

TRUST DEED

BHARAT VIKAS PARISHAD/BVP

CHARITABLE TRUST

THIS INDENTURE OF TRUST is made at _____ on this _____ day of _____ 20__

BETWEEN

(1) SHRI _____ (PAN _____ or AADHAR NO _____)
aged about _____ years s/of _____ being
Present president / Hon. Secretary of BHARAT VIKAS PARISHAD
_____ BRANCH, residing at _____
hereinafter referred to as the "THE SETTLOR" on behalf of Bharat Vikas Parishad
_____ Branch, Party of the "FIRST PART".

AND

- 1) SHRI _____ (PAN _____ or AADHAR NO _____) aged about
_____ years s/of _____ residing at _____
- 2) SHRI _____ (PAN _____ or AADHAR NO _____) aged about
_____ years s/of _____ residing at _____
- 3) SHRI _____ (PAN _____ or AADHAR NO _____) aged about
_____ years s/of _____ residing at _____

Present Hon. President, Hon. Secretary and Hon. Treasurer respectively of BHARAT VIKAS PARISHAD _____ Branch (an affiliated unit of Bharat Vikas Parishad vide certificate no. _____ dated _____ , henceforth it will be called – **Branch** in this trust deed) by virtue of their office hereinafter referred to collectively as "EXECUTIVE TRUSTEES" &

- 4) SHRI _____ (Pan No. _____ or AADHAR NO _____) aged about
_____ years s/of _____ residing at _____
- 5) SHRI _____ (Pan No. _____ or AADHAR NO _____) aged
about _____ years s/of _____ residing at _____

6) SHRI _____(Pan No._____ or AADHAR NO._____) aged about _____years s/of_____ residing at_____

7) SHRI _____(Pan No._____or AADHAR NO. _____) aged about _____years s/of_____ residing at_____

All are members of Bharat Vikas Parishad, _____ Branch hereinafter referred collectively as "**TRUSTEES**" and both together of the "**SECOND PART**".

WHEREAS, Bharat Vikas Parishad (hereinafter called " **Parishad**") having affiliated area wise mutual associations of person (AOP) called "**Branches**" organized in group and in accordance with geographical areas as defined in its Bye laws which will be allocated/ modified from time to time by respective Prant in whose direction it work under the guidance from Parishad ;

WHEREAS the BHARAT VIKAS PARISHAD, _____ Branch has been functioning as one of the mutual association affiliated with **PARISHAD** which has been established and functioning in _____ as demarcated by **PARISHAD** through its Region/Prant which may be modified from time to time by it.

WHEREAS one of the objects of the BHARAT VIKAS PARISHAD _____ is to do all lawful acts, as defined in its AOP deeds for charitable purpose also, including relief to the poor, education, medical relief to general public in the demarcated area of the branch and any other area as may be directed by **PARISHAD** from time to time within its jurisdiction demarcated area and the advancement of any other object of general public utility for the benefit of all class, colour or creed.

WHEREAS nothing contained in this deed shall be deemed to authorise the Board of Trustees to do any act which may in any way be construed statutory modifications thereof and all activities of the Trust shall be carried out with a view to benefit the public at large, without any profit motive and in accordance with the provisions of Indian Trust Act, 1882, The Income Tax Act, 1961, other applicable Govt laws and or any statutory modification thereof.

WHEREAS by a resolution passed in General Meeting of the BHARAT VIKAS PARISHAD, _____ Branch held on _____ where it was resolved that the sum of Rs. _____/- (Rs. _____ only) from BHARAT VIKAS PARISHAD, _____ Branch to rest in with

1. SHRI _____
2. SHRI _____
3. SHRI _____
4. SHRI _____
5. SHRI _____
6. SHRI _____
7. SHRI _____

Who are hereby appointed as "Board of Trustees" of the said BHARAT VIKAS PARISHAD/BVP _____ CHARITABLE TRUST from the date of signing of this indenture and all the accretions thereto received by them by way of donations or otherwise.

