

TRUST DEED

Bharat Vikas Parishad / BVP..... CHARITABLE TRUST

THIS INDENTURE OF TRUST is made aton this.....day of.....20..... ,
between;

Bharat Vikas Parishad, New Delhi (a society registered under the Societies Registration Act,
1860-Reg.No. S-2272-1963),hereinafter referred to as“**SETTLOR**” through it’sAuthorised
Signatory,Shriaged about years
S/o.....,R/o.....
.....,(PANor AADHAR No.)
hereinafter called “**PARTY OF THE FIRST PART**”.

AND

- 1) SHRI(PANor AADHAR No.....) aged
about..... years S/o..... R/o
.....
- 1) SHRI(PAN or AADHAR No.....) aged
about..... years S/o.....R/o
.....
- 2) SHRI(PANor AADHAR No.....) aged
about..... years S/o.....R/o
.....
- 3) SHRI(PANor AADHAR No.....) aged
about..... years S/o.....R/o
.....
- 4) SHRI(PANor AADHAR No.....) aged
about..... years S/o.....R/o
.....
- 5) SHRI(PANor AADHAR No.....) aged
about..... years S/o.....R/o
.....

- 6) SHRI(PANor AADHAR No.....) aged about..... years S/o.....R/o
.....
- 7) SHRI(PANor AADHAR No.....) aged about..... years S/o.....R/o
.....

hereinafter collectively referred to as **“TRUSTEES”** and **“PARTIES OF THE SECOND PART”**.

WHEREAS, Bharat Vikas Parishad (Branch/Prant) had proposed to the Bharat Vikas Parishad, New Delhi (a society registered under the Societies Registration Act, 1860-Reg.No. S-2272-1963) to form an affiliated trust to carry out various charitable objects as hereinafter mentioned in this deed;

AND WHEREAS, Bharat Vikas Parishad, New Delhi (a society registered under the Societies Registration Act, 1860-Reg.No. S-2272-1963) accepted the proposal and resolved to create the trust vide a resolution dated passed by the National Core Committee and further resolved to appoint Shri,aged about years S/o.....,R/o.....,(PANor AADHAR No.),as an authorised signatory to execute the trust deed on behalf of the settler/ first party ;

AND WHEREAS, the settler Bharat Vikas Parishad, New Delhihas settled a sum of Rs.1000.00 (Rupees One Thousand Only) in favor of the trust with a view to give effect to it's desire of creating and establishing a Public Charitable Trust for the objects set out in this trust deed and for fulfilment of which, the terms and conditions have been more particularly set out hereunder.

AND WHEREAS prior to the execution of these presents **THE SETTLOR** Bharat Vikas Parishad, New Delhi has handed over a Cheque No. DateddrawnonBank Branch for an amount of Rs. 1000.00 (Rupees One Thousand Only) to the Trustee Shri.....and the said Trustee is to hold the said cheque on behalf of the Trust till formalities of the registration are completed and deposit the same in the bank account of the trust immediately on opening of the said bank account.

AND WHEREAS the settlor BHARAT VIKAS PARISHAD, New Delhi (a society registered under the Societies Registration Act, 1860-Reg.No. S-2272-1963) hereby makes an irrevocable formal declaration and creation of the trust on the terms and conditions hereinafter mentioned;

AND WHEREAS the abovenamed trustee shall hold and stand possessed of the said trust assets, properties and funds (which expression shall include all investments in cash or kind or in any nature whatsoever into and for which, the said property or a part or parts thereof may from time to time be converted, varied or exchanged) and/ or such investments as may be held by the trust from time to time in relation to these presents together with all income, profits, additions and accretions thereof, upon trust for the object set out herein with and subject to the provisions and conditions hereinafter contained in these presents.

NOW THIS DEED WITNESSETH AS FOLLOW: -

1. **NAME OF THE TRUST:** The name of the Trust shall be "BHARAT VIKAS PARISHAD/BVP CHARITABLE TRUST.
2. **OFFICE OF THE TRUST:** The Registered Office of the Trust shall be at
.....
or at any other place as may be decided by general body of the trust, from time to time.
3. **AFFILIATION:**
 - (a) This Trust will be affiliated with Bharat Vikas Parishad, New Delhi (a society registered under the Societies Registration Act, 1860-Reg.No. S-2272-1963) and will always work according to its supervision, directions and guidance only.

