



36

आयकर विभाग
INCOME TAX DEPARTMENT

भारत सरकार
GOVT. OF INDIA

PARMESWARLAL KALYAN
SEVA TRUST
25/09/1997
Permanent Account Number
AAATP8698D

Signature





DEED OF TRUST

This Deed of Trust made on 28th day of September 1997 by Smt. Rekha Agarwalla, aged 30 years, W/o. Sri Bishnu Kumar Agarwalla, Resident of Karanjia, Mayurbhanj, here-in-after called the settler, the Party of the First Part ;

A N D

(1) Sri Bishnu Kumar Agarwalla, aged 35 years, S/o. Sri Parameswarlal Agarwalla, resident of Karanjia, Mayurbhanj. (2) Smt. Rekha Agarwalla, aged 30 years, W/o. Sri Bishnu Kumar Agarwalla, resident of Karanjia, Mayurbhanj, here-in-after called the Trustees, the Parties of the Second Part ;

WHEREAS the settler is desirous of settling on Trust a fund of Rs. 5,000/- only by contributing the said amount for public charitable purposes.

WHEREAS the Party of the Second Part, the Trustees have consented to become Trustees and to hold and apply the said sum of Rs. 5000/- (Rupees Five thousand only), including any income, addition, accretion or accumulation, subscription and gifts and donations including donations towards the corpus of the trust fund and to apply such income for public charitable purposes. Subject to Trustees Power and provision contained in this deed.

NOW THIS DEED WITNESSETH AS FOLLOWS :-

1. The name of the Trust shall be "PARAMESWAR LAL KALYAN SEVA TRUST" having its Principal Office at 133, Canning Street, Calcutta - 700 001 and Branch Offices in such places Trustees decide ~~Calcutta~~ from time to time.
2. That the Trustees shall utilise the Trust Fund as well as income of the Trust for relief to the poor, for education, medical relief and such other public utility services irres-



-: 2 :-

pective of caste, careed, community, religion or language.

3. The Trust may help by donations or otherwise, other Trusts or institutions having similar objectives, or may amalgamate the Trusts or Trust Funds or any portion or portions thereof with any trust or trust fund or institution having similar objectives upon such terms as they may, in their absolute discretion, thinkfit and proper.

4. Without restricting the generality of the above objects, the other objects of the Trusts shall be :-

- i) To Open, found, establish or finance, assist and contribute to the maintenance of hospitals and/or institutions for promotion of research and education in medical science including surgery.
- ii) To open, found, establish, maintain and assist leper osylums or other institutions for the treatment of leprosy.
- iii) To open, found, establish, maintain and assist schools, colleges other educational Institute and boarding houses.
- iv) To open, found, establish and assist schools, colleges, hostels for the blind, the deaf and the dumb.
- v) To open, found, establish or contribute to the maintenance or orphanages, widows-homes Old Age Homes lunatic asylums, poor houses, dharmashalas etc.
- vi) To distribute food, dhotis, blankets, rugs, woolen clothings, luiltls or cotton, woolen, silken or other varieties of clothies to the poor.
- vii) To pay stipends, sholarships and other aid for studies, training or research.
- viii) To establish, found and maintain libraries, reading rooms for the convenience of the public.

Rekha Agnawalla

B. K. Agnawalla



- ix) To start, maintain and assist in relief measures in these areas which are or become subjected to natural calamities such as famine, epidemics, fire, flood, dearth of water, earthquake etc.
- x) To assist, finance, support, found establish and maintain any trust, society or institution meant for the relief of the poor, advancement of education, medical relief or advancement of any other object of general public utility.
- xi) And generally any charitable purposes for the public benefit without distinction of caste, creed and nationality as the Trustees may in their discretion decide.

Rekha Agarwal

- 5. That the Trustees shall stand possessed of the aforesaid amount of Rs. 5,000/- (Rupees Five thousand only) and such further capital endorsement or addition to the corpus or donations, voluntary contributions, subscriptions or legacies in cash or kind, as may be invited and received or received without invitation or accepted by the trustees from time to time from any person or persons, institutions, government or members of public, and all accretions thereto and income thereof. All these receipts shall be treated as forming part of the trust fund being the subject matter of these presents.
- 6. That the trust shall follow financial year as its accounting period and as such the account shall be made annually upto 31st March every year and shall be duly audited by Chartered Accountants.
- 7. The Trustees may from time to time open and maintain, in the name of the Trust, account or accounts in any Bank or Banks and the same shall be operated under the joint signature of Managing Trustee and another Trustee as may be authorised by the Board of Trustees from time to time.

