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Stamp Duty of Assam-2
Calcutta

20.7.2000

DEED OF TRUST

THIS DEED OF DECLARATION OF TRUST made and executed
this the 20th day of July Two Thousand B E T W E E N
(1) MR. MONIR AHMED, son of Zahir Ahmed, aged 47 years,
by occupation - Businessman, residing at 6-D, Dr. Biresh
Guha Street, Calcutta - 700 017, (2) MR. NIAZ AHMED,

...p/2

60,000

59
59
639



2.

son of Abul Lais, aged 46 years, by occupation- Businessman, residing at 37A, Shamsul Huda Road, Calcutta - 700 017,

(3) MR. JAHANGIR ALAM, son of late Enamul Haque, aged 36 years, by occupation - Businessman, residing at 3B, Tarak Dutta Road, Calcutta - 700 019, (4) MR. NURUL ISLAM, son of late Mukhter Ahmad, aged about 40 years, by occupation-



3.

Businessman, residing at 30/48, Jhowtalla Road, Calcutta -
 700 017, (5) MR. IFTEKHAR AHMAD, son of Nesar Ahmed, aged
 41 years, by occupation - Businessman, residing at 13/1,
 Ahiripukur Second Lane, Calcutta - 700 017 and (6)
MR. SHAMSAD ALAM, son of late ^{Mr. Nasiruddin,} ~~Nesar Ahmed~~, aged 37 years,



4.

by occupation - Businessman, residing at 4/C, Green park,
Tiljala Road, Calcutta - 700 019, hereinafter collectively
called and referred to as the 'TRUSTEES'.

W H E R E A S the TRUSTEES abovenamed are
desirous of establishing a Trust for the objects and



5.

purposes mentioned hereinbelow and for the said purpose they have already contributed for these presents a total sum of, Rs. 60,000/- (Rupees sixty thousand) only contributed equally by all.

AND WHEREAS the 'TRUSTEES' have formulated a

100Rs.



6.

scheme of raising funds and contributions for the Trust also mentioned in order to implement the objectives and purposes stated hereinafter :-

NOW THIS DEED OF DECLARATION OF TRUST WITNESSETH
as follows :-

- 1a) The name of the Trust shall be ALHADI EDUCATIONAL TRUST.
- b) The principal place of the Trust shall be at 93/1F, Tiljala Road, P. S. Karaya, Calcutta-700 046, West Bengal, India or at such other place as the Board of Trustees shall decide from time to time.

INTERPRETATION :

- 2a) 'Trust' means the Trust created by this Deed, viz. 'ALHADI EDUCATIONAL TRUST'.
- b) The 'BOARD' shall mean the Board of Trustees created by this deed.
- c) 'TRUST PROPERTY' shall include every kind of movable and immovable property owned by the Trust and mentioned in account books and other documents in the custody, and control or that ought to be in the custody and control of the Trust.

3. AIMS AND OBJECTS OF THE TRUST :

- a) To work for the development and advancement of educational for the religious minorities in

particular and for the weaker section of the society irrespective of caste, creed or race in general.

- b) To impart education with upto date knowledge of latest development in different fields of human activities and to make original contributions to the refinements, enhancements and increase of such knowledge, application of the same to the moral.
- c) To establish and manage Schools, Colleges, Polytechnics and other educational and industrial institutions for boys and girls at various centres and places under the provisions of Articles 29 and 30 of the Constitution of India and also to extend aid to such institution.
- d) To establish and furnish and help in establishing and furnishing publishing houses, Computer Training Centres, libraries, study circles, reading rooms for the promotion of education and cultural as well as publishing of books, newspapers, journals etc.
- e) To maintain national integrity and communal harmony.

- f) To award scholarship, for deserving students for technical, medical, professional, arabic and islamic studies.
- g) To provide financial assistance for deserving students, to go abroad for higher studies or grant interest free loans for self-employment and for such purposes.
- h) To take over the management and maintenance of schools, colleges, polytechnics and other educational and industrial institutions now maintained and managed by other authorities and organisations.
- i) To provide training and research facilities for the advancement of knowledge and to help and assist persons engaged in research of Philosophy, Law, Tradition, culture, History and such other allied of subjects to promote comparative study of religious and philosophy.
- j) To establish and maintain adult education centres especially in the rural areas and slums for

eradicating illiteracy and ignorance and to appoint teachers and supervisors for the management of such centres.

- k) To establish wearing centres and guidance burean for employment, vocation and career developpeing etc.
- l) To establish and run hostels, Boarding houses, dormitories etc. for students and teachers and others in need of such assistance and care.
- m) To encourage atheletic activities among youth and students and to conduct tournaments, sports and games for them.
- n) To open and establish charitable hospitals, clinics and laboraroties and to give aids to such institutions.
- o) To conduct and to organise General Medical Checkup Centres and Health Care Camps.
- p) To associate, co-operate and collaborate with and assist and help any other society having

objects and aims similar or a kin to, the objects and aims of the trust in appropriate ways.

- q) To organise relief works in the event of natural calamities and communal riots.
- r) To affiliate with other organisations in India or abroad having objects aims similar or akin to the objects of the trust.
- s) To create hands of men and women who will prove to be the best in the humanity, enjoining virtue, forbidding evils and will stand always in the forefront of all that is good.
- t) To conduct seminars, simposia and public meetings on problems concerning the economic and education of the people in general and Muslims in particular.
- u) To do such other work or works and/or thing or things as may appear necessary from time to time in order to fulfil the aforesaid objectives.

4.

RAISING OF FUNDS AND EXPENDITURES :

And for achieving any or all the objects to raise funds through donations, grants and contributions and to obtain and receive loans from individuals, associations, firms or any institution whatever and to invest and deal with the money and funds belonging to the trust not immediately required in such manner as may from time to time be determined by the Board of Trustees subject to the law of the land, and, to take on lease or purchase or accept by way of gift any land, building or any other property both movable and immovable and to remunerate any person, firm or institution for service rendered to the trust in any capacity, and to pay out of the funds of the trust all costs, charges, expenses, incidental to the establishment, registration and advertisement of this trust and to adopt and take such other lawful means as may be incidental and conducive to the accomplishing of all or any of the above objects.

5.

CONTROL OF THE TRUST :

The above mentioned persons shall be the Trustees constituting the first Board of Trustees with

whom the control of the Trust shall be vested.

6. OFFICE BEARER OF THE TRUST shall be as follows :-

1. President,
2. Vice-President,
3. Vice-President,
4. General Secretary,
5. Secretary,
6. Treasurer.

The above office bearers shall be elected from among themselves by a majority of the Trustees at a meeting convened for the purposes.

7. QUORUM : 2/3 shall be the quorum for any meeting.

VACANCIES :

A vacancy shall arise among the Trustees in the following cases :

- 1) When a trustee dies;
- 11) When he or she resigns his or her office as a Trustee;
- 111) When he or she is absent from three consecutive meetings of the Board unless the Board records condoning such absence in the minutes of the meetings of the Board of Trustees for substantial cause.

The Board of Trustees shall elect the Office-bearers, from among themselves within a month of the formation of the Trust and they shall remain in office of 3 years. The Board will elect office bearers for the next term within a month of the expiry of the term.

9. POWER OF TRUSTEES :

The Board of Trustees shall have the following powers :-

- a) To call for and collect and receive funds and such funds may be utilised by them for such purposes and objects of the trust as they deem fit.
- b) To accept and receipt contributions.
- c) To acquire movable and immovable property by purchase or otherwise.
- d) To erect or cause to be erected building or buildings, equipments and machinery for the use, benefit and attainment of the objects of the Trusts.
- e) To sell, let, transfer, exchange, convey and

alienate or mortgage movable and immovable properties belonging to the Trust.

- f) To manage, administer and control properties and all assets of the trust directly or indirectly and all institutions under or connected with the trust.
- g) To demand, call for and realise moneys and other assets due or belonging to the Trust and issue receipts and vouchers for the receipt of the same.
- h) To employ necessary staff for the management, administration and running of the Trust in general and for the institutions in particular and for the purpose of carrying out the object of the Trust on such terms as may appear proper to the Trustees and to delegate and to allot to such staff from time to time such powers and duties as may be necessary in the usual course of business.
- i) To appoint from time to time and at any time to suspend, dismiss, remove or discharge any person under their control including clerks, accountant

and to re-employ them with such powers and duties and upon such terms either by giving one month notice or by giving one month's salary as the Board of Trustees shall think proper.

- j) The Board shall have full powers to make, amend, delete or rescind rules and bye-laws of the Trust.

- k) The Board of trustees may form such committee/committees, sub-committee/sub-committees, and advisory committee with such powers as they may deem fit and necessary for the better implementation of the aims and object of the trust.

- l) To do all acts and things which are connected with the administration of the trust in general and of the institutions in particular and which are deemed by the Trustees to be in the best interest of the Trust and are desirable.

10.

FUNCTIONS OF THE PRESIDENT :

President will be elected by the majority of

the members present convened for that purpose. The President is empowered to take decision on urgent matters but such decisions should be approved by the Board within a period of 30 days. The president will preside over the meetings of the Trust and conduct the proceedings. The President in his own discretion or by the request of one-third of existing members can call for a meeting of the Trustees. The President is empowered to delegate such power to the Vice-President or any other members of the Trust as he may deem fit.

VICE PRESIDENT

In the absence of the President the Vice-President shall have all the powers of the President.

GENERAL SECRETARY :

The General Secretary of the Board of Trustees elected shall, under the control and supervision of the Board, conduct and manage all the affairs of the Trust, its properties and institutions, sign papers and carry on correspondence on behalf of the trust, and shall be responsible for the safe custody of records of the Trust relating to the administration of the trust and its

properties. He shall also perform such other duties as may be entrusted to him from time to time by the Board provided that in the absence of the General Secretary, the President, the any other Trustee especially authorised on that behalf may sign papers and carry on correspondence on behalf of the Trust and do all or any of the duties relating to the General Secretary under this clause. The General Secretary shall attend to the correspondence and day to day affairs of the trust. The General Secretary shall carry out all the resolutions of Trust and for that purpose he shall have power to incur necessary expenditure from and out of the funds of the Trust, subject to a maximum of Rs. 5,000/- (Rupees five thousand) only and anything in excess of Rs. 5,000/- (Rupees five thousand) only is to be incurred with the sanction of the Board. He shall have the custody of the correspondence and other books relating to the affairs of the Trust.

SECRETARY

In the absence of the General Secretary, the secretary shall have all the powers of the General Secretary.

TREASURER :

The Treasurer shall receive and disburse all money of the Trust as per the requisition of the General Secretary and shall maintain or cause to be maintained proper accounts thereof.

11.

APPOINTMENT OF EMPLOYEES :

The Board shall have also power to employ necessary staff for management, administration and running of the Trust in General and of the Institution in particular on such reasonable salaries and remunerations and on such terms as may appear proper to the Trustees for managing the affairs of the Trust and the institutions and for the purpose of achieving of the objects of the Trust. They may be allotted to or entrusted with such duties and responsibilities as the Board would deem fit.

It shall be competent on the part of the Board to remove the staff referred to above without assigning any reasons therefore, on one month, notice or payment of one month's salary.

12.1)

RECEIPTS OF CONTRIBUTIONS, ETC.

All the money should be received only on account

of or in the name of the trust and receipts should be issued under the seal of the Trust and must be signed by the President and Treasurer or the persons authorised by the Board by a resolution recorded in the minute Book. The treasurer shall be personally responsible for full and complete accounting for all the receipts and disbursements of the money or the other properties received for the trust. No money or peroperty shall be received or used except for the purposes and objects of the Trust. The accounts will be audited by Chartered Accountants appointed by the Trust from time to time.

11) BANK ACCOUNTS :

Bank account or accounts should be opened with any bank or banks and the same shall be operated jointly by any two office-bearers from amongst the President, General Secretary and the Treasurer. All money received by the Trust shall first be deposited with the Bank.

BOARD MEETING :

A meeting of the Board shall be held ordinarily atleast once in three months or earlier on the

requisition of atleast 1/2 of the trustees to consider the affairs of the trust and all the proceeding of the meeting shall be recorded in the minute book to be preserved by the General Secretary on behalf of the Trust. Notice of every meeting of the Board together with the Agenda shall ordinarily be given by the General secretary or convenors to all the Trustees atleast ten clear days before the proposed date provided that in case of emergency there will be no time limit for serving the notice. If it was delivered to the Trustee personally or if such notice was issued to the last postal address furnished to the office of the Trust by the Trustee concerned and (i) posted within a reasonable time so as to presume that the notice should have reached the addressee (trustee) in the due course or (ii) served on any such persons of the said address of the Trustee concerned it shall be construed that the notice has been duly served.

The President of the Board of Trustees shall preside at all meetings of the Board of Trustees. In the absence of the President of the Board of Trustees in the meeting, the Vice-President of the Board of Trustees in the meeting shall preside. In the absence of both the Trustees present therein may elect a President from among themselves to preside over the meeting.

Every question which shall arise at any meeting of the Board shall be decided by a majority of votes of the Trustees present and in case of equality of votes, the President of the meeting shall have a second or casting vote, but in no other event shall any trustee have more than one vote and there shall no vote by PROXY.

The proceeding of every meeting shall be entered in the minutes book maintained for the purpose and signed by the Trustees present at the meeting at the end of the proceedings of each meeting.

No proceeding of the meeting of the Board shall be invalid because there existed at that time one of more vacancies in the Board.

IMMOVABLE PROPERTIES OF THE TRUST

No immovable property belonging to the trust shall be sold, exchanged, transferred, converted, mortgaged, or alienated in any manner whatsoever except when such exchange, transfer, conversion or alienation.

1) Is imperative in the interest of the trust and institutions and departments connected therewith.

11) Is not likely to adversely affect to any extent whatsoever the existence and benefit of the trust, institutions and departments connected therewith and objects of the trust; and

111) Is decided to that effect by the Board of In its meeting by a reasonable resolution passed by 2/3rd majority of the Trustees present.

15. SUITE AND LEGAL PROCEEDINGS

The Board or any one or more of the Trustees may apply for advice or the directing to the court as occasion may arise. The Board of Trustees may sue or to be sued in the name of the General Secretary of the Board. The Board may be resolution passed specially or generally in that respect at any time and from time to time authorise any of the trustees by power of attorney or otherwise the General Secretary of the Board of to represent Board of Trustees i.e. all trustees.

1) to institute, conduct, defend, compound, withdraw or compromise, adjust refer to arbitration or

abandon any legal or other proceedings, claim or disputes or against the trust or trustees or against its officers or employees concerning the affairs of the trust and to sign and verify vakalats, plaints, statements, affidavits and other proceedings before all courts, tribunal and other Government