- (b) The trust shall pay annual affiliation fee to the Parishad, as may be fixed by Parishad from time to time.
- (c) The trust shall submit annual report to Parishad or any special or particular report as and when it may be required by the Parishad.

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 an Association of Persons (AOP) known as “Bharat Vikas Parishad, affiliated as a branch with Bharat Vikas Parishad, New Delhi (a society registered under the Societies Registration Act, 1860-Reg.No. S-2272-1963)
- (b) **“Parishad”** shall mean Bharat Vikas Parishad, New 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, New Delhi-110034, or such other place as may be decided from time to time by it.
- (c) **“Prant”** shall mean a geographical area designated as a Prant by Bharat Vikas Parishad, New Delhi (a society registered under the Societies Registration Act, 1860-Reg.No. S-2272-1963)
- (d) All other expressions shall have the same meaning as assigned to them in the Rules and Regulations of Bharat Vikas Parishad (a society registered under the Societies Registration Act, 1860-Reg.No. S-2272-1963)

5. OBJECTS OF THE TRUST:

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 Centers, Medical Stores, Gaushalas, Panjrapole, Research and Development Centers, Training Centers, skill development centers, Diagnostic Centers, 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 travelers.
- (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. BENEFICIARIES OF THE TRUST:

The Trust is established for the benefit of public at large without discrimination of caste, creed, religion or sex.

7. PROPERTIES:

The trust properties shall consist of

- (a) The amount transferred by the **SETTLOR** as mentioned above,
- (b) Any cash, kind, properties, movable and immovable that may be acquired by purchase or otherwise or all manner of rights, title or interest in or over any property movable or immovable.
- (c) All additions and accretions to the Trust properties and the income therefrom.
- (d) All donations, gifts, legacies or grants, in cash or kind accepted by the Trustees upon Trust.

The properties of the Trust shall be utilized for the objects set forth herein above and subject to the provisions and conditions herein mentioned.

8. TRUSTEES:

- A. The Trust shall have a minimum of 5 (Five) and maximum 15 (Fifteen) Trustees excluding the ex-officio trustees appointed under Clause-8 B (ii) and nominated trustees appointed under Clause-8 B (iii).

The tenure of the ex-officio trustees appointed under Clause-8 B (ii) and nominated trustees appointed under Clause-8 B (iii), shall be co-terminus with the tenure of their office by virtue of which they hold the office of trustee.

All the trustee shall be members of { Bharat Vikas Parishad } or {
branch/Prant of Bharat Vikas Parishad }

B. There shall be following types of Trustees:

(i) Ordinary Trustees

All the trustees named in this deed and any other trustees appointed to be trustees at any later point of time as per terms of this deed.

(ii) Ex-Officio Trustees

The following Office Bearers of Bharat Vikas Parishad, in whose territorial jurisdiction the office of the trust is situated, shall be ex-officio trustees of the trust :

- (a) Regional President
- (b) Regional General Secretary
- (c) Prant President
- (d) Prant General Secretary

(iii) Nominated Trustees

The national core committee of Parishad shall have power to appoint two trustees, if so desired by the national core committee.

C. APPOINTMENT OF TRUSTEES

The General Body of the Trust may appoint new trustees by a resolution passed by 3/4th majority of the trustees present and voting, subject to the limit of maximum number of trustees provided in this deed with the consent of the ex-officio trustees mentioned in Clause-8 B (ii) above and the nominated trustees mentioned in Clause-8 B (iii) above, if any.

Provided that only a person of sound mind, who is not a minor, is not an insolvent, is not convicted for an offence involving moral turpitude, and is a member of Bharat Vikas Parishad can be appointed as a Trustee

D. REMOVAL OF TRUSTEES:

A Trustee may be removed from his office in any of the following eventualities:

- (i) On his/her death.
- (ii) On his/her resignation from the membership.
- (iii) On his/her becoming of unsound mind.
- (iv) On his/her being declared insolvent.

- (v) On his/her being convicted for a criminal offence involving moral turpitude by any court of law.
- (vi) On his/her working against the interests of the Trust
- (vii) On his resignation/removal from membership of Bharat Vikas Parishad.

9. BODIES OF THE TRUST

The Trust shall have two main bodies

- (a) General Body
- (b) Managing Committee

10. GENERAL BODY

(a) Composition:

The general body shall consist of all the Trustees of all the categories.

