ಕರ್ನಾಟಕ ಸರ್ಕಾರ Government of Karnataka

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TRUST DEED

111.5 DEED OF TRUST is made and executed at Bangalore on this 12th day of the much of November 2007 by

1 Fr. Abraham Odalanyil s/o Joseph, aged 56 years, Indian Delegate Superior of the Poor Servants of Divine Providence, resident of ISH KRIPA Ghattahalli village, Huskur P.O., Bangalore 560099, Karnataka State,

2. Bro.Josekutty s o Joseph Manackal aged 28 years, Administrator of the Indian Delegation of the Poor Servants of Divine providence, Ish Kripa Sadan, Seminary Hills P.O., Nagpur 440006, Maharastra.

Hereinafter called 'Founder Trustees' which expression shall include their successors or interest administrators, assignees and nominees,

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WEEREAS the 'Founder Trustees' are desirous of, and decided to, create and establish a TRUST for Public Charitable Purpose. The trust shall carry out such activities of general public utilities, social welfare to attain such aims and objectives of the trust subject to sa, 1 terms and conditions hereafter provided and in pursuance of such desire each of the founder trustees hereby contributed a sum of Rs.5000/- which forms part of the asset of the Irust.

NOW THEREFORE THIS DEED OF TRUST WITHNESSETH AS FOLLOWS:

11 c. name of the Trust shall be "ISH KRIPA TRUST".

the maximum number of trustees shall be Five and the minimum number of trustees and be Iwo. The 'Founder Trustees' shall be trustees and directors for their term in

Page 1 of 16

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DIVINE PROVIDENCE SCHOOL Harohalli Gale, Huskur Post. Eangaluru - 550099.

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office as Delegate superior, and Administrator of the Poor Servants of Divine Providence. The term of other trustees shall be for three years.

All the trustees of the TRUST shall **constitute Board** of **Trustees**, newly indicated trustees may be appointed by the Director on recommendation of Board of Trustees. Any vacancy in the Board of trustees shall be filled by the Director, on recommendation of Board of Trustees.

NATURE OF THE TRUST:

This Trust shall be a public charitable Trust. All properties, funds and income there from shall be applied to and solely for the purpose of this trust with out any distinction as to religion, caste, creed, colour or sex.

AREA OF OPERATION AND TRUST OFFICE:

- 1 The Trust shall function within the City of Bangalore.
- 2 It shall be lawful to the Board of Trustees to extend the area of its operation to any other place in India.
- 3. The Registered office shall be at: Ish Kripa, Huskur Post, Bangalore 560 099, for the present, and it shall be open to the Board of Trustees to establish Administrative Office and Sub-Offices of the Trust at such other place or places in Bangalore and also in India or abroad, as may be found necessary in the interest of the Trust, from time to time.

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Page 2 of 16

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THE AIMS AND OBJECTIVIES OF TRUST:

- 1. The aims and objectives of the Trust shall be rendering services to the people of India irrespective of language, religion, region, race, community, caste, creed, promoting the welfare of the society in general and the Trust activities and its areas are as follows:
- a) To establish rehabilitation center for: abandoned youth, poor or broken family children and other displaced young and old.
- b) To provide, create opportunity, environment for education and technical training
- c) To establish,/ manage,/ libraries, hostels, reading rooms, dormitories, recreation centers, and other residence facilities for staff and trainees, as are calculated to be of use for the welfare of those rehabilitated through the above trust.
- d) To establish / take over / own and / or manage other rehabilitation centers for the purpose of running orphanages, homes for the aged; to establish run health centers, hospitals in Bangalore or other parts of the country.
- To procure gifts of medicines, clothing, equipment and foodstuffs and apply for grants and aids in cash or in kind from various agencies and Government Departments.
- f) To support, establish, slash or help in running, maintaining similar institutions, network and co-ordinate with them effectively.
- g) To propose funding programmes, accept donations and borrow money to augment funds for the above purpose.

h) To manage trust funds and to collect / recover the interest, dividends and income thereof and to meet there from the expenses of collections and other out goings, if any.

