

# TRUST DEED

## REGENBOOG INDIA FOUNDATION

This Deed of Trust executed on this 7<sup>th</sup> Day Of December Two Thousand Six by **A.Palani** aged 70 years, son of Shri.C.Arumugam, now residing at Tiruvannamalai here in after called the **FOUNDER** of the Trust. The founder is desirous of starting this Non – Profit Charitable Trust which is to be a irrevocable, public, educational and charitable, non profitable trust for the purpose of carrying out educational and charitable objects are intended to be for the benefit of the society, irrespective of sex, caste, creed, color or religion.

Whereas the Founder with a view to give effect to the said desire has appointed the Trustees named in these presents as the First Trustees of the Trust and the Trustees have consented to act as Trustees as is evidenced by their acceptance letter.

Whereas prior to the execution of these presents, a sum of Rs.1,000/- (Rupees One Thousand only) was handed over to the Trustees, the receipt of which the Trustees have acknowledged to be held by them in trust together along with further donations and contributions and any property that may hereinafter be transferred to the Trust by the Founder or others as well as the interest, rent, dividend, profit and any other income thereof for the object and purpose hereinafter mentioned, subject to the powers and provisions hereinafter declared and contained concerning the same.

### NOW THIS DEED OF TRUST WITNESSES AS FOLLOWS:

#### 1. NAME AND REGISTERED OFFICE:

That the name of the trust shall be “**REGENBOOG INDIA FOUNDATION**” And its office shall, for the present, be situate at **381, Main Street, Vedyappanur Village, Adi Annamalai Post, Tiruvannamalai 606604, Tiruvannamalai District, Tamilnadu, India** and/or at such other place or places as the trustees may decide from time to time.

#### 2. THE FIRST TRUSTEES OF THIS TRUST SHALL BE:

01. **G.MADHAN MOHAN**, S/o.M.Govindaswamy,  
now residing at Tiruvannamalai,
02. **A.SUDHAGAR**, S/o.Arunachalam,  
now residing at Tiruvannamalai,
03. **T.SARAVANAN**, S/o.Tirugnanasambandam,  
now residing at Tiruvannamalai,
04. **K.THIRUMAL**, S/o.Krishnan,  
now residing at Tiruvannamalai,
05. **M. MOHAMED ALI**, S/o.R.Munaf  
now residing at Tiruvannamalai,

Hereinafter jointly referred to as 'TRUSTEES' (which expression shall, unless excluded by or repugnant to the context, be deemed to include the trustee or trustees for the time being of these presents and their successors in office) of the other part.

And whereas the trustees have, at the request of the Founder, agreed to act as the first trustees of these presents as their acceptance letter.

And whereas it is necessary to declare the objects and terms of the public charitable trust, being constituted under these presents.

### **3. OBJECTS OF THE TRUST:**

That the objects for which this trust is established are:

- a. To establish, develop, maintain and grant aid in cash or in kind to hospitals, medical schools, medical colleges, nursing institutions, dispensaries, maternity homes, child welfare centers and/or such other similar charitable institutions in India for the benefit and use of the general public.
- b. To establish, run, support and grant aid or other financial assistance to schools, special schools for disables & mentally challenged, colleges, libraries, reading rooms, universities, laboratories, research and other institutions of the like nature in India, for use of the students and the staff and also for the development and advancement of education and diffusion of knowledge amongst the public in general.
- c. To establish, maintain and run studentships, scholarships and render other kind of aid to students including supply of books, stipends, medals and other incentives to study, without any distinction as to caste colour, race, creed or sex.
- d. To provide formal or non – formal education for all children and adults without any distinction of caste, creed, color or community or religion.
- e. To promote, establish, support, maintain or grant aid to institutions for the promotion of science, literature, music, drama and fine arts, for the preservation of historical monuments and for the research and other institutions, in India, having similar objects for the benefit of the public in general.
- f. To establish, maintain or grant aid to vocational training centers for the economically backward.
- g. To establish, maintain or grant aid to any project or program which is the public charitable or educational purposes.
- h. To establish, maintain or grant aid for the establishment and/or maintenance of parks, gardens, gymnasiums, sports clubs, dharamshalas and rest houses, for use by public in general.