(b) Meetings:

- (i) The general body shall meet at least once in a year.
- (ii) The General Body may also be convened more than once, in any year, if it is necessary for some special reason, with the permission of the Chairman.

(c) Notice:

A notice of 30 days shall be essential to convene the meeting of the General Body.

The notice period to convene the General Body for some special reason or in case of urgency, may be relaxed to a minimum of 15 days by the Chairman.

(d) Quorum:

Presence of one half (1/2) of total number of trustees shall be the essential quorum of the General Body meeting.

Provided that in case of the required quorum not being fulfilled the meeting shall be adjourned to the next day and no fresh notice shall be necessary for such adjourned meeting which may be conducted with presence of atleast 1/4th number of trustees.

(e) Duties of General Body:

- (i) To elect the Managing Committee for a term of two years.

- (ii) To decide the policies and guidelines for the functioning of the Trust.
- (iii) To supervise and guide the Managing Committee.
- (iv) To approve the annual budget and the annual accounts of the Trust.
- (v) To approve the rules and regulations of the Trust formulated, modified or amended by the Managing Committee for the effective and proper management and administration of the Trust, which shall become effective after approval by the General Body.
- (vi) To do all other acts that may be necessary in the interest of the Trust.

11. MANAGING COMMITTEE

(a) Composition:

The composition of the Managing Committee shall be as below:

Chairman	1
Vice Chairman	1
General Secretary	1
Secretary	1
Treasurer	1
Members	All the Ex-Officio Trustees & Nominated Trustees mentioned in Clause 8 B (ii) and (iii)

The Office Bearers of the Managing Committee, except the Ex-Officio Members/Nominated Members, shall be elected directly by the General Body of the trust.

(b) Meetings:

The Managing committee shall meet ordinarily once in a quarter and may be called more than once, if so required for any special reason, with the permission of the Chairman.

(c) Notice:

The minimum notice required for meeting of the Managing Committee shall be 15 days, which may be relaxed to 7 days in case of urgency, by the Chairman.

(d) Quorum:

The presence of one half (1/2) elected office bearers of the Managing Committee shall be the minimum quorum required for a meeting of Managing Committee.

Provided that in case of the required quorum not being fulfilled the meeting shall be adjourned to the next day and no fresh notice shall be necessary for such adjourned meeting, which may be conducted with the presence of atleast 1/4th elected office bearers of the managing committee.

(e) Election of Managing Committee:

- (i) The managing committee shall appoint, preferably on or before 30th January of the year in which elections are to be held, any Trustee as an Election Officer to conduct the elections of the managing committee.
- (ii) The elections shall be conducted in the General Body, on the basis of the List of all the Trustees including the ex-officio trustees and nominated trustees, as it existed on 1st January of the year in which elections are to be held.
- (iii) The Agenda for meeting of General Body for electing the managing committee shall contain a detailed program like time schedule for initial meeting of General Body which shall transact routine business, time for filing of nominations, scrutiny of nominations, withdrawal of nominations and the polling of votes.
- (iv) In the meeting of the General Body held for elections of the Managing Committee, every effort shall be made for unanimous elections by common consensus failing which the elections will be held by secret ballot, as per the schedule fixed in the Agenda.
- (v) The Ex-officio Trustees and nominated Trustees shall not be eligible for filing nomination or for being elected to any post in the managing committee, but shall have right to vote.
- (vi) In both the cases of either unanimous election or election by secret ballots, no candidate shall be eligible to file nominations or be elected for a third consecutive term for the post of Chairman, General Secretary or Treasurer of the Trust.
- (vii) Any disputes regarding the elections shall be decided solely in accordance with the Arbitration Clause contained in this deed and shall not be called in question before any court of law. Pending any such arbitration proceedings, the National President of Bharat Vikas Parishad, New Delhi, may appoint a Receiver or a Committee of

Receivers or may make any other interim arrangement for proper functioning of the Trust or any projects running under the aegis of the Trust.

(f) Filling up of Vacancies:

In case of any casual vacancy in the Managing Committee, the same shall be filled up by the Managing Committee by a majority the members present and voting, from amongst the Trustees who are eligible to be elected to the managing committee. Such appointment shall be effective for the remaining period of tenure of the Managing Committee.