WHEREAS the SETTLOR on behalf of BHARAT VIKAS PARISHAD _____ Branch requested the said Board of Trustees referred to the above parties of the Second part, which they have agreed to the terms of this deed and testify to the same by executing these presents;

AND

WHEREAS prior to the execution of these presents THE SETTLOR on behalf of Bharat Vikas Parishad _____ Branch has handed over a cheque no. _____ dated _____ drawn on Bank _____ Branch of Rs. _____/- (Rupees _____ only) from Bank Account of the Branch to the Trustee Shri _____, and the Trustee is to hold on behalf of the Trust till formalities of the registration are completed and deposit it in bank account of the trust.

WHEREAS the parties hereto are desirous of executing a formal Declaration of Trust for purpose upon and for which the said fund is held by the Trustees in the manner hereinafter appearing;

WHEREAS it is the intention of BHARAT VIKAS PARISHAD, _____ branch that upon execution of these presents the Trustees are authorised to collect further

funds for carrying out the said Charitable Objectives of the BHARAT VIKAS PARISHAD _____ branch hereinafter mentioned and add the same to the BHARAT VIKAS PARISHAD/BVP _____ CHARITABLE TRUST with the intent that the same should be utilised as per the Objects of the Trust without any distinction of class, colour or creed and the same shall not be restricted to any particular community.

NOW THIS DEED WITNESSETH AS FOLLOW: -

1. **NAME:** The name of the Trust shall be "BHARAT VIKAS PARISHAD/BVP _____ CHARITABLE TRUST.
2. **REGISTERED OFFICE:** The Registered Office of the Trust shall be at _____ or as may be decided by general meeting of the branch and directed to Trustees from time to time.
3. **AFFILIATION:** This Trust will be affiliated with Bharat Vikas Parishad, "Parishad" (Registered under the Societies Act, 1860-Reg.No. S-2272-1963) and will always work according to its supervision, directions and guidance only.

4. DEFINITIONS:-

In this deed the following words shall, unless the context requires otherwise, have the meanings assigned to them against them respectively:

(a) "**Branch**" shall mean the Association of Persons (AOP) known as "Bharat Vikas Parishad, _____ branch" having affiliation certificate no. _____ obtain from Parishad which is in force or not cancelled by the Parishad.

(b) "**Parishad**" shall mean Bharat Vikas Parishad, Delhi, registered under the Societies Registration Act, 1860, registered vide No. S-2272/1963 having its registered office at Bharat Vikas Bhawan, BD Block, Behind Power House, Pitampura, Delhi-110034, or such other place as may be decided from time to time by it.

5. MAIN OBJECTS:- The main objects of the Trust are:-

- a. To do all acts for eradicating hunger and poverty and malnutrition, promoting preventive healthcare and sanitation and making available safe drinking water.
- b. To promote education; including special education and employment enhancing vocation skills especially among children, women, elderly and the differently abled and livelihood enhancement projects.
- c. To promote gender equality; empowering women; setting up homes and hostels for women and orphans; setting up old age homes; day care centres and such other facilities for senior citizens and economically backward groups.
- d. To ensure environmental sustainability, ecological balance, protection of flora and fauna, animal welfare, agro-forestry, conservation of natural resources and maintaining quality of soil, air and water.
- e. To make contribution to Prime Minister's National Relief Fund or any other fund set up by the Central/State Government/s or any other recognised body or institution for socio-economic development and relief and welfare of the scheduled castes, the scheduled tribes, other backward classes, minorities and women.
- f. To do all acts for protection of national heritage, art and culture including restoration of buildings and sites of historical importance and works of arts; setting up public libraries; promotion and development of traditional arts and handicrafts.
- g. To take measures for the benefits for armed forces veterans, war widows and their dependents.
- h. To promote and provide training for Rural, State, National, Paralympics and Olympics Sports.
- i. To make contribution to funds provided to technology incubators located within academic institutions which are approved by the Central/State Government/s.
- j. To take up the Rural Development Projects.

