**TRUST DEED**

**INDIAN TRUST ACT 1882**

THIS DEED OF TRUST made on**\_\_DATE\_\_\_\_\_\_\_\_\_\_**by Deepak sharma S/O Ashok Kumar R/O # 387 ward No 4 Mehrauli ,Gadaipur South Delhi,Delhi 110030 **(Hereinafter called the Author of the Trust / Settler)**

Which expression unless repugnant to the context or meaning thereof includes their heirs, executors, and administrators, etc., whereas Authors of the Trust are possessed of and otherwise well and sufficiently entitled to the sum of **Rs.1000/- (Rupees One Thousand only)** hereinafter referred to as said property. WHEREAS the "Settler” is desirous of constituting a **public Charitable trust for the welfare of human development** without discrimination on the basis of Religion, Race, Caste, Color, Creed or Nationality as hereinafter expressed and contained in this presents and in pursuance of such desire have already transferred paid and handed over the said amount/property to the trustees mentioned below.

WHEREAS it is the desire of the Authors of the Trust that the Corpus of the Trust may be further augmented from time to time by flow of funds and other assets including moveable and immovable and any other kind by way of Gifts, or Donations, acquisitions, allotments, grant exchange or otherwise etc.

**NOW THIS DEED OF TRUST WITNESSETH AS FOLLOWS:**

1. **NAME OF TRUST–** “**My Tech foundation Trust ”**
2. The Registered office of the Trust shall be situated at,House no 386 first floor Right Side ward No 4 Mehrauli New Delhi 110030 **.**Or at such other place in India as the Trustees may from time to time think fit.
3. Board of trustees: -

|  |  |  |
| --- | --- | --- |
| **S. No** | Name and Full Address | **Designation In organization** |
| **1.** | Deepak sharma S/O Ashok Kumar R/O # 387 ward No 4 Mehrauli ,Gadaipur South Delhi,Delhi 110030 | **Settlor** |
| **2.** | **Yogesh Sharma S/O Harbans # D H 303 Gali No 3 Near Pawan Shop Factoty Ward No 8 Siwan Gate Kaithal .Kaithal Haryana 136027** | **Managing Trustee / Chairman** |
| **3.** | **SHAILJA JANGRA D/O DHARMPAL # 568/2 GALI NO 2 MAHADEV COLONY ,PATTI AFGAN KAITHAL HARYANA 136027** |  **Managing Trustee / Vice-Chairman** |
| **4.** |  |  **Managing Trustee / Secretary**  |

1. **AIMS &OBJECTIVES: -**

 That the objectives of **“MY TECH FOUNDATION TRUST ”**shall be wholly for the public and charitable purpose and it’ll deal in Delhi and other states & Provinces (subject to terms & conditions which are prescribed by Indian govt.) without prejudice to the provisions aforesaid, and the following shall be deemed to be the principal objectives:

* + - To provide all computers courses regarding DCA. Hardware. Software. AutoCAD. Tally. NTT.PTT. Mobile Repairing, Abacus. D.EL.Ed. All Courses Related To Elementary Education, Beautician, Cooking, Fashion Designing, English Speaking, Hotel Management, Cooking, Art And Craft, Electrician, Electronics, Carpenter, Welding, Mechanical Diploma, Painting, Diploma In Civil Engg.
* Providing relief to the poor and advancing any other object of general public utility.
* The Trust will not carry out any activities with the intention of earning profit and will perform with service motive only.
* No activities of the Trust will be carried out outside India.
* Trust can open various branches and distribute Franchise all over the India.
	+ - To organize, sponsor, co-ordinate and conduct national, regional and international meetings, seminars, symposium, workshops, discussions, debates, demonstrations exhibitions through video, television and other media.
		- To co-ordinate and network with individuals, voluntary organizations, government agencies, banks and other instructions engaged in development activities with a view to assist grass roots organizations and individuals in executing and implementing various schemes & counseling to the reserve class regarding various government's welfare and employment schemes.
		- To make agreement or arrangement with Government, semi-Government, Non­governmental Bodies/ Societies/ International agencies, Organizations or Groups of individuals to obtain financial aid in whatever manner for fulfillment of aims and objectives of the Trust
		- To utilize fund towards capital and recurring expenditure of the Trust, making suitable investments or dealing with the fund in any other lawful manner the Trust may deem necessary.
		- To draw, make, accept, endorse, execute, discount, sign, issue or deal in other appropriate manners with drafts, cheques, certificates, receipts, government securities, promissory notes, bills of exchange of other instruments and securities whether negotiable or transferable for charity purposes or as the law permits.
		- To create administrative, ministerial, technical and other posts or cadres for running the Trust and to appoint suitable persons to those posts or cadres in accordance with the rules framed in this behalf by the Trust.
		- To create and maintain a fund(s) with subscriptions, contributions or donations received from Governmental agencies, Foreign agencies as well as private organizations and with money raised by the Trust in any other lawful manner.
		- To do all such acts, activities and programs, which are necessary for the fulfillment of the objectives of the Trust and are incidental to the objective of the Trust, protect democratic rights of the people.
		- All the incomes, earnings, moveable and immoveable property of the trust shall be solely utilized and applied towards the promotion of aims and objective only as set forth in the Memorandum of the trust and no profit there of shall be paid or transferred directly or indirectly by way of dividends, bonus, profit or in any manner whatsoever to the present or past members of the trust or to any person claiming through any one more of the present or the past members by virtue of membership No person of the trust shall have any personal claim on any moveable or immoveable properties of the trust or make any moveable or immoveable properties of the trust or make any profit whatsoever, virtue of his membership.
1. **POWERS OF THE TRUST**

 To do all that is necessary and incidental for the purpose of achieving the objects mentioned above, the trust shall have the following powers:

* Acquire by purchase, lease, mortgage, will, gift, grant, legacy, bequest, exchange, right privilege or otherwise from any person, company, society, Government, Institution, Organization or privilege or otherwise from any person, company, society, Government, Institution, organization or anybody what so ever, movable or immovable properties of all description deemed necessary or useful for any purpose of the Trust as the law permits.
* Take or receive any gift whether money or property movable, immovable, donations in form of debentures, stock shares or securities in any company or society whether incorporated or not or whether by gift by a person living or by legacy bequest will or foundation and whether subject to any special trust or for works connected therewith and to take steps for the securing of such contributions for funds as from time to time be deemed expedient as the law permits.
* Erect building or structure whatsoever to further any purpose of the trust and to maintain, develop, improve, alter, repair, demolish or reconstruct the same or any portion thereof as the law permits.
* Alienate by way of sale, mortgage, lease release, charge, hypothecate, pledge exchange hiring out, gift of properties or funds of the Trust or any portion or portions thereof including subscriptions, contributions, assistance pecuniary or otherwise to such institution, bodies or persons as from time to time deemed necessary or expedient as the law permits.
* Lend money free of interest, invest, lay aside, deposit in Bank or otherwise deal with money or funds of the Trust not immediately required for the objects of the Trust and to subscribe or purchase, acquire hold, sell, endorse and negotiate in debentures, stacks, shares and securities of every description in the money market, in conformity with be provisions of the Indian Trust Act, 1882.
* Borrow or raise funds with or without security in any manner as the trust may think fit & repay the same. Negotiate with & enter into agreements, with any Government agency, Authority, Corporation, Board University-Or-other Public Bodies as may seem conducive to the promotion or accomplishment thereof and to obtain, collect, receive such grants, loans, allowances, rights, concessions & privileges as may seem to comply with the objects and utilize the same as the law permits.
* In general, to 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 interests of the Trust provided such things or acts be neither contrary to nor inconsistent with the spirit and principles of law under which has the trust been established.
* That for carrying out any of the said powers or objects, the trustees shall be entitled to utilize any part of the corpus of the trust property for making any capital investment as the law permits.
* All investments can be made in the name of the trust or in the name of the trustees as the trustees may think convenient or as required by the terms of investment.
* That the trustees shall have full power to file and defend suits, appeals, applications etc. and anyone or more of them, being duly authorized and shall have power to declare, sign and verify all plaints, written statements, memos of appeal, cross objections, applications, affidavits etc. and to accept summons, notices etc. and to appear in any place or places in the Union of India before any court, any tax authority, officer or tribunal and to compound all actions, suits and other proceedings and all differences, disputes and to refer any such difference, disputes to arbitration as law permits.

**3. DURATION OF THE TRUST:**

The trust **“MY TECH FOUNDATION TRUST ”** The Registered office of the Trust shall be situated at,

House no 386 first floor Right Side ward No 4 Mehrauli New Delhi 110030

and

Head Office At

**1st Floor, JunejaowerManavChownk,Ambala City Haryana 134003**

hereby created shall be irrevocable and its duration perpetual and permanent, subject to other residuary clauses of this deed.

**4. TRUST PROPERTY:**

1. The term "TRUST PROPERTY" shall mean and include the said sum of Rs.1000/- (Rupees one thousand only) set apart by the 'settler' and further grants, donations, contributions of money and / orproperty movable or immovable that may be made available by the founder or by others from time to time.
2. The Trust property shall vest in the board of Trustees comprising of Trustees who will hold, manage and administer the trust in accordance with the terms and conditions hereof.

**5. NUMBER OF TRUSTEES:**

The number of Trustees including the Author of the Trustees shall not be less than two and not more than 16 persons. The Board of Trustees shall nominate and invite person/persons to be the other trustees for such period, as they may deem fit and proper.

**6. TERM OF OFFICE OF THE TRUSTEES:**

 Trustees on the position of Chairman, Vice-Chairman, Secretary and Treasurer will remain on their position until the validation of trust and in case of any distortion of rules and regulation of trust the Chairman have power to change the person, holding above position such as, vice-Chairman, secretary and Treasurer for the betterment of trust. Except these four positions the other trustees will remain on their position up to the period of 5 years.

**7.SETTLOR:**

There shall be a Settlor of this trust shall run, look after & take decision regarding this trust with the consent of Chairman.

**8. CHAIRMAN:**

There shall be a Chairman for the administration of this trust, Chairman shall have entire power to run, look after & take any decision regarding this trust and for running this Trust. Chairman shall have entire power to give authority to any one member in the interest of TRUST.

**9. MANAGING TRUSTEE:**

* + 1. The day-today administration of the Trust shall be looked after by the Managing Trustee(s) under the guidance, control and supervision of the Board of Trustees.
		2. The Board of Trustees shall nominate amongst the trustees to be the Managing Trustee(s), who shall hold office for such period, as may be decided by the Board of Trustees.
		3. The Managing Trustee(s) shall perform all functions, discharge such duties as or specifically entrusted to him/her in writing by the Board of Trustees.
		4. Any Managing Trustee, should he/she find himself/herself incapable of discharging his/her powers, may nominate in his/her place by issuing a letter of authority, after consultations with the other managing trustees, any other person with special powers of attorney, the scope of which shall be specified in the letter of authority.
		5. Any other person/persons may be appointed managing trustees by a 2/3rd majority vote of those holding such office at the time any new appointments are considered.

 **10*.* VACANCIES*:***

Any vacancy among the Members of the Board of Trustees may be filled by the trustees as specified above or their successors and they shall hold office for such duration as may be specified by the Board of Trustees.

**11. TERMINATION OF OFFICE OF THE TRUSTEES:**

Trustee shall cease to hold office:

1. If he dies and in case of insanity
2. If he resigns.
3. If he is adjudged insolvent or found guilty of an offence involving moral turpitude.
4. If he is found to have acted against the interest of the Trust.
5. If it is unanimously decided by the Trustees specified in Para (8) above that his continuation in the Office is against the interest of the Trust.
6. Upon expiry of the period up to which the Board of trustees have nominated the trustee

**12. MEETING AND PROCEEDINGS OF THE TRUSTEES**:

The Trustees shall ordinarily meet once in 6 months or as often as may be necessary for the satisfactory conduct of the affairs of the Trust.

**13. NOTICE:**

15 days’ Notice shall ordinarily be given in writing for a meeting of Board of Trustees.

**14. QUORUM:**

The Quorum for the Meeting of the Board of Trustees shall be 1/3rd numbers quorum is required for a meeting adjourning for want of Quorum. A minute book shall be kept by the Managing Trustee. Minutes of entry into the office of every new trustee and of all proceedings of the meeting of the board of trustee shall be entered in the minute book and shall be signed by the Chairman of the Meeting.