(g) Rights and Duties of the Managing Committee:

- (i) To exercise general superintendence control and management of the affairs of the trust and its income as well as properties both movable and immovable.
- (ii) To raise funds, and apply the funds so raised in any lawful manner to fulfill the aims and objectives of the trust.
- (iii) To accept donations, grants and any kind of benevolent funds from any government or non-government organizations.
- (iv) To look after the day to day functioning of the trust through it's office bearers.
- (v) To ensure the maintenance of Books of accounts and other records of the trust.
- (vi) To ensure the safe custody of all the documents and records of the trust.
- (vii) To prepare annual budget of the trust.
- (viii) To prepare and present the annual accounts for approval before the General Body.
- (ix) To appoint chartered accountant for audit of the accounts of the trust.
- (x) To form sub-committees, if necessary, for discharge of various functions.
- (xi) To consider the reference made by the General Secretary, to take disciplinary action against any employee of the trust.
- (xii) All purchase or sale on behalf of the trust shall be made as per the directions of the managing committee.

- (xiii) To invest the Trust funds in the manner not prohibited by any provisions of the Income Tax Act, 1961.
- (xiv) To buy, sell, mortgage, grant, lease, hire or otherwise alienate all or any of the properties of the Trust in its discretion for adequate consideration.
- (xv) To borrow money with or without security from Nationalised Banks or other Banks or financial institutions and to repay the same and to mortgage/ hypothecate its movable/immovable properties for such purpose.
- (xvi) To receive, collect and enforce recovery of all monies due or payable to the Trust and grant receipts and discharges therefore.
- (xvii) To settle, compromise or compound any disputes or refer the same to arbitration or litigation.
- (xviii) To receive voluntary contributions from any person or persons from India or outside, after complying with the statutory formalities, by way of donation, gifts or in any other manner and to hold the same upon Trust for the objects set forth herein.
- (xix) To appoint, suspend, dismiss or otherwise deal with the staff required for the administration of the Trust, to frame rules relating to their salaries and other benefits and generally to exercise all powers ancillary and incidental to effectively carry out the objects of the Trust.
- (xx) To formulate, modify and amend rules and regulations for the effective and proper management and administration of the Trust, which shall become effective after approval by the General Body.
- (xxi) To do all or any other acts that may be necessary in the interest of the trust.

(h) Tenure:

The tenure of the Managing Committee shall be two years commencing from 1st April of the year in which elections are held, up to 31st March of the completion of the second year.

Provided that in case the managing committee takes charge after 1st of April of the election year, for any reason whatsoever, such period of delay shall not extend the tenure of the managing committee by a similar period and tenure of the managing committee shall still come to an end on the 31st March stipulated above, in a similar

manner as if the managing committee had taken charge on 1st April of the election year.

12. RIGHTS AND DUTIES OF THE OFFICE BEARERS :

(a) Chairman

- (i) To preside over all the meetings of the General Body and the Managing Committee of the trust.
- (ii) To ensure that the meetings are conducted properly and as per the provisions of the trust and laws related thereto.
- (iii) To counter-sign the proceedings of the meetings of the trust recorded by the General Secretary or by Secretary.
- (iv) To grant approval for purchase and/or payment for bill of an amount not exceeding Rs. 2,50,000.00

In case of imminent necessity requiring this limit to be exceeded, the same must be submitted before the Managing Committee for ratification in the next meeting.

- (v) To guide the other office bearers in the interest of the trust.
- (vii) To do all other such other acts that may be necessary in the interest of the trust.
- (viii) To exercise all the residuary powers, not explicitly assigned to any of the other office bearers.

(b) Vice Chairman :

- (i) To preside over the meetings of the trust in the absence of the Chairman.
- (ii) To exercise such power and rights as may be entrusted by the Chairman in the absence of the Chairman.

(c) General Secretary

- (i) To call the meetings of the General Body, Managing Committee or any sub-committee, with the permission of the Chairman.
- (ii) To record or cause to be recorded by the secretary, the proceedings of the meetings of the trust, which shall be verified by the General Secretary by putting his signatures

on every page thus recorded before being counter-signed by the person presiding over such meeting.

- (iii) To ensure the safe keeping of the documents and the records of the trust.
- (iv) To do all the correspondence on behalf of the trust.
- (v) To exercise general superintendence, control and management of the affairs of the trust and its properties both movable and immovable, under the guidance of the Chairman.
- (vi) To conduct all such programs and acts that may be necessary to achieve the aims and objects of the trust, under the guidance of the Chairman.
- (vii) To do all other such other acts that may be necessary in the interest of the trust, with the approval of the Chairman.