- k. To carry on any such project or programme as may be prescribed by the Central/State Government/s in this regard.
- l. To establish and run Breeding Centres, Medical Stores, Gaushalas, Panjrapole, Research and Development Centres, Training Centres, skill development centres, Diagnostic Centres, Hospitals, Clinics, Libraries and Publications.
- m. To provide medical relief to the poor, blind, disabled, or otherwise deserving persons.
- n. To provide free accommodation and assistance to the pilgrims, patients and travellers.
- o. To advance and promote Indian culture, literature and to inculcate patriotism especially amongst children.
- p. To grant donations to any person or institution devoted to public or for charitable purposes, co-operate and assist (Including funding) any institution, individual or a group of individuals with like-minded aims and objectives.
- q. To lawfully acquire by purchase, gift or otherwise any movable or immovable property/properties for the purpose of the Trust and/or to invest the Trust funds in Bank deposits or other lawfully permitted Securities.
- r. To sell, lease or otherwise transfer any of the properties whether movable or immovable of the Trust, which are not of any immediate requirement for the Trust and utilize the proceeds for the purposes of the Trust after taking necessary approvals as may be required under the law.
- s. To accept donations or endowments either as Corpus of the Trust or other general purpose.
- t. To carry on any lawful activity for raising funds for the purpose of the Trust.
- u. To appoint or employ any person or persons or other agency to carry on the objects of the Trust and to suspend, dismiss or take other disciplinary action against any of them.
- v. To expend lawfully any money belonging to the Trust for the purpose of the Trust.
- w. To do all activities as defined under schedule VII of the Companies Act, 2013 and any amendment therein, as may be carried out from time to time.

- x. To form and run one or more Trust/s for Charitable Activities.
 - y. To establish and run Blood donation camps, Blood Bank, research and development centres, blood diagnostic centres, pathology centres, libraries and publications.
6. **NUMBER OF TRUSTEES:** The maximum number of Trustees constituting the Board of Trustees will be 11 (Eleven only) and at any time the minimum number of such Trustee will not be less than 5 (Five). Presently there shall be 7 (seven) such Trustees.
7. **APPOINTMENT OF TRUSTEE BY CENTRAL OFFICE OF BHARAT VIKAS PARISHAD DELHI:** The core committee of Parishad shall have power to appoint two or more trustees to the Board of trustee of this trust with voting powers as and when it is decided. Such trustees do not require membership of BHARAT VIKAS PARISHAD _____ branch.
8. **NAME OF BOARD:** All the Trustees of this Trust shall collectively be called as **"Board of Trustees"** and Executive Trustees will be President, Secretary, and Treasurer respectively of this Trust.
9. **PERMANENT INVITEES TO TRUST MEETINGS:** - National and Regional/Prant Office Bearers of the Bharat Vikas Parishad for the time being residing in geographical area of the branch shall be permanent Invitees to all the Trust meetings and will act as advisors in addition to the Trustees.
10. **ELECTION OF TRUSTEES:** Every 3 (three) years all the 4 (four) TRUSTEES (other than executive trustees) will retire and in their place new Trustees will be elected at or in Branch General meeting of the BHARAT VIKAS PARISHAD _____ branch. The retiring Trustees shall be eligible for re-election. All the Trustees have to be members of Bharat Vikas Parishad _____ Branch. All three EXECUTIVE TRUSTEES will be ex-officio by virtue of their office at Branch level namely Hon. President, Hon. Secretary &

Hon. Treasurer and these will retire as per change in office bearers at Branch level.

However, it is clarified that any Trustee may continue to be a Trustee for a maximum period of six months after his tenure expires or till the time he is re-elected or a new person is elected to replace him, whichever happens earlier.