B. K. Agarwal



Rekha Agarwala
B.K. Agarwala

- 8. That apart from the two trustees nominated vide this trust deed, ~~the~~ two trustees can co-opted another persons as trustees subject to maximum number of Trustees seven. The trustees so co-opted shall always be from the immediate family of the two trustees nominated through this deed.
- 9. The Trustees now nominated or later on co-opted shall hold Office throughout their life. However any trustee can resign by giving notice in writing to his co-trustees. If any person acting as trustee is found to be guilty of criminal misconduct or is declared insolvent or acts to the detriment of the object of the trust, he may be dismissed by the Managing Trustee.
- 10. That Sri Bishnu Kumar Agarwala shall act as the Managing trustee of the trust throughout his life. After him one of his major children and/or his legal heir or successor shall become the Managing Trustee.
- 11. That Baba Kalyan Das of Amarkanta shall remain as the advisor of the Trust throughout his life. He in the capacity as the advisor of the trust shall guide and advise the Board of Trustees as to what works of public Charitable nature the trust should under take.

After Baba Kalyan Das the Board of Trustees may appoint any other person of public eminence or swansi or saint as advisor of the trust.
- 12. The general management and control of the Trust for the purpose of managing the trust affairs and properties and carrying out the objects of the Trust aforesaid shall be ~~v~~ vested in the Boarf of Trustees through the Managing Trustees and without prejudice to the generally of the objects and powers above mentioned the Trustees shall have power to do all or any of the following things that is to say :-
 - a) To receive grants, donations, including corpus donations and subscriptions.



-: 5 :-

12. b) To make rules and regulations from time to time for the management and conduct of the affairs of the Trust and its properties and assets.
13. The Trustee will also have the following powers :-
- a) (i) To apply the whole or part of the income or accumulate the same or to treat the same as corpus.
 - (ii) To determine whether out of the income or corpus, any expenses, outgoings or leases shall or ought to be paid or borne.
 - b) To amalgamate the Trust with any other Trust or Society for wholly public charitable purposes.
 - c) Sell and convert any investment comprising the trust fund and reinvest the net proceeds thereof in any other manner considered more beneficial in the interest of the Trust by them.
 - d) To open accounts with any Bank or Banks, to operate such accounts and to give instructions to the Bank and to provide for opening and operation of such accounts by any two trustees jointly or as decided by the trust from time to time.
 - e) To adjust, settle, compromise, compound, refer to arbitration all actions, suits, claims, demands and proceedings regarding the trust properties or affairs.
 - f) To appoint constituted attorneys or agents and to delegate to such attorneys or agents all or any of the power vested in them under these presents and from time to time remove such attorneys or agents and to appoints other or others in his or their place.
 - g) To make, every alter or modify schemes, rules and regulations for carrying out the objects of the Trust and for the management of the affairs thereof and of running any institution in furtherance of the objects of the Trust and otherwise for giving effect

Rekha Agarwalla

B.K. Agarwalla



--: 6 :-

to the objects of the trust.

h) To acquire, purchase, let-out, sell or otherwise dispose any immovable property from trust fund on such term and conditions as the trustees in their absolute discretion shall think fit for more beneficial in the interest of the Trust.

14. a) The Trustees shall be chargeable only for such money, stocks, shares and funds as shall actually come into their hands and shall not be answerable or accountable for neglect default, ~~facts~~ of commission or omission of other Trustees, nor of any Bankers ~~or other persons~~ with whom the Trust properties or any securities may have been deposited or handed over unless caused by their wilful neglect or default.

b) The receipt for any money paid or delivered to a trustee by any person or purchase consideration received by a trustee towards sale of any trust property from any person shall effectually discharge such person or ~~person~~ so paying. The Trustee so receiving the money or purchase consideration should be suitably authorised by the Board of Trustees to issue necessary receipt and/or sale the property and should duly account for the same to the Board.

15. The Trustees will not be entitled to receive any remuneration as trustees but may reimburse themselves of all expenses actually incurred by them in connection with the Trust or their duties relating thereto.

16. Nothing contained in this deed shall be deemed to authorise the trustees to do any act which may in any way be construed as violative or contrary to the provisions of section 2(15), 11, 12, 12A, 13 and/or 80-G or any other applicable sections of the Income-tax Act, 1961 or any statutory modifications thereof and all activities of the Trust shall be carried out with a view to benefit the public at large, with-

Rekha Agarwala

n.k. Agarwala

na p... ..



-: 7 :-

out any profit motive and in accordance with the Income Tax Act, 1961 or any statutory modifications thereof.

17. The trust is hereby expressly declared to be a public charitable Trust and all the provisions of this Deed are to be construed accordingly. All the powers and provisions thereof shall be construed as being subject to the restrictions and limitations herein contained.

IN WITNESS WHEREOF the parties hereto have here unto set their respective hands the day and year first above written at Calcutta.

WITNESS :-

D. Das

BISHWANATH AGARWAL
133, Canning Street
Calcutta - 700 001

D. Das

DEBDUT DAS
133, Canning Street
Calcutta - 700001

D. Das

BISHWANATH AGARWAL
133, CANNING STREET
Calcutta - 700 001

PARTY OF FIRST PART

Rekha Agarwala

(SMT. REKHA AGARWALLA)

PARTIES OF SECOND PART

1.

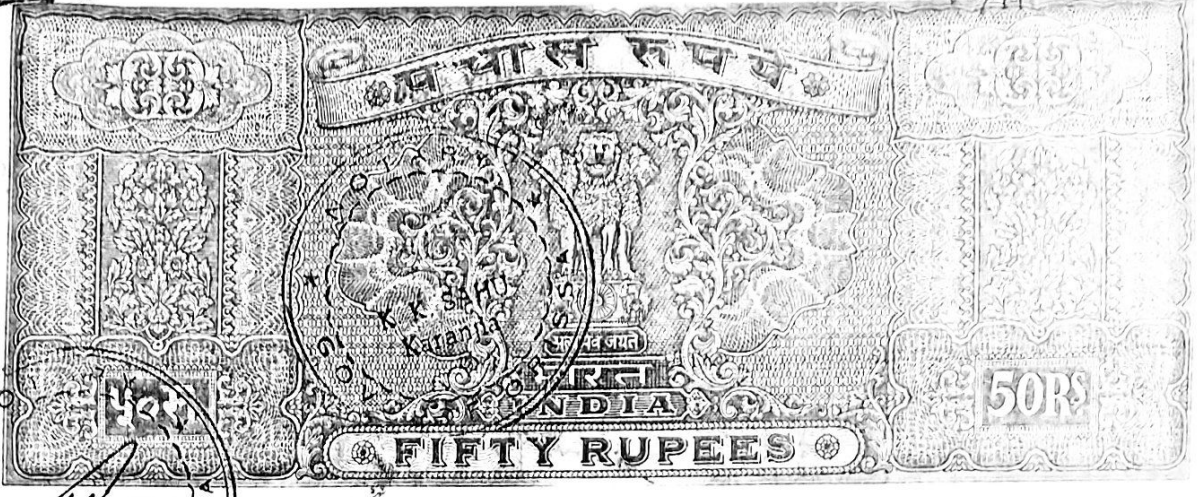
Bishnu Kumar Agarwala

(BISHNU KUMAR AGARWALLA)

2. Rekha Agarwala

(REKHA AGARWALLA)

98/11 450 Rs.



SUPPLEMENTARY DEED OF MAIN DEED OF TRUST
OF "PARAMESWAR LAL KALYAN SEVA TRUST"

This supplementary deed of Trust made on 8th day^{noy} of 1998 between SMT. REKHA AGARWALLA, aged 30 years, W/O. Sri Bishnu Kumar Agarwalla, resident of Karanjia, Mayurbhanj being settler of the Trust, the Party of the First Part

Rekha Agarwalla
Bishnu Kumar Agarwalla

AND

- (1) SRI BISHNU KUMAR AGARWALLA, aged 35 years, son of Sri Parameswar Lal Agarwalla, resident of Karanjia
- (2) SMT. REKHA AGARWALLA W/o. Sri Bishnu Kumar Agarwalla, aged 30 years, resident of Karanjia, Mayurbhanj being the Trustees of the Trust, the parties of the Second Part.

WHERE AS the Settler has vide a deed of Trust dated 25th day^{noy} of September, 1997 has setteled a Trust styled as *Rekha Agarwalla* "PARAMESWAR LAL KALYAN SEVA TRUST" having is Principal Office at 133, Canning Street, Calcutta - 700 001 by

46

pa/11



-: 2 :-

initial contribution of Rs. 5,000/- to the trust for charitable purpose and the Trustees have consented to become trustee. On the conditions powers and provisions contained in said deed of Trust dated 25th day of September, 1997.

7
 Rekha Agarwalla
 Sr. Advocate

WHERE AS it has now been mutually agreed by the parties referred here in above to add some Clause and to alter certain Clause in the deed of Trust dated 25th day of September, 1997 with retrospective effect from the date of deed of Trust aforesaid.

NOW THIS DEED WITNESSES AS FOLLOWS :-

1. The area of operation of the Trust shall be within the territory of India.

... 3....



-: 3 :-

2. In the case trust fails to its objects the trust shall be dissolved and surplus assets shall be transferred to Institutions having similar charitable objects.
3. The Investment of the Trust fund shall be made as per the provisions of the Income Tax Act, 1961.
4. The trust declared on the 25th day of September, 1997 shall be irrevocable.
5. In the 5th line in Clause 14(1)(a) in page 6 of main trust deed dated 25th day of September, 1997 the word "or other persons" have deleted and with effect from 25th September, 1997 and after this alteration the said Clause 14(1) shall be read as under :-

"The trustees shall be chargeble only for such money, stocks, Shares and funds as shall actually come into their hands and shall not be answerable or accountable for neglect, default, acts of Commission or ommission of other

....4.....

Relka Agarwals
Bishan Lal Agarwals



-: 4 :-

trustees, nor if any Bankers with whom the trust proper-
 ties or any securities may have deposited or handed over
 unless caused by their wilful neglect or default".

IN WITNESS WHERE OF the parties hereto have were unto set
 their respective hands the day and year first above written,
 at Calcutta.

WITNESS :-

① Pradyumn Sutar
 Kharajpur

Shadeswar Dehuri
 Kharajpur

PARTY OF FIRST PART

✓ Rekha Agarwalla

PARTIES OF SECOND PART

[Faint handwritten text]