(d) Secretary

- (i) To record the minutes of the meetings of the trust, if so required, by the General Secretary.
- (ii) To exercise the powers of the General Secretary, in his/her absence, under the instructions of the Chairman.
- (iii) To exercise such power and rights as may be entrusted by the Chairman.

(e) Treasurer

- (i) To ensure the maintenance of the accounts and books of the accounts of the trust.
- (ii) To get the accounts of the trust audited at the end of each financial year by the chartered accountant appointed by the managing committee.
- (iii) To submit the annual budget of the trust before the General Body for its approval.
- (iv) To hold the cash, on behalf of the trust, to a maximum limit of Rs. 20,000.00 (Rupees Twenty Thousand Only). This limit may be increased/modified by the managing committee as per requirements.
- (v) To deposit the amounts received by cash or cheque, in the bank account of the trust, subject to the condition laid down in the preceding clause.

- (vi) To make payment by cheque or cash, which has been passed for payment by appropriate authority.

13. FUNDS AND ASSETS :

- (a) All the funds of the trust, except to the extent of limit of keeping cash with the treasurer, shall be kept in a Bank Account.
- (b) The trust can open more than one account with more than one Bank as per convenience subject to the prior permission of the Managing Committee.
- (c) The Bank accounts shall be operated by the Chairman, General Secretary and the Treasurer of the Trust or any other persons to be nominated by the Managing Committee, and the mode of operation shall be as per the resolution of the Managing Committee

14. ACCOUNTS AND AUDIT :

- (a) The financial year of the Trust shall be from 1st April to 31st March of the following year.
- (b) The accounts of the Trust shall be annually audited by a Chartered Accountant to be appointed by the Managing Committee and the audited statement of account shall be placed before the Managing Committee for its approval within three months of the close of the financial year.
- (c) Apart from statutory Audit, Bharat Vikas Parishad (a society registered under the Societies Registration Act, 1860-Reg.No. S-2272-1963) may appoint auditor(s) for internal audit of the trust.

15. RECORDS OF THE TRUST :

The trust shall keep the following records:

- (a) Register of Trustees
- (b) Agenda Register
- (c) Minute Book/Proceedings Register
- (d) Cash Book

- (e) Receipt Books
- (f) Stock Register
- (g) Any other register or records as directed by the Managing Committee
- (h) Any other register or records as may be directed by the Parishad
- (i) Any other records that may be required by law

16. AMENDMENTS:

- (a) While this Trust shall be irrevocable, in case of unavoidable circumstances the General Body may amend the deed at a duly convened meeting of the General Body, by a resolution passed by at least three-fourth majority of the Trustees present and voting.

Provided that any such resolution for amendment of trust deed shall be moved only after a written and prior approval granted by the National Core Committee of Bharat Vikas Parishad, New Delhi.

- (b) Any amendments effected in the manner prescribed henceforth shall be registered before the concerned registrar by way of a supplementary deed, which on such registration shall become a part of the trust deed.

17. INDEMNITY:

The Trustees and the office bearers of the Managing Committee shall be indemnified for any act done by them in good faith in the course of the administration of the Trust.

18. LITIGATIONS & ARBITRATION :

- (a) The trust shall sue and be sued in its own name and the General Secretary or any other person authorized in this regard shall pursue the case and do all acts that may be necessary for contesting such litigation.
- (b) In case of any doubt or dispute arising from this indenture or in respect of the management of the trust, or existence, election or continuance in office of any trustee or office bearer of the Managing Committee, the same shall be decided by a sole arbitrator to be appointed by the National Core Committee of Bharat Vikas Parishad, New Delhi, and the decision of such Arbitrator shall be final and binding on all the

parties concerned and shall not be called in question before any court of law. The arbitration shall be conducted under the provisions of Arbitration & Conciliation Act 1996. The place of arbitration shall be decided by the Arbitrator and jurisdiction for all or any litigation arising from the arbitral proceedings shall vest in the courts at

19. DISSOLUTION:

In the event of dissolution of the Trust, the entire Trust funds shall be realized and first be used for payment of liabilities of the Trust. The remaining assets , if any, shall vest in the Bharat Vikas Parishad, New Delhi.

IN WITNESS WHEREOF THE SETTLOR AND THE TRUSTEES hereto have set their hands on this deed on this day of, 20..... in presence of witnesses.

Date :

Place :

SETTLOR

WITNESSES

TRUSTEES