11. ADDITIONAL TRUSTEES: The Branch with the approval of its general body may appoint Additional Trustees. However, that the total number of Trustees on such appointment shall not exceed Eleven. All additional trustees should be members of Bharat Vikas Parishad _____ Branch.

12. CASUAL VACANCY: If any of the Trustees of these presents dies or resides out of India for a continuous period of more than six months or retires or desires to be discharged or refuses or becomes unfit or incapable to act in the Trust of these presents or ceases to be a member of the BHARAT VIKAS PARISHAD _____ branch or become undischarged insolvent then it shall be lawful for the Executive committee of the BHARAT VIKAS PARISHAD _____ Branch to fill casual vacancy of Trustee or Trustees as per clause no.5 of these presents for remaining balance period of that vacancy.

13. CESSATION/ REMOVAL OF A TRUSTEE: A Trustee will automatically ceased to be trustee if has not paid the subscription / membership fees for primary membership of the Branch where he is member of Bharat Vikas Parishad _____ branch or he fails to attend at three consecutive meetings of the trust called with proper notice and agenda.

A Trustee may be replaced or removed by $\frac{3}{4}$ majority of the members present and voting at the General Body Meeting of the BHARAT VIKAS PARISHAD _____ Branch, called specially for this purpose by giving 15 days clear notice in writing to the eligible members of the Branch . Quorum for this meeting will be 20 members or 40% of the members of the branch whichever is higher.

- 14. POWER TO BORROW:** The Board of Trustees, with the approval of three fourth of the total number of members present & voting at general body council meeting of the BHARAT VIKAS PARISHAD _____ Branch duly convened for the purpose, may borrow money from banks or other credit institutions or individuals at such interest and for such period and on such terms, with or without security of movable/immovable properties of the Trust as the Board of Trustees may think fit as approved in general meeting of the branch and to secure the repayment thereof with interest, by mortgage of the Trust properties or by bonds, promissory notes, bills and other negotiable securities or by issue of debentures after taking necessary approvals as may be required under the law.
- 15.** The Board of Trustees by a Resolution duly passed in its Meeting or by passing Resolution through Circulation may authorise any one or more Trustees to execute any documents for and on behalf of the Trust.
- 16. MANAGEMENT & MEETING:** The Board of Trustees shall meet at least once in three months or as often as necessary with minimum 5 days prior notice. The Trustees may from time to time frame Rules for the conduct and Regulations of the meetings of Trustees. In the absence of such Regulations:-
- (a) Three or 1/3 whichever is higher of Trustees constituting Board of Trustees shall form a quorum for a meeting of the Board of Trustees. If required quorum is not present, the meeting shall stand adjourned for half an hour to the same day & place to discuss the same agenda and the members present may transact the business for which the meeting is called for. In such adjourned meeting, the members present will form the quorum.
 - (b) All matters will be decided mutually by the Board of Trustees with majority vote. Each one will have one vote in the meeting.

- (c) Resolution/s passed without any meeting of the Board of Trustees but by Circulation thereof and evidenced in writing under the hands of majority of the Trustees shall be as valid and effectual as a Resolution/s duly passed at a meeting of Trustees.
- (d) In case of any difference between the Trustees, direction will be obtained in writing from Central Office of Bharat Vikas Parishad, Delhi and these directions will prevail.
- (e) In case central office of Bharat Vikas Parishad observes that Trust is not working according to its directions, rules, regulations, then it may replace all the Trustees or such Trustee/s of the Trust as it may deem necessary for the balance period or till new elected Trustees take over.

17. ANNUAL ACCOUNTS: The Annual Accounts of the Trust shall be closed every year on the 31st March and the first close of accounts shall be on the 31st March, 20____. The Statement of Accounts as prepared by Board of Trustees for each year, duly audited by a firm of Chartered Accountant appointed by and in the General Body Meeting of the branch. The Statement of Accounts shall be placed before an Annual General Body Meeting of the branch within six months from the closing of the accounting year /period.