Page 3 of 16

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 To pay or utilize the balance of such interest, dividends and incomes of the Trust and if the Trustees so desire even for the corpus for all or any one or more of the following purposes to the intent that such income or corpus shall be applied to such purpose, (and that such income shall be applied or accumulated for application to such charitable purpose) and to the further intent, that all such purpose shall be carried out without reference to religion, caste, sex, creed, color or nationality and in such shares and proportions and in such manner in all respects as the Trustees shall in their absolute discretion think fit.

- i) To provide aid by way of donations out of the income or the corpus of the Trust, to fund (to any extent they deem fit) or otherwise to different philanthropic/charitable institutions, societies, organizations/trust or other agencies which may have been established for similar charitable purposes to enable such institutions, societies, organizations/trusts or agencies to start, maintain or carry out such charitable objects.
- k) To Print and publish to advance any other objectives of general public utility and the Trust shall not carry on any purely business or any other activities with the sole intention of earning profits.
- 1) The Trustees shall be entitled to do all other acts, deeds and directions necessary or incidental or conducive to effectuation of the foregoing purposes, provided that such acts are not contradictory to the above aims and those which are incidental or conducive to and in furtherance to attainment of above objects.
- 2. In furtherance of the above mentioned aims and objectives, the Trust shall be entitled:-

a) To invest and deal with the funds of the Trust in any manner as the Trustees may decide from time to time to attain the objectives of the Trust,

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Page 4 of 16

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- b) To sell, improve, manage, develop, exchange, lease out, mortgage, dispose off and give on license or otherwise deal with all or any part of the property or properties of the Trust.
- c) To corporate, join or affiliate with any other Trust, Association, or organization or societies having similar aims and objectives of the Trust, either in part or whole as decided by the Board of Trustees.
- d) To obtain and accept subscriptions, donations, grants, gifts, bequests and trusts from any person or persons, firms or corporation or other body or bodies.
- e) To give interest-free loans to the needy and poor, scholarships and monetary assistance to the deserving poor students besides arranging marriages and the burial of the poor, destitute, and old.
- f) To organize debates, lectures, conferences, research works, publish such messages through books and other communication medium, public meetings, classes, exhibitions calculated directly or indirectly to advance the cause of the beneficiaries.
- g) To establish, maintain and run poor homes, residential institutions for the students and others who are connected with the institutions of the Trust.
- h) fo purchase, acquire, own or obtain on lease or hire or exchange otherwise, any movable or immovable property for the achievement of any of the objectives of the Trust.

 to engage and train teachers, instructors and necessary staff for the maintenance of the Trust or any of the institutions run or maintained by the Trust.

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Page 5 of 16

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- i) To invest, dispose off, transfer or otherwise deal with funds of the Trust to achieve the aims and objectives of the Trust, in such manner as the Board of Trustees may deem fit.
- k) To take over or amalgamate or affiliate with any other trust with similar objectives or work in alliance or in co-operation with such trusts or institutions upon such terms and conditions as maybe decided upon from time to time by the Board of Trustees.
- 1) To enter into agreements, contracts or to cancel or vary them with companies, institutions governmental, public and private.
- in) To open schools, colleges, craft schools technical institutions, by erecting buildings, quarters for staff members, in pursuance of the objectives of the Trust and also to maintain, develop or alter, repair, demolish or construct any of the buildings under the centrol of the Trust.
- n) To establish hostels, orphanages, destitute homes, dispensaries hospitals or nursing homes.
- o) To take or receive any gift whether in the form of money, properties movable or immovable, donations, stocks, shares or securities in any company, society, whether incorporated or not.
- p) To receive either by gift from person living or by legacy bequest, will or foundation, whether subject to any special trust or not, for anyone or more of the objectives of the trust, or for the works connected therewith in order to secure such contributions for the funds of the Trust from time to time as deemed fit.
- (1) To alienate by way of sale, mortgage, lease, release, loan, charge, hypothecation, pledge, exchange, hiring out, gift or otherwise deal with the properties, with or without securities or any portion or portions thereof, to obtain contributions, assistance, pecuniary or other benefits as maybe decided by the Board of Trustees.

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Page 6 of 16

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- (i) To invest, lay aside or deposit in Bank or Banks approved by the Board of Trustees or otherwise deal with the monies and funds of the Trust, not immediately required for the achievement of the aims and objectives of the Trust, and negotiate any other securities of every description in the money market in conformity with the provisions contained in Section 20 of the Indian Trust act 1882 and Section 13 of the Income Tax Act 1963.
- s) To negotiate with municipalities, City Corporations, local authorities, Boards, Universities or other public or private bodies as may seem conducive to the promotion or expanding the aims and objectives of the Trust, and to apply for and obtain, collect, receive or recover from any such Government or authority or body such grants allowances rights, concessions, privileges as may seem necessary to comply with and to utilize the same
- To use all income derived from the properties, movable or immovable of the Trust for furtherance of the objectives of the Trust.
- u) To make rules and regulations or / and bye-laws for the conduct of the Trust and its various activities and to vary or after the same fro time to time as decided by Board of Trustees.
- v) In general to do all such other things as are incidental, necessary and conducive, for the attainment of the above aims and objectives of the Trust.

FUNDS AND PROPERTIES OF THE TRUST:

The funds and properties of the Trust shall comprise of:-

Subscriptions, contributions, donations from private or public companies, donations
grants from government and other social organizations, sale proceeds of books, articles,
rent, service charges from institutions run by the Trust.

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Page 7 of 16

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- Movable and immovable properties acquired by the Trust anywhere in India or abroad.
- All funds, properties, rights, claims and demands of every description belonging to or pertaining to the trust now or here afterwards that will be acquired from time to time shall yest in the Trust.

BOARD OF TRUSTEES

 Besides the Founder Trustees, there shall be maximum of 5 Trustees. The Trustees so appointed in pursuance of this Deed shall act in the execution of the Trusts and power of this Deed together with the Founder Trustees and their successors named in this Deed.

POWERS OF THE BOARD OF TRUSTEES

Without prejudice to the generality of powers vested in the Trustees, by and in accordance with provisions of the Indian Trust Act 1882 and also subject to the provisions of the Income Tax Act 1961, Income Tax Rules 1962, the Board of Trustees shall have the following specific powers:-

 To acquire by purchase, gift, grant, exchange, lease, hire or otherwise, properties of all kinds including movable and immovable properties and to improve and add to the corpus of the Trust finance and property, subject to the terms and conditions as may be decided by the Board of Trustees.

2 To invest the funds of the Trust in securities stipulated under the provisions of Section (1) (d) read with Section (11/5) of the Income Tax Act 1961.

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Page 8 of 16

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- Fo acquire or construct buildings or purchase properties and to rent out same, to have income for the Trust.
- 4. To sell, mortgage, lease out or give on license or otherwise alienate all or any of the properties of the Trust on such terms and for such consideration, as the Board of Trustees may deem fit.
- 5. To invest monies of the Trust in such investment as is permissible under the Income fax Act 1961 and the Rules framed there under, as they stand amended from time to time.
- 6. To cancel, recall or vary all or any of the investments from time to time.
- 7. To sign, endorse, negotiate all kinds of shares, securities, dividends warrants, cheques and other negotiable instruments.
- 8. To receive any money and to grant receipts and discharges therefore.
- 9. To enter into any compromise and to refer any matter to arbitration.
- 10. To engage the services of any person or persons or such other staff found necessary up to such remuneration and terms as the Board of Trustees may deem fit.
- 11. To take disciplinary action against employees of the Trust and also to terminate their services.
- 12. To incur all costs and expenses considered by the Board of Trustees to be necessary in connection with the affairs of the Trust and for future efficient management of the affairs and properties of the Trust.

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Page 9 of 16

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- 13. To open account in such bank or banks as the Trustees may deem fit and to operate upon all such account accounts either jointly or severally as decided by the Board of Trustees.
- 14. To borrow or otherwise raise any money with or without security and upon such terms and conditions as the Board of Trustees may deem fit from Banks, financial institutions and others.
- 15. To delegate any person or persons with any of the powers delegated by the Board of Trustees, subject to the overall and ultimate control and directions of the Board of Trustees.
- 16. To frame Rules, Regulations, bye-laws, subsidiary Rules for proper administration of the Trust in conformity with the above aims, objectives or to vary the same and to do all other acts or things as are incidental, conducive and expedient to the objectives of the Trust.
- 17. To do all act, deeds, matters and things, which the Board of Trustees may deem fit and necessary for carrying out the aims and objectives of the Trust.
- 18. To select, appoint, transfer, retrench, terminate the services of the staff of the Trust and fix their emoluments and conditions of service in the interest of the Trust.
- 19. To manage and control the properties and affairs of the Trust.

26. To apply the funds and properties of the Trust for all or any of the objectives for which this Trust is established. As aforesaid, the Board of Trustees shall have absolute discretion in the matter of management of the funds, properties and affairs of the Trust in the matter of exercising various powers conferred on the Board of trustees and in the master of regulating the quantum of the funds, and the purpose of its utilization by the

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Page 10 of 16

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2) The Board of Trustees may delegate anyone or more of the powers enumerated above o one or more of the Trustees as deemed fit from time to time.

MANAGEMENT OF THE TRUST:

- In the first meeting, with the Founder Trustees shall elect from among the Trustees, a chairman, a Managing Trustee, Secretary and Treasurer to supervise the day-to-day functioning of the Trust.
- 2. The term of office of the Chairman, Managing Trustee, Secretary and Treasurer shall not exceed 6 years, except with a re-election..
- 3 The Board of Trustees will meet at least once in a year, or whenever it is needed
- 4 The Trustees shall be entitled to constitute Managing Committee, an Advisory sub-committee/s for the purpose of effective management, investment, disbursement, fund raising and other such discharge of duty for meeting and fulfilling the aims and objectives of the Trust.

POWERS OF THE OFFICE BEARERS:

1 (Tairman:

 a) He shall have general control over all the affairs of the Trust and the institutions under its control and its employees.

b) He along with the Secretary or Treasurer shall operate the Bank accounts as joint signatories. They shall appoint / change Bank signatories and whenever it occurs informs the respective offices.

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Page 11 of 16

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Managing Trustee;

- a) in absence of the Chairman, the Managing Trustee shall perform all the duties and functions of the Chairman. He shall assist the Chairman in his duties whenever required.
- 3 Secretary: He shall assist the founder trustees in :

A) the safe custody of all the records and documents relating to the Trust and its properties.

- b) He shall convene meetings of the Board of Trustees in consultation with the Managing Trustee and maintain regular records of the proceeding of such meetings.
- c) He shall be custodian of correspondences and financial statements and returns required in connection with the management of the Trust.
- d) He shall implement all resolutions of the Board of Trustees unless otherwise decided by the Trustees.
- e) He shall also carry out such other responsibilities and duties entrusted to him from time to time by the Board of Trustees.

4 reasurer:

a) He shall maintain the operation of Bank accounts under the guidance of the Chairman of the Trust or any one nominated. Any change in the operations of accounts shall be informed by the Founder Trustees.

b, He or any other Trustee authorized by the Board of Trustees shall keep with him an amount fixed by the Board of Trustees as imprested for urgent expenditure which may be drawn from the Bank and recouped as and when necessary.

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Page 12 of 16

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c) He shall have the accounts of the Trust be compulsorily audited by a chartered accountant as approved by the Board of Trustees.

CLSSATION OF TRUSTEESHIP

The Trusteeship shall cease-

- 1. By the death of the Trustee.
- 2. By a resignation letter accepted by the Board of Trustees.
- 3. By any Trustee becoming bankrupt, lunatic or is convicted of any criminal offence in, alving moral turpitude.
- 4. By expulsion Or by cessation of their terms of service, three to six years.

MI ETINGS OF THE BOARD OF TRUSTEES:

The Board of Trustees shall meet at least once in an year or as often as possible to transact the business of the Trust at the office of the Trust or at such other place and at such time as the President of the Board of Trustees from time to time determines.

FOUORUM OF THE MEETING:

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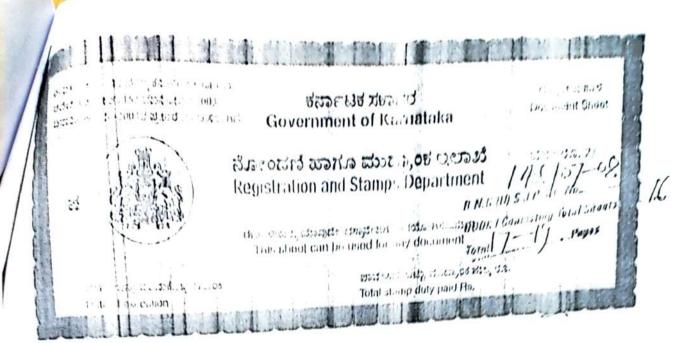
27 of the total numbers of the Trustees. All questions before the Board of Trustees shall be Jecided by a majority of Votes, unless other method is mentioned in this Deed of Trust and in case there is equality of votes, the Chairman or Managing Trustee or any one presiding at the meeting shall have a casting vote in addition to his own vote.

Page 13 of 16

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AMENDMENTS TO THE DEED OF TRUST

- 1. The Board of Trustees by its Resolution, attended in person by two third of the total members at a special meeting of the Board of Trustees reserve the power to change, amend, modify, delete or alter this Deed of Trust, if the same have not been expressed elearly and correctly in the text of this Deed of Trust and ensure that the provision, of the Deed, of Trust are in consonance with the income Tax Act 1961 as amended from time to
- 2. But such change/s or alteration/s, amendment/s, deletion/s etc., should not alter at any way the nature or character of the Trust and that neither the authors nor the Trustee; shall have any power to revoke the objectives of this Trust at anytime.
- 3. No amendment shall be made to the objects of the Trust shall be carried out without prior approval of the Commissioner of Income Tax or Director of Income Tax.

HNANCIAL YEAR

The financial year of the Trust shall commence from 1st of April and end with 31st March of each year.

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- 1. The Trust created hereby is irrevocable.
- 2. If the services of any person/s is found beneficial to the Trust he/she maybe co-opted as Lonorary trustee, for such period as the Trustees deem fit or invite for an particular meeting of the Trust for his help, opinion or advice, but he shall not be entitled to vote.
- 3. The Founder Trustees shall be life member and all others are by election and appointment by the Founder Trustees.

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Page 14 of 16

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- 4. if any vacancy arises in the Board of Trustees, due to resignation, death, or for any other reasons enumerated above, such vacancy shall be filled up by a resolution of the Board of Trustees at a meting supported by 2/3rd majority of the Trustees presents and voting.
 - 5. Any action of the Trustees shall not be questioned or invalidated on the ground that the powers and discretion have been exercised imprudently. The doctrine of cypress shall apply in the execution of the Trust objectives if the Board of Trustees and find it expedient in the interest of managing the Trust properties.
 - 6. All the deeds and other documents to be executed by or on behalf of the Trust hall be done by the Managing Trustee and the Trustee of the Trust jointly and the Trust may sue or be sued jointly in the name the managing trustees of the trust.
 - 7. The Trustees are wholly indemnified against any expense and losses incurred or suffered or any payments made by them in administration of the Trust and such expenses, losses and payments shall be borne by the Trust and none of the Trustees shall in any manner be personally liable or responsible for the same.

OTHERS:

Powers not defined in this Deed of Trust are vested with the Board of Trustees, which shall exercise its discretion in deciding matter/s that come up before them, from time to time in the light of the Indian Trust Act of 1882.

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Page 15 of 16

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DIVINE PROVIDENCE SCHOOL Harohalli Gate, Huskur Post, Bengaluru - 560099.



IN WITNESS WHEREFOF the Trustees above named have hereunto on the date mentioned above signed and delivered this Deed in the presence of:

Witnesses

Bija S.R Noda-so monjhnathe Capard Hora Road Nagamothe Penna Hora Road Bangalor 560100 (muniyallapp) Bardjapara TBun

FOUNDER TRUSTEES

Fr. Abraham Joseph Odalanyil

1. N. Paulamin

Drafted by: (Forting Far 198/11/07) K.N. Raví kumar B.sc. LLB.

Advocate no 186/25,

Maruthi bulding,

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Bangalore -560004

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Page 16 of 16

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