**15. VOTING:**

Decisions of the Board of Trustees may be made at a meeting or by circulation of papers to them. Normal matters of routine nature may be circulated and decision obtained. The important matters are to be decided at the meeting. All matters arising for disposal shall be decided by a majority of the Board of Trustees present at the Meeting. The Settlor or Chairman of the Board of Trustees shall have a casting vote in the event of equality of votes, in addition to his own.

**16. THE RIGHTS AND DUTIES OF THE TRUSTEES**

1. All property of the Trust Movable or Immovable or of any other kind, shall vest in trust, the trustees shall manage the whole property and affairs of the trust and shall have all powers, duties and functions necessary proper and incidental to the promotion and carrying out of the objects of the trust.
2. In particular, and without prejudice to the generality of the foregoing the trustees shall for the purposes of this trust have the following powers, duties and functions:

 (i) To acquire by Gift, Grant, Purchase, Exchange, Lease, or otherwise, lands, buildings, or other immovable properties and also any Movable Property.

(ii) To construct and maintain buildings, to alter, to demolish or improve them and equip them suitably.

(iii) To accept gifts, donations, endowment and contributions for the Trust and shall be treated as the income of the Trust.

(iv) To raise loans, to receive fund, securities or other movable property on behalf of the Trust.

1. To accept any trust, trust fund or endowment so long as the provisions of such Trust or endowment are in consonance with the objects of this Trust.
2. To award scholarship and make donations calculated to promotethe objects of the Trust.

(a) To enter into contracts, or engagements on behalf of the trust.

(b) To consider such proposals submitted by sub-committee appointed by this trust and allocate such funds if necessary as deemed necessary for the implementation of the programs.

1. To make, sign and execute all such documents instruments, as may be necessary or proper for carrying on the management of the properties and affairs of the Trust.
2. To invest such funds of the trust and to vary the investment as and when it may seem necessary or proper provided that such investments shall be made only upon immovable properties or upon securities as the board of trustee may deem fit, under section 20 of the Indian Trust Act, 1882.
3. To sell, transfer or otherwise dispose of any immovable property of the trust provided all the trustees unanimously resolve that it is in the interest of the trust to do so to sell or lease, mortgage or otherwise dispose of any movable and immovable properties of the Trust.
4. To appoint Committee/Committees of management for such terms and with such powers as may be specified from time to time, for carrying on the routine management of the affairs of the Trust.
5. To appoint such employees on such terms and conditions as the Trustees may deem fit for carrying out the work of the trust and exercise control all such employees including the power of suspension, dismissal and removal.
6. To delegate to the Managing Trustee or any appointed committee such powers, duties and functions as are vested in the Trustees.
7. To frame Bye-Laws and such other regulations as are required for achieving its objectives.
8. Out of the income of the trust property the trustee shall be entitled to spend or incur the following expenses namely

(a) All rates, taxes, cess, assessments, dues and duties if any payable to the government to any municipal or other public bodies in respect thereof or any part thereof.

(b) The premium for the insurance of the buildings or any other insurable property movable or immovable for the time being forming part of the trust property.

(c) The costs of ordinary repairs and for providing any amenities to the buildings for the time being forming part of the trust property.

 (d) The cost of making such additions/alterations or improvements to or in the buildings forming part of the trust property, as the trustees shall think fit.

(e) Wages and salaries of any manager, supervisor, accountant, clerk, servant or other employees employed by the trustees in the carrying out of this trust.

(f) Cost and expenses of keeping the trust property in good
condition.

(g) Cost and expenses for installing and renovating the electrical and other installations in the building for the time being forming part of the trust property.

(h) The architect’s fee and legal charges and fee payable to other professionals engaged in the course of administration of the trust.

(i) All other costs, charges and expenses of and incidental to the management and administration of the trust property in accordance with the objects and purposes hereof or which may be incidental thereto. After deducting the costs charges and expenses incurred by the trustee’s as aforesaid out of the total gross income received by them from the trust property the balance that is the net income will be utilized for the objects of the trust as decided by the board of trustees.

**16 (A) MEMBERSHIP:**

 i) ELEGIBILITY: any person, who is a born in India, can become a member after completing the formalities and paying the required fee.

 ii) ADMISSION:

 The membership of the trust is open to any Citizen: -

* Who has attained the age of maturity (18 Years)
* The Governing Body may admit to membership any person of above the age of 18 years residing in India
* Has a good conduct, as per terms and conditions of society.

 **B. FEE/SUBSCRIPTION**

 a) Membership fee of Rs.101/- (Rupees one hundred and one only) would be payable at the time of becoming member. The fee is payable once in lifetime and non-refundable & it can be enhanced from time to time by the Executive Committee.

 b) Annual Subscription of Rs. 1100/- is payable in advance once in year or Rs 101/- per month by general body member and Rs. 2100/- in advance or Rs. 251/- per month by executive members, Founder Members, Life Members, Honorary Members and Patrons.

 c) Annual Subscription can be revised from time to time by the Executive Committee.

 d) Special Subscription to meet sundry and specific expenses, the Committee may collect and raise funds from members from time to time.

 e) In case of nonpayment of monthly subscription by the 10th of each month a late fee of Rs. 10/- per month is to be paid by the member. This late fee is to be paid separately for each month.

 **C.** The executive committee will have the right to refuse admission to any person without assigning any reason.

**17. MEMBERSHIP FEE SHALL BE AS:-**

* **HONORARY MEMBERSHIP**: The Executive committee may induct any person as an honorary member. The honorary member shall pay all the dues, as mentioned in clause 15.B but will have no voting right. A fee of Rs. 3100/- is to be paid by the honorary member. Tenure of the membership is to be decided by the executive committee.
* **FOUNDER MEMBERSHIP**: The Founder Members will be in Executive committee for life time and after their demise the membership would be transferred to one of their legal heirs. At the time of induction/transfer founder member will have to pay a fee of Rs.5100/- and for subsequent years the founder member shall pay all the dues as mentioned in clause 15.B. Founder Member will have voting right.
	+ **LIFE MEMBERSHIP**: The LIFE Members will be in Executive committee for life time but their membership would not be transferred to their legal heirs. At the time of induction LIFE member will have to pay a fee of Rs.2100/- and for subsequent years the LIFE member shall pay all the dues as mentioned in clause 15.B
* **GENERAL MEMBERSHIP**: The GENERAL Members will be in General Body of the Trust. Their membership would not be transferred to their legal heirs. General member shall pay all the dues, as mentioned in clause 15.B. General Member will have voting right to elect the executive Members.

**18. BOARD OF TRUSTEES**

The Trustees shall constitute the Board of Trustees. The Board of Trustees shall consist of not less than 2 trustees. That for the purpose of the meeting half of the number of the Trustees or two will form the quorum of the meeting. Any decision taken by majority of the trustees including the managing Trustees at any trust’s meeting shall be valid and binding on all trustees. However, in the matter of alteration of any of the clauses of this trust deed, the same shall be valid only when, not less than three fourth of the trustees shall decide so. In the event of votes being equal, the Managing Trustees shall have casting vote for deciding the issue. In any case, the Managing Trustees will have the veto power. That the Trustee further declares in case of the demise of any trustee the rule for succession is that any one adult member from the respective family tree isco-operating as trustee. Further in case of the demise of any executive, the trustee shall reserve the right to co-opt / nominate any member of the same family tree (with a 2/3 support from trustees) in case of dispute or any one adult member can be replaced with executive.

**19. THE POWER OF MANAGING TRUSTEE**

Without prejudice to the geniality of the powers of the trustees, the Managing Trustees shall have the following powers:

1. The Managing Trustees of the Trust will hold the office for their lifetime unless they resign. The trustees will elect or nominate the future Managing Trustees of the trust from among the trustees.
2. The Managing Trustees can also act with the designation of Chairman or General Secretary.
3. The Managing Trustees of the Trust shall nominate other office bearers such Vice Chairman/Joint Managing Trustee/Secretary/Treasurer among the Trustees.
4. To preside over all the meetings of Board of Trust.
5. To supervise work of other office bearer from time to time and exercise such powers as may be delegated to him by the board of Trust.
6. To employ people such as clerks, agents, bankers, lawyers, accountants and others on such remuneration as she/he may think fit and proper.
7. To withdraw any powers or revoke any appointment of any employee, volunteers, consultants or persons.
8. To convert, call in, sell or otherwise dispose off any of the investments comprised in trust property and reinvest or change the nature of any other investment contained therein with the consent of board of trustees.
9. To let, with the consent of board of trustees, any portion of any immovable property forming part of the trust fund, at such rent and for such period and on such term and conditions as they may think fit and accept surrender of any lease. To invest trust money with the consent of board of trustees, in fixed deposits with nationalized banks, government securities and or any other investments subject to the provisions of this deed.
10. To sell any immovable property belonging to the trust with the consent of board of trustees.
11. To raise loans or mortgage of the trust property either movable or immovable and to execute necessary documents on that behalf with the consent of board of trustees.
12. To borrow funds, with the consent of board of trusties, with/ without security of the property and for this purpose to mortgage and charge any assets of the trust either movable or immovable.
13. To appoint proxy or proxies for voting in any meeting of the creditors, contributors, shareholders or otherwise.
14. To appoint any Advocate or Arbitrator for resolving any dispute.
15. To establish and/or run trusts and other institutions having objects of the similar nature that of this trust.
16. To delegate any power as he/she can lawfully delegate to any other person and to execute such powers as they may think fit, for this purpose.
17. To open a bank account in the name of the trust, therein deposit all money to and receivable by them by virtue of these presents and shall keep and maintain or shall cause to be kept and maintain proper books of accounts subject to audit by a Chartered Accountant.

**20. MINUTE BOOK**

Minute Book shall be maintained at the office by the Board of trustees, minutes of all the meeting, appointments and entry into the office of every new trustee and all other proceedings of the board of the trustees shall be signed by the Chairman of the meeting either at the conclusion of the meeting or at the subsequent meeting when they are duly confirmed.

**21. AUDITORS**

The yearly account of the Trust shall be from 1st April to 31st March each financial year and the accounts will be audited by a Chartered Accountant appointed by the Trustees for the said period and fees, if paid, shall be outgoing of the income and expenditure of the Trust.

 **22. APPLICATION OF THE PROPERTIES OF THE TRUST:**

The properties and funds of the Trust shall be applied only for the purpose of the Trust and for the due administration of its business affairs and properties provided however that this shall not preclude payment of any remuneration or allowance or giving of residential accommodation or any perquisites to any trustee in connection with the work carried out by him/her for the purpose of the Trust.

 **23. BANK ACCOUNT OPERATIONS**

The funds of the Trust shall be kept in a scheduled bank, corporate bank or any other nationalized bank as per regulation of Reserve Bank of India. The bank account of the Trust shall be operated either by Managing Trustees but any bank operation will not be operated without the under signing of Chairman, settler and any Authorised Representive (A.R.)

**24. ELECTION:**

Board of Trustees shall appoint as election officer for election purpose. The board of trustees will appoint and regulate the powers of the Election Officer the board of trustees in its annual meeting will hold election of its Office bearers amongst its meetings members of the board of trustees after every five years by secret ballot or by show of hands as the Election Officer may decide

 **25. INCOME TAX EXEMPTION**

All these powers of the trustees prescribed herein of the trust deed shall be exercised as to ensure that the income of the trust would be exempted under section 10(22). 10(22A) and /or11of the Income Tax Act 1961 as amended from time to time. It is clarified that the power of investment of the trust funds including those mentioned in clauses above shall be exercised in such a manner so as to ensure exemption of the income of the trust under the relevant provisions of the said Act.

**26. ALTERATION OF RULES OF TRUST**

The trustees, by a majority are empowered to alter the rules governing the administration of the trust in manner not inconsistent with the objectives of the trust provided in the trust deed. The Trust Deed can be amended by two-third majority of the trustees in a meeting specially called for the purpose by given 14 days’ notice for the purpose and the resolution passed by such majority as circulated with or without notification shall be final and binding for good for this Deed.

**27. PROVISION OF TERMINATION OF THE TRUST**

In the event of the termination of the trust or if this trust should fall in any reason, the trustees shall make over or transfer the funds and properties of this trust to any other trust or Institution having objects generally similar to those of this trust and to which are exempt under section 80-G of the Income Tax Act 1961, if the resolution to that effect is passed by the trustees unanimously or by not less than three fourth majority provided that under no circumstances the properties or assets of the trust at any time be distributed among the author or the trustees.

 IN WITNESS WHEREOF the settler of the trust has signed on this deed of Trust on the day, month and year first above written, in the presence of the following witnesses: -

Settler / Author of Trust

**WITNESSES: -**

Name

Address

Aadhar no

2 witness needed 1 local other from delhi