18. BANK ACCOUNT: The Bank Account/s of the Trust shall be maintained with a schedule bank or banks as may be allowed by Income Tax Act as may be applicable in India to be decided by the Board of Trustees and shall be operated jointly by the Ex-officio Hon. Treasurer Trustee and any one of the remaining two executive trustee (Hon. President/Hon Secretary) of trust.

19. INVESTMENT: The Board of Trustees shall be accountable only for such moneys, stocks, shares and funds as shall actually come into their hands. The

investment of Trust shall be made as per the applicable laws from time to time in its jurisdiction area where it is having office.

20. **THE TRUSTEES** may appoint such assistant, staff, and professionals or may engage contractors or casual labourers as they deem necessary from time to time to help them in the conduct of the affairs of the Trust and shall pay them such salaries and allowances, remuneration, charges or wages as are deemed necessary, out of the Trust Funds.
21. No act or Resolution of the Board of Trustees shall be invalid merely by reason of there being one or more vacancies in the Board of Trustees.
22. **POWER TO MAKE BYE-LAWS:** The Board of Trustees may from time to time make and prescribe additional rules and bye-laws for regulating the working of the Trust and may also from time to time with the approval of three fourth of the total members of the branch present at a General Body Meeting duly convened for the purpose (fractions rounded off to the nearest number) modify alter or amend such rules or bye-laws but not this trust deed . However, they shall in no way alter or contravene the main objects of the Trust as well as guidance given by Central Office of Bharat Vikas Parishad from time to time
23. It is hereby expressly declared that the Trust hereby created shall be irrevocable for all time and THE SETTLOR a representative of Branch hereby declares that he has relinquished, disclaimed, and surrendered all his/her rights or power if any, which he had.
24. The Trustees shall be indemnified against all losses and liabilities lawfully incurred during the administration of the Trust.
25. Any Trustee shall be answerable and accountable for his/her own acts, receipts, wilful negligence or defaults.

26. Any Trustees may for the time being be reimbursed, paid and discharged out of the Trust Funds all expenses incurred for the Trust or in exercise of powers of these presents, but Trustees will not be entitled to get any remuneration.
27. The Income from corpus of the Trust fund shall be applied and be applicable only to or for such public charitable purposes and objects, and subject to such conditions and limitation as may from time to time be laid down in the Tax Laws.
28. **ALTERATION:** Alteration to this presents other than in main objects as per clause 4 herein above can be made with the approval of 3/4th majority of the members present at the General Meeting of the branch subject to approval in writing by Central Office of Bharat Vikas Parishad, Delhi subject to Laws of the State as may be applicable.
29. **AMALGAMATION:** If Branch General Body Meeting decides with 3/4th majority subject to approval in writing from Bharat Vikas Parishad Central Office, it may amalgamate with any other Charitable Trust having similar objects subject to the applicable laws and as per direction of BVP central office .
30. **WINDING UP:** If in the event of winding up or dissolution of the Trust there remains any excess of assets after satisfaction of its debts and liabilities, such excess of assets shall be transferred to any institution or Trust having objects of a charitable nature as decided by General Body of Bharat Vikas Parishad _____ Branch subject to as per written direction from Bharat Vikas Parishad Central Office, Delhi subject to the applicable laws.
31. Any dispute or legal proceeding arising in connection with or against the Trust shall be subject to the _____ Jurisdiction.

IN WITNESS WHEREOF THE SETTLOR and Trustees have hereunto set their respective hands the day and the year first above written.

SIGNED AND DELIVERED by the
Within named THE SETTLOR-

In the presence of

Name & Address:

SIGNED AND DELIVERED by the
Within named Trustees-

Name:
Trustee

Name:
Trustee

Name:
Trustee

Name:
Trustee

Name:
Trustee

Name:
Trustee

Name:
Trustee

In the presence of
Name & address: