immovable property including house a flat or in units, shares of stocks, or debentures permitted by the Indian Trust Act, 1882 or any other statute, or deposit with banks, firms and to alter, vary or



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transfer such investments from time to time as the Trustees may in their discretions think fit for others of the same or different nature.

e) To borrow or raise or secure payment of money and also lend money either with or without security at the discretion of the Trustees.

f) To let out premises of immovable property of the Trust for such period and at such rent and on such terms and conditions as the Trustees in their discretions may think fit.

g) To open accounts in the name of the Trust with any Nationalized/Scheduled or Co-operative, Private financial Institutions or Bank and to operate such accounts and to give instructions to the banks and to provide for opening and operation of such accounts by the Managing Trustee and secretary of the Trust.

h) Managing Trustees Sri. Santhosh Kumar Nayak has the sole authority or powers to assign to one or more Trustees, the opening operation, transfer, and or closing of the accounts with any financial institutions.

i) For the time being, Sri. Santhosh P. Shetty is the secretary and Sri. Anandraya Nayak is the Treasurer of the Trustee. Managing Trustee will operate the accounts either with the Secretary or Treasurer.

j) To appoint constitute attorneys or agents and delegate to such attorneys or agents powers required for a given purpose at any time and also remove the attorneys or agents.

k) To appoint or make provisions for the appointment of any person (including all or any of the Trustees) as a committee of administrators or Trustees or otherwise for the purpose of the administration of the Trust in such a manner and subject to such rules and regulations as the Trustees may prescribe and also to appoint or provide for the appointment of separate Trustees to hold any property or any funds or investment, subject to the provisions of this Deed, in such a manner and subject to such rules and regulations as the Trustees may from time to time think fit.

l) To make, vary, alter or modify schemes, rules and regulations for carrying out the objectives here of and of

Document No 43
of 18-19 of Book IV
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SUB REGISTRAR



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having, objectives of the Trust and otherwise for giving effect to the objectives of the Trust.

- m) To set apart or accumulate the whole or part of the income or corpus of the Trust fund or part thereof or any subscription or donation made by them.
- n) To accept Government, non-Government, local bodies, societies, and to borrow loans from banks (Nationalized/Co-operative), individual grants, donations, borrow loans, subscriptions or any property movable or immovable for furtherance of the objectives of the Trust.
- o) To join Co-operate, or amalgamate this Trust with other or others having similar or objectives upon such terms and conditions as the Trustees may in their discretions think fit particularly having regard to the objectives, and nature of the Trust.
- p) Benefits of the trust shall be open to all irrespective class, religion, sect of a religion, caste, language, gender, colour or financial status in India.
- q) The Trustees shall be chargeable only for such money, stocks, shares and funds as shall actually come in to their hands. A trustee shall not be answerable or accountable for neglect, default, acts of omissions or omission of the other Trustees nor any banker or other person with whom the Trust properties or any securities comprised in the Trust fund have been deposited or kept.

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Document No. 423
of 2018-19 of Book IV
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The Trustees herein shall stand indemnified against any act done in good faith and without negligence.

6. REMUNERATION OF TRUSTEES :-

The Trustees may reimburse all expenses actually incurred by them in connection with the Trust for their duties relating thereto.

The funds and income of the Trust shall be solely utilized for the achievement of its objectives.

7. NUMBER OF TRUSTEES:-

The number of the Trustees shall be minimum of two and maximum of nine including Managing Trustee and Trustee of the Trust.

Teelina K. Reddy



8. APPOINTMENT OF TRUSTEES:

The Trustees shall be at liberty to appoint additional Trustees within the number mentioned above for such period or on such terms as to retirement and re-appointment as the Trustees for the time being considered proper.

Documents No. 478 of 2018-19 of Office of District Collector, Shivamogga

Sub-Registration

The Founder and Managing Trustee can make amendments, alterations of the Trust Deed.

If any Trustee dies, retires, become unfit or incapable of acting as a Trustee the Founder and Managing Trustee and Trustees shall be competent to appoint a Trustee in place of the Trustee.

A Person shall cease to be a Trustee either:

- a) If a Trustee has not taken leave of absence and does not attend six consecutive meetings of the Trust or for one calendar year, whichever is longer : or.
- b) If he/she is requested to resign by all other Trustees : or
- c) If he/she acts or does anything prejudicial to the objectives of the Trust in the opinion of all other Trustees.

9. NOTICE PERIOD:-

Every Trustee will be at liberty to resign on giving one month notice of his/her intention to do so.



10. QUORUM:-

The Trustees may from time to time frame rules for the conduct and regulation of the meetings of the Trustees. In the absence of the such regulations: Majority of two thirds of Trustees shall form a quorum for any meeting of the Trustees. Majority will decide all matters.

Any resolution passed without any meeting of the Trustees but by circulation thereof and evidenced in writing under the hands of two-thirds of the Trustee shall be as valid and effectual as resolution duly passed at a meeting of the Trustees.

11. INVESTMENT:-

The funds of the Trust shall be invested in the modes specified under the provisions of the Sec. 13(1) (d) R.W.S. 11(5) of the I.T. Act, 1961 amended from time to time.

For the Trustee



U.S.O. 810/22-23

12. ACCOUNTS:-

There shall be maintenance of accounts of the Trust, A Chartered Accountant shall duly audit the Accounts. Every year the accounts shall be closed 31st March.

13. AMMENDMENT:-

Provided that no amendment to the Memorandum of Trust, Rules and regulations of the Trust shall be made which may prove to be repugnant to the provisions of Sec.2(15), 11, 12, 13, and 80G of the Income Tax Act, 1961 as amended from time to time. Further no Ammendment shall be carried out without the prior approval of the Commissioner of Income Tax.

14. DISSOLUTION:-

In the event of dissolution or winding up of the Trust the assets remaining as on the date of dissolution secure under no circumstance shall be distributed among the members of the Managing Committee/Governing body but the same shall be transferred to another Charitable Trust/Trust whose objectives are similar to those of this Trust and which enjoy recognition u/s. 80G of the I.T. Act, 1961 as amended from time to time.

15. IRREVOCABLE TRUST:-

That the 'TRUST' hereby created is irrevocable. The property of the Trust shall not revert back to the donors or Founder of the Trust shall not revert back to the donors or Founder of the Trust or his/her descendants/heirs or to any other person. If for any reason this Trust fails or becomes extinguished or it is resolved either unanimously or by not less than three-fourth majority of the Board of Trustees (rounded off to the full number), then in office, to dissolve or to wind up this Trust, then the assets and properties of the Trust remaining as on the date of dissolution shall under no circumstances be distributed among the Trustees or revert to the donors or Founder of the Trust or his/her descendants/heirs, but the same shall be fully transferred to other Trust or Association or Institution whose objects are similar to those of this Trust and which enjoys the recognition under Section 80G of the Income Tax Act, 1961.

Document No 43
of 2018-19 of Books IV
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