

# DEED OF TRUST DEED OF TRUST

This Deed of Trust made at Shimoga on this 27th day of October 2005 between

- 1) Sri. M.K. Sunil S/o M.H Krishnamurthy aged about 42 years resident at Sri Majunatha Krupa ,II nd cross , Durgigudi, Halegonigara Beedi, Shimoga
- 2) Smt. H.D. Savitha Rani W/o M.K.Sunil aged about 28 years resident at Sri Majunatha Krupa, II nd cross, Durgigudi, Halegonigara Beedi, Shimoga

HERE IN REFERRED to as the AUTHOR OF THE TRUST which term wherever the context permits or admits shall mean and include her legal heirs, successors, executors, administrators assignees and legal representatives:

WHEREAS the author of the trust being desirous of creating and establishing a TRUST hereby declares and transfers to themself and to the Board of Trustees herein the property carefully described in schedule and hereunder.

Hereinafter called the SCHEDULE PROPERTY as the TRUST property, appointing themself as the Trustees of the Board of Trustees, to achieve the object of the Trust and exercise all the necessary power and rights in achieving such objects; and

WHEREAS the Author of the Trust is desirous of reducing the and conditions of the declaration of Trust into writing and have the same evidenced by this declaration of Trust.

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ದಸ್ತಾವೇಜು ಸಂಖ್ಯೆ : 120

ಸಬ್ ರಜಿಸ್ಟ್ರಾರ ಶಿವಮೊಗ್ಗ ರವರ ಕಚೇರಿಯಲ್ಲಿ ದಿನಾಂಕ 27-10-2005 ರಂದು 11:59:38 AM ಗಂಟೆಗೆ ಈ ಕೆಳಗೆ ವಿವರಿಸಿದ ಫೀಯೊಂದಿಗೆ

ಕ್ರಮ ಸಂಖ್ಯೆ	ವಿವರ	ರೂ. ಪೈ	
1	ನೋಂದಣಿ ಶುಲ್ಕ	200.00	
2	ಸ್ಕ್ಯಾನಿಂಗ್ ಫೀ	300.00	
	ઢક્ <u>યુ</u> :	500.00	

ಶ್ರೀ ಎಂ ಕೆ ಸುನೀಲ್ ಬಿನ್ ಎಂ. ಹೆಚ್ .ಕೃಷ್ಣಮೂರ್ತಿ ಇವರಿಂದ ಹಾಜರ ಮಾಡಲ್ಪಟ್ಟಿದೆ

ಹೆಸರು	ಫೋಟೊ	ಹೆಬ್ಬೆಟ್ಟಿನ ಗುರುತು	ಸಹಿ
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ಅಧಕ ಉಪನೋಂದಣಾಧಿಕಾಠಿ ಶಿವಮೊಗ್ಗೆ<sup>ಬ್ ರಜಿಸ್ಟ್ರಾರ</sup>

## ಬರೆದುಕೊಟ್ಟಿದ್ದಾಗಿ ಒಪ್ಪಿರುತ್ತಾರೆ

ಕ್ರಮ ಸಂಖ್ಯೆ	ಹೆಸರು	ಫೋಟೊ	ಹೆಬ್ಬೆಟ್ಟಿನ ಗುರುತು	ಸಹಿ
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2	ಎಂ ಕೆ ಸುನೀಲ್ ಬಿನ್ ಎಂ. ಹೆಚ್ .ಕೃಷ್ಣಮೂರ್ತಿ ( ಬರೆದುಕೊಡುವವರು )			Sh

ಆಧಿಕ ಉಪನೋಹಿದೆಚಿತ್ರಾಧಿಕಾರಿ ಶಿವಮೊಗ್ಗ



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## **NOW THIS DECLARATION WITNESSETH AS FOLLOWS:**

#### 1) NAME AND REGISTERED OFFICE:

The Name of the Trust shall be "POOJA EDUCATION TRUST". The Registered office of the Trust shall be situated at 'Sri Majunatha Krupa', II<sup>nd</sup> cross, Durgigudi, Halegonigara Beedi, Shimoga. The office of the Trust may be shifted to any other places as the Board of Trustees may determine in this regard.

#### 2) BOARD OF TRUSTEES:

All the members are the Board of Trustees

## 3) BENEFICIARY AND HIS BENEFICIAL INTEREST:

All the Trustees except the Hon'rary Member shall be beneficiary of this trust .(The term beneficiary shall mean and include not only the aforesaid person, but also their legal heirs, successors, legal assignees and successors in interest the time being) .The beneficial interest shall consist of his right in the capital fund or corpus and the income or loss of the trust , as above and also consist of their rights to receive the entire Trust property including the capital fund or corpus of the trust from the Board of Trustees on the determination of the Trust , thereafter to be held by them as the absolute owner thereof .

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ಕ್ರಮ ಸಂಖ್ಯೆ	ಹೆಸರು ಮತ್ತು ವಿಳಾಸ	ಸಹಿ
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4 ನೇ ಪುಸ್ತಕದ ದಸ್ತಾವೇಜು ನಂಬರ SMG-4-00120-2005-06 ಆಗಿ

ಸಿ.ಡಿ. ನಂಬರ SMGD26 ನೇ ದ್ದರಲ್ಲಿ

ದಿನಾಂಕ 27-10-2005 ರಂದು ನೋಂದಾಯಿಸಲಾಗಿದೆ

ಶಿವಮೊಗ್ಗ

Designed and Developed by C-DAC, ACTS, Pune

ಈ ದಸಾವೇಜು ಹಾಳೆಯನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಕರ್ನಾಟಕ ಸರ್ಕಾರ ದಸಾವೇಜು ಹಾಳೆ ಆದೇಶ ಸಂಖ್ಯೆ ಕಂಇ 152 ಮುನೋಮು 2003 **Document Sheet** ದಿನಾಂಕ 09-05-2003ರ ಪ್ರಕಾರ ಮುದ್ರಿಸಲಾಗಿದೆ. Government of Karnataka ನೋಂದಣಿ ಹಾಗೂ ಮುದ್ರಾಂಕ ಇಲಾಖೆ ಬೆಲೆ: ರೂ. 2/-**Registration and Stamps Department** 忍 ಈ ಹಾಳೆಯನ್ನು ಯಾವುದೇ ದಸ್ಕಾವೇಜಿಗೆ ಉಪಯೋಗಿಸಬಹುದು This sheet can be used for any document ລະະພາ ... ಪಾವತಿಸಿದ ಒಟ್ಟು ಮುಕ್ಕಿಕ್ ಕಾಲ್ಡ್ ಕೊ..... ದಸ್ಕಾವೇಜನ್ನು ಬರೆದುಕೊಟ್ಟ ದಿನಾಂಕ Total stamp duty paid Rs ಕ್ಷಣಿನ ಸಂಖ Date of execution

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## 4) OBJECT OF THE TRUST:

- 1) To promote quality Education Nursery, schools, colleges, and other Institutions etc.
- 2) To provide for the well-being, maintenance, necessities of life and general welfare of the beneficiary.
- 3) To provide the beneficiate with assets from time to time in furtherance of their general well-being and welfare; and
- 4) To achieve the aforesaid objects, the trustees shall administer the Trust property in such manner as in their discretion may deem fit and proper, as to generate adequate income. The Trustee/s shall in the first instance, collect all the income of the Trust, and determine the not profit or loss after providing for all expenses incurred in the realization, satisfaction of the income, as also for the management and administration of the trust property, either annually or at such intervals of the Trustees/s may feel convenient. The net profit or loss so determined shall be divided and credited to the account of the beneficiary either directly or in his account or on their behalf and such payments shall be to the account of the beneficiate by the Trustee in the book of the Trust.

## 5) <u>CAPITAL FUND OR THE CORPUS OF THE TRUST</u>:

The Author of the Trust both hereby declare the schedule property ,either with and subject to all her liabilities in correct through the trust property and that the Board of Trustees shall hereafter own , hold and be stand possessed of the same upon Trust together with income, additions and accretion thereof the absolute benefits of the aforesaid beneficiary till be determined of the trust . It is shall also include all other investment of the property to which the capital fund is form time to time converted , varied , exchanged or modified. It shall also include all the gifts donations and endorsements received from other which are required to be kept as part of the corpus the trust and all the investments for the time being representing the same.

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## ಕರ್ನಾಟಕ ಸರ್ಕಾರ ನೋಂದಣಿ ಹಾಗೂ ಮುದ್ರಾಂಕ ಇಲಾಖೆ Department of Stamps and Registration

## ಪ್ರಮಾಣ ಪತ್ರ

1957 ರ ಕರ್ನಾಟಕ ಮುದ್ರಾಂಕ ಕಾಯ್ದೆಯ ಕಲಂ 10 ಎ ಅಡಿಯಲ್ಲಿಯ ಪ್ರಮಾಣ ಪತ್ರ

ಶ್ರೀ ಎಂ ಕೆ ಸುನೀಲ್ ಬಿನ್ ಎಂ. ಹೆಚ್ .ಕೃಷ್ಣಮೂರ್ತಿ , ಇವರು 500.00 ರೂಪಾಯಿಗಳನ್ನು ನಿಗದಿತ ಮುದ್ರಾಂಕ ಶುಲ್ಕವಾಗಿ ಪಾವತಿಸಿರುವದನ್ನು ದೃಡಿಕರಿಸಲಾಗಿದೆ

ಪ್ರಕಾರ	ವೆ	ೂತ್ತ (ರೂ.)	ಹಣದ ಪಾವತಿಯ ವಿವರ
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ఓ6	સ્યુ :	500.00	445

ಸ್ಥಳ : ಶಿವಮೊಗ್ಗ

ದಿನಾಂಕೆ : 27/10/2005

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Designed and Developed by C-DAC ,ACTS Pune.



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## 6) TRUST FUND OR TRUST PROPERTY

The trust and or Trust property shall mean shall mean and include not only the corpus of the trust , but also all the income arising from the same which is distributed to the beneficiary except the Honorary members in the accounts of the trust as also those remaining unpaid to him , and also all the investments of the trust as also time being representing the same time being representing the same . The present contribution of the trust members is fixed as Rs.5000/-also include all other monies which come into the ownership ,possession and control of the trustee/s or on account of the Trustees and or its possession building funds and other Trust Development funds can be raised by any voluntary donors and also from Government , Non - Government and Foreign Agencies fund which is reserved for Education purpose.

## 7) **BOARD OF TRUST**:

Any vacancy arising in the board of trustees by reasons of death or resignation or disqualification of trustee, the other trustee shall have an absolute right to nominate any person as a Trustee of the board of trustees to fill up the vacancy. Any new person can be nominated as Trustee with the sole permission of all the above trustees. Newly nominated trustee shall have all rights like other Trustees. If the vacancy is not filled up, the sole remaining Trustees alone can constitutes the board of trustees to exercise the powers under this deed of Trust.

## 8) POWER AND DUTIES OF THE TRUSTEES/S

The Honorary member are not entitled to any benefit either in profit and loss. The trustees/s shall be vested with all the power as are necessary for effective conduct and management of the Trust and administration of Trust property , without prejudice to the generally of the foregoing , the Trustees shall have the following powers in the course of administration of the Trust property and fulfilling the objects of the Trust and such power and duties shall be exercised by Board , through the managing trustee:



ಈ ದಸ್ಕಾವೇಜು ಹಾಳೆಯನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಕರ್ನಾಟಕ ಸರ್ಕಾರ ದಸ್ಕಾವೇಜು ಹಾಳೆ ಆದೇಶ ಸಂಖ್ಯೆ ಕಂಇ 152 ಮುನೋಮು 2003 **Document Sheet** ದಿನಾಂಕ 09-05-2003ರ ಪ್ರಕಾರ ಮುದ್ರಿಸಲಾಗಿದೆ. Government of Karnataka ನೋಂದಣಿ ಹಾಗೂ ಮುದ್ರಾಂಕ ಇಲಾಖೆ ಬೆಲೆ: ರೂ. 2/-**Registration and Stamps Department** 弱 ಈ ಹಾಳೆಯನ್ನು ಯಾವುದೇ ದಸ್ಕಾವೇಜಿಗೆ ಉಪಯೋಗಿಸಬಹುದು This sheet can be used for any document x2 30000 ..... ದಸಾವೇಜನ್ನು ಬರೆದುಕೊಟ್ಟ ದಿನಾಂಕ Total stamp duty pan Bole ನ ಸಂಖ್ಯ Date of execution

## 1)To create fund required from the management of Trust.

To open one more bank account in the name of the Trust and operate the same. The Chairman of the Trust will operate the bank account of the trust and also their is a provision change power of operating trust bank account for any other trustee/s with opinion of all the trustees.

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- ii) To invest the funds of trust in such property investments, business shares, etc., as the trustee/s in office may deem expedient. The trustees shall be titled to make investments at the trustee/s absolute discretion and the provisions of section 20 of the Indian Trust Act 1982, shall not apply to this Trust. Further the trustee /s shall be empowered to sell or vary any investment or any investment or any in interest therein as the trustees may from time to time determine.
- iii) To purchase or otherwise acquire immovable properties, free hold or lease hold and to convey the same into account and to construct building and commercial structures there upon and sell or let out the same on rent, on monthly or yearly basis, as may be considered expedient by the Trustee/s in office.
- iv) To lend advance and invest the funds of the trust at trust at such rate of interest as may be considered reasonable.
- v) To borrow monies for and on behalf of the trust and to execute necessary documents for such borrowals.
- vi) To sell, mortgage, hypothecate or create al lien or charge and otherwise alienate all or any of the properties of the trust.
- vii) To receive voluntary contributions from any persons whatsoever by way of donation, legacy and gifts and to hold the same upon trust for the benefit of the beneficiate subjects to the powers, provisions and stipulations setout herein.
- viii) To receive collect, enforce ,recovery of all or any of the assets of monies due to the trust and to account or give receipt and discharges for the person/s paying amount/s due to the trust.

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ಈ ದಸ್ತಾವೇಜು ಹಾಳೆಯನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಕರ್ನಾಟಕ ಸರ್ಕಾರ ದಸ್ಕಾವೇಜು ಹಾಳೆ ಆದೇಶ ಸಂಖ್ಯೆ ಕಂಇ 152 ಮುನೋಮು 2003 **Document Sheet** ದಿನಾಂಕ 09-05-2003ರ ಪ್ರಕಾರ ಮುದ್ರಿಸಲಾಗಿದೆ. Government of Karnataka ನೋಂದಣಿ ಹಾಗೂ ಮುದ್ರಾಂಕ ಇಲಾಖೆ ಬೆಲೆ: ರೂ. 2/-**Registration and Stamps Department** 忍 ಈ ಹಾಳೆಯನ್ನು ಯಾವುದೇ ದಸಾವೇಜಿಗೆ ಉಪಯೋಗಿಸಬಹುದು This sheet can be used for any document ระสว ระสว ...... கூரிர ದಸ್ತಾವೇಜನ್ನು ಬರೆದುಕೊಟ್ಟ ದಿನಾಂಕ Total stamp duty pate ಇವೇಜಿನ ಸಂಖೆ Date of execution

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- ix) To Institute suits and other proceeding and to represents the trust in all courts of law, Income Tax authorities and other statutory authorities and to verifying, pleading and written statements and appoint of advocates, Chartered Accountants to represent the treat in all forums.
- x) To appoint one or more persons as Co- Trustee/s.
- xi) To settle compromises or compound all or any debts, claims, outstanding, accounts, disputes, demands, actions, suits and proceeding whatsoever, by or against or relating to the trust or for the same to arbitration.
- xii) To appoint any person as power of attorney holder for the management of the Trust property and to achieve the objectives of the Trust. The Trustees shall in no way be diverted of their office by the delegation of any power to any attorney and such delegation shall only be expeditious and efficient administration the trustees shall have the right to revoke any power delegated to any attorney.
- xiii) To, raise contains or accept gifts or contributions in cash kind from any person for the purpose of the Trust and hold the same under the same terms and conditions contained in the presents, and the amount so received by way of donation or contribution shall not be treated as the income of the Trust, but shall be credited to the capital fund of the trust.
- xiv) To make rules and regulations for the purpose of management of the trust and its affairs and vary or modify any of rules so made.
- xv) To make payments to beneficiates from out of the monies stand and to their credit out of the income credited to their account annually subject to availability of the funds.
- xvi) The Trustee/s shall not have power to invest the funds of the trust in any business which is of a speculative nature or in the nature or gambling.
- xvii) The managing trustee or any person to whom the power of the trustee are delegated shall have the right to reimburse or to pay from out of the Trust Funds all the expense which may be incurred by him them in the trust and in execution of the objects of the trust.

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ಈ ದಸಾವೇಜು ಹಾಳೆಯನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಕರ್ನಾಟಕ ಸರ್ಕಾರ ದಸ್ಕಾವೇಜು ಹಾಳೆ ಆದೇಶ ಸಂಖ್ಯೆ ಕಂಇ 152 ಮುನೋಮು 2003 **Document Sheet** ದಿನಾಂಕ 09-05-2003ರ ಪ್ರಕಾರ ಮುದ್ರಿಸಲಾಗಿದೆ. **Government of Karnataka** ನೋಂದಣಿ ಹಾಗೂ ಮುದ್ರಾಂಕ ಇಲಾಖೆ ಬೆಲೆ: ರೂ. 2/-**Registration and Stamps Department** 忍 ಈ ಹಾಳೆಯನ್ನು ಯಾವುದೇ ದಸ್ಕಾವೇಜಿಗೆ ಉಪಯೋಗಿಸಬಹುದು This sheet can be used for any documents చేందు ..... దారిగళను ದಸ್ತಾವೇಜನ್ನು ಬರೆದುಕೊಟ್ಟ ದಿನಾಂಕ Total stamp dut pad ಗೆಳ್ಳಿ ನೆ ಸಂಖ್ಯೆ Date of execution

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- xviii) The trustee/s may retire from the Trustee ship by giving one week notice in writing to the other trustee. The /Them shall be discharged when any member of Trustee resigns voluntarily. The Trustee/s Shall only be chargeable for such income they/ them has actually received and not for any loss not due their will full act or default.
- 9) This trust is irrevocable and the author or Trust shall not have any right to direct or incorrect benefit from the trust or in the Trust property whatsoever and she shall not have any right to reassume or authority over trust in property at any time. We the members of the above trust have agreed to registrar the said deed of trust in the office of the sub-registrar Shimoga.
- 10) Except the extent specifically mentioned all other provisions of the Indian Trust Act shall apply to this TRUST.

IN WITNESSES WHEREOF THE DECLARANT HAS SET THEIR HANDS TO THIS **27<sup>th</sup>** DAY OF OCTOBER 2005

WITNESSES:

MEMBERS OF THE TRUST.

1. HSBpord.
H.S.B. Pork!
Tro. 306 CBS NAGAVA
Swirmoga
2. S.M.S. Acharya

Drafted by:

ADVOCATE. ROOL NO 2966/04 Vinobanagara, Shimoga.