- i. To establish, maintain or grant aid to special homes for the aged, destitute children, orphanages, children with AIDS, street children, helpless women in poor economic conditions or other establishments for the relief and help to the poor, needy and destitute people, orphans, widows and aged persons.
- j. To establish and develop institutions and special programs to help the physically handicapped and disabled or mentally retarded persons and to provide them education, food, clothing or other essential help.
- k. To grant relief and assistance to the needy victims during natural calamities such as famine, earthquake, flood, fire, pestilence, etc. and to give donations and other assistance to institutions, establishments or persons engaged in such relief work.
- l. To establish, maintain or grant aid to child labor eradication & awareness program or projects.
- m. To establish, maintain or grant aid to street children welfare program or projects.
- n. To establish, maintain or grant aid to project for the farmers and poor village agricultural workers to improve their socio economic status through various awareness programs & special programs.
- o. To construct, repair and manage the marghats, cemeteries and burial grounds.
- p. To support the Government implemented programs related to any field meant for the public.
- q. To grant aid or render assistance to other public charitable trusts or institutions.
- r. To establish, maintain or grant aid to environmental programs to save the environment.
- s. To help and develop special programs for the women and self help groups.
- t. To establish or maintain or grant aid to any other projects or programs for the charity purposes.

#### **04. TRUST FUND & ACCOUNTS:**

- a. The trustees shall keep an account or accounts with any Bank or Banks and will give all appropriate instructions to the banker or bankers concerning the operation of such account or accounts and will be authorized by appropriate resolution. The Trust account or accounts can be operated by the Managing Trustee independently or jointly with other trustees as per the resolution passed by the board of trustees.
- b. That the Trustees shall always maintain proper accounts of the Trust, which shall be kept at the office of the trust.
- c. That the Trust Fund may be augmented by the income from the initial fund and also by donations and other contributions from time to time.
- d. That the Trust Fund shall not be applied for any purpose other than those specified in the objectives hereinabove.

- e. A qualified Chartered Accountant appointed by the trustees should audit the trust accounts every year without fail.

#### **05. POWERS OF TRUSTEES:**

That for the furtherance of the objects of the trust, the trustees shall have the following powers:

- a. To accept any donation, contribution, grant or subscription in cash or kind, from any person(s), body of persons or trust, with or without conditions.
- b. To apply the whole or any part of the income of the trust, or the trust fund or accumulations thereto, to any one or more of the objects of the trust, as the trustees may, in their discretion, deem fit from time to time.
- c. To convert and deal with the trust property and/or any investments for the time being.
- d. To invest the Trust Fund either in the purchase of immovable property or investments, or in deposits with public sector or nationalized or scheduled banks or other investments specified in section 11(5) of the Income tax Act and to alter, vary or transpose such investments, from time to time at the discretion of the trustees.
- e. To borrow or raise moneys and also to lend money to students for education.
- f. To sell, dispose of alienate or otherwise deal with any property comprising the Trust Fund with the prior approval of Commissioner / Director of Income Tax.
- g. To let out, demise any immovable property comprised in the Trust Fund for such period and at such rent on such terms and conditions as the Trustees in their discretion may think fit.
- h. To open bank accounts in the name of the Trust, Trustees and/or Institutions run/conducted by the Trust with Nationalized or Scheduled Bank or Banks, to operate such account and to give instructions to the Bank and to provide for opening and operation of such account by one or more of the Trustees or by an agent appointed by the Trustees.
- i. To adjust, settle, compromise, compound, refer to arbitrations, all actions, suits, claims, demands and proceedings regarding the Trust Fund.
- j. To appoint constituted attorneys or agents and to delegate to such attorneys or agents all or any of the powers vested on them under these presents and from time to time remove such attorneys or agents and to appoint other or others in his or their place.
- k. To appoint or make provision for the appointment of any person (including committees of the Trustees or administrator or changing Managing Trustee) for the purpose of the administration of the Trust in such manner and subject to such rules and regulation as the Trustees may prescribe and also to appoint or provide for the appointment of separate Trustees to hold any fund or investment subject to

the provisions of this Deed in such manner and subject to such rules and regulations as the Trustees may from time to time think fit.

- l. To make, vary, alter or modify schemes, rules and regulations for carrying out the objects of the Trust and for the management of the affairs thereof and/or running any institution in furtherance of the objects of the Trust and otherwise for giving effect to the objects of the Trust.
- m. To start, abolish, discontinue and restart any charity or charitable institutions for the benefit of general public and to impose any conditions to any subscription or donation made by them.
- n. To set apart and/or allocate the whole or a part of the income or the corpus of the Trust Fund or part thereof for any of the objects of the Trust.
- o. To join, co-operate or amalgamate this trust with other or others having kindred or allied objects, upon such terms and conditions as the trustees may in their discretion think fit, particularly having regard to and in conformity with the objects and nature of this Trust amalgamation of the trust will be done with other trust of similar nature and objects and having 12AA registration and 80G registration under Income tax Act with the approval of the Commissioner / Director of Income tax.
- p. To give aid by way of donations out of the income or the corpus of the Trust Fund or otherwise, to different charitable institutions, societies, organisations or Trusts in India which may have been established or which may hereafter be established for the like charitable purposes mentioned in these presents or any of them to enable such institution, societies, organisation or Trustees to start maintain, or carry out such charitable objects.
- q. To settle all accounts and to compromise, compound, abandon, or refer to arbitration any action or proceedings or disputes, claim, demand or things, as deemed proper for such purpose without being responsible for any loss occasioned thereby.
- r. To borrow moneys either on the security of any property comprised in the Trust Fund with the approval of the Commissioner / Director of Income tax or otherwise for all or any of the purposes of these presents, and it shall be lawful for the Trustees to make such borrowings on payments on such interest and otherwise on such terms and conditions as they may in their absolute discretion think fit.
- s. To apply to the Government, public bodies, urban, local, municipal, district and other bodies, corporation, companies, or persons for and to accept grant of money and of aid, donations, gifts, subscriptions, and other assistance with a view to promoting the objects of the Trust and to discuss and negotiate with the Government Departments, public and other bodies corporations, companies or persons, scheme and other work and matters within the objects of the Trust and to conform to any proper condition upon which such grants and other payments may be made.
- t. To take over or amalgamate any other charitable trust, society, association, or institution with similar objects.

- u. To establish, promote, manage, organize or maintain or to assist in establishing, promoting, managing, organizing, or maintaining any branch of the Trust or any other Trust or its branch with objects similar to those of this Trust and to promote or carry on the affiliation or amalgamation of such other Trust with this Trust.
  - v. To take over, acquire, manage, control or aid any existing institution or institutions having objects either wholly or in part similar to the objects of this Trust and on such terms and conditions as may be thought expedient.
  - w. To purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagement of any or more of trusts, societies, institutions or associations with which this Trust is authorized to amalgamate.
  - x. To transfer all or any part of the property, assets, liabilities and engagements of this Trust to any one or more of the trust, societies, institutions or associations with which this Trust is authorized to amalgamate with the approval of the Commissioner / Director of Income tax.
  - y. To transfer and hand over the Trust to any other Society, Corporation, Institution, Trust or Organisation having 12AA Registration and 80G exemption and with the approval of the Commissioner / Director of Income tax on such terms and conditions as the Trustees shall in their absolute discretion think fit and proper to be held by the Society, Corporation, Institution, Trust or Organisation with the powers, provisions, agreements and declarations, appearing and contained in these presents subject to such modifications as may be necessary and consequent to such transfer of the Trust fund. The Trustees of these presents shall become discharged from the Trust hereof relating to Trust Funds so transferred.
  - z. The trustees may establish the office of the trust at such place or places as they see fit and may change such places within India from time to time as they may think suitable. Also they can establish the branch offices or project offices for the convenience of the operation of the trust in India.
2. The Trustees shall be accountable only for such moneys, and funds as shall actually come into their hands and any trustee shall not be answerable or accountable for neglect, default, acts or omission or commission of the other Trustees, nor of any banker or other person with whom the trust properties or any securities may have been deposited or kept.

#### **06. TRUSTEES:**

- a. All the trustees including the Managing Trustee who are in office from time to time shall be referred to collectively as the 'Board of Trustees'.

- b. The Trustees will not be entitled to receive any remuneration, but the Trustees may reimburse themselves all expenses actually incurred by them in connection with the Trust or their duties relating thereto.
- c. The number of the Trustees shall not be less than three and more than seven. If the number of the Trustees shall fall below three, the Trustees shall not, except for the purposes of filling any vacancy, act so long number is below the said minimum.
- d. The Managing Trustees for the time being will be at liberty to appoint additional Trustees within in the number mentioned above for such period or on such terms as to retirement and re-appointment as the trustees for the time being consider proper. A person shall cease to be a Trustee either: (i) if he without leave of absence does not attend three consecutive meetings of the Trustees or for one calender year, whichever is longer, or (ii) if he is requested to resign by 3/4th or as near thereto as possible of the remaining Trustees.
- e. Every Trustee will be at liberty to resign on giving one month's notice of his intention to do so.
- f. The Trustees may from time to time frame rules for the conduct and regulations of the meetings of trustees.
- g. Three Trustees shall form a quorum for a meeting of the Trustees.
- h. All matters will be decided mutually by the Trustees.
- i. Resolution passed without any meeting of the Trustees but by circulation thereof and evidenced in writing under the hands of two thirds of the trustees shall be as valid and effectual as a Resolution duly passed at a meeting of Trustees.
- j. The accounting year of the Trust shall be the financial year ending on 31st March every year.
- k. The Trust and the Trust Funds shall be and irrevocable for all times.
- l. The office of the Trust shall be presently situated at **381, Main Road, Vedyappanur Village, Adi Annamalai Post, Tiruvannamalai 606604, Tiruvannamalai District, Tamilnadu, India**. It can be changed by the Trustees by two-thirds majority.
- m. It is expressly declared that no part of the Trust property or its income or any accretion thereto shall be applied for any purpose outside India or for any purpose which is not a charitable purpose in law, and all provisions hereof shall be construed accordingly.
- n. All trustees have power to nominate a new additional trustee to the board of trustees but it should be accepted by 2/3 of majority in the board meeting by passing a resolution.
- o. In witness whereof the Founder has hereunto seen and subscribed his hands, on the day, month and year first mentioned hereinabove.

- p. The FOUNDER of the Trust hereby affirms that the Board of Trustees shall be constituted to start with the following members and Office bearers of the trust as follow:

<b>G.MADHAN MOHAN</b>	<b>- MANAGING TRUSTEE</b>
<b>T.SARAVANAN</b>	<b>- TRUSTEE</b>
<b>A.SUDHAGAR</b>	<b>- TRUSTEE</b>
<b>K.TIRUMAL</b>	<b>- TRUSTEE</b>
<b>M.MUHAMMAD ALI</b>	<b>- TRUSTEE</b>

- q. All the trustees hereinto constitute shall continue to be Trustees during the term of 3 years unless they voluntarily resign or removed from the office.
- r. Managing trustee and other trustees shall hold the office for the period of 3 years.
- s. After three years referred at classes above the trustees shall elect from among them one Managing Trustee and he shall hold office for three years unless he resigns or refuses to act as Managing Trustee or otherwise ceases to be a Trustee.

#### **07. Managing Trustee:**

- a. The Managing Trustee shall arrange for the maintenance of correct and proper accounts of receipts and disbursements, the liabilities incurred and assets acquired by the Trust.
- b. The Managing Trustee shall have the custody and control of the documents of title to the properties of the Trust, accounts and all other documents related to the Trust. The same is to be opened to view by any trustee on reasonable notice during office hours of the Trust Office.
- c. The Managing Trustee shall be the Chief Executive Officer of the Board of Trustees and as such he shall have power and authority for and on behalf of the Board of Trustees.
- i. To carry out the resolutions of the Board of Trustees.
  - ii. To sign all papers, receipts and documents.
  - iii. To pay money due by the Trust and demand and receive the receipts thereof
  - iv. To demand and receive money due to the Trust and issue receipt for the money so received.
  - v. To open and operate bank account or accounts in the name of the trust and projects independently or jointly with other trustees as the board of trustees decide.
  - vi. To make, draw, endorse, accept, sign, negotiate or transfer cheque, promissory notes, hundies, bills of exchange, bills of lading, railway receipts and other negotiable or transferable instruments, Government securities or other securities.

- vii. With the approval of the Commissioner / Director of Income tax To lease out for a period not exceeding three years at a time, lands and properties of the Trust which are ordinarily leased out if there is a statutory or Government department requirement of a longer period of lease, the lease may be for a longer period as per such requirement and on specific resolution of the Board of Trustees.
- viii. To initiate, prosecute, defend, compromise, refer to arbitration and/or abandon legal proceedings or disputes and to sign all papers in connection therewith.
- ix. To appoint, employ, remunerate, remove, suspend, discharge, dismiss, re-employ, replace, transfer and accept resignations of staff and workers permanently or temporarily.
- x. To call for the meeting or meetings of the Board, and others.
- xi. To execute all document on behalf the Board of Trustees

#### **08. MEETING OF THE BOARD OF TRUST:**

- a. Three Trustees shall form a quorum for a meeting of the Trustees.
- b. The proceedings, questions and matters arising at the meeting of the Board of Trustees shall be decided with the majority of the trustees.
- c. In case of difference of opinion between the trustees, the opinion of the majority shall prevail and will be final and binding on the Board.
- d. In all matters pertaining to the trust, the decision of the Board of Trustees shall be final and shall be binding on all the Trustees of the Board and Managing Trustee.
- e. All meetings of the Trust shall be held at such place and at such time as the Managing Trustee of the Trust shall decide from time to time.
- f. A trustee who is unable to attend the meeting may send his views on the agendas in writing and such expressions of opinion shall be taken to be his vote on the matter concerned and shall be taken as attendance in the meeting.
- g. There shall be an annual meeting of the board of trustees not later than June 30th, when the annual audited statements of account shall be considered and adopted. The managing trustee shall place before the board of trustees for the consideration and adoption by the board, the income and expenditure account for the year ending on the previous 31st of March and the Balance sheet as of that date with the Auditor's report or certificate thereon. The Managing Trustee shall give to the Board of Trustees such information and explanation as the Board of Trustees may require for proper understanding of the accounts and statements placed before it.

- h. A written notice for the board meetings shall be given to the board of trustees at least 14 days before the meeting date. This notice should have the clear date, day, time, place and agenda for the meeting.
- i. The business of the Board shall be transacted either at the meetings of the Board of Trustees or by resolutions passed by circulation. Resolutions to be passed in circulation shall be sent to all the trustees and the resolutions so circulated shall be deemed to have been passed only when a majority of the trustees signed in the resolution papers.

#### **09. AMENDMENTS TO THE TRUST DEED:**

- a. The Managing Trustee may amend this Trust Deed at any time as they see fit provided each amendment is passed with a majority of the Board of Trustees.
- b. An amendment made to this Trust Deed will be carried out only with the prior approval of the commissioner / director of Income Tax or any other competent Income Tax Authorities as the case may be.

#### **10. General:**

- a. The Trust is irrevocable.
- b. In case of winding up/dissolution, the net funds would be transferred to institutions having similar objects and complying registration under Section 12AA and 80 G of the Income Tax Act 1961.
- c. The activities would be confined to the territory of India.
- d. The activities should be mainly for charitable nature not motivated for profit and not more than 5% of the income of the trust would be applied for any religious purpose or given to any religious institutions.
- e. The funds of this institution would be utilized only towards the objects and no portion of it would be distributed in any manner to other purposes or trustees, founder or donors.
- f. The benefit of the object would be available to the general public irrespective of caste, creed, religion or sex.
- g. There is no movable or immovable properties on the Trust name during the registration of the Trust.

#### **11. DISSOLUTION OF THE TRUST:**

The properties and the funds belonging to the trust shall be utilized for such other allied purposes as the Board of Trustees may determine. On the even of the Trust not being able to function in fulfillment of its objects, the Trustees shall discharge all liabilities, transfer all assets of the Trust to any other public charitable institutions or institution or registered societies having similar or some of the similar objects and

having 12 AA registration and 80 G exemption and in no event shall the trust funds or assets be appropriated to the Trustees, Founder or Donors or any one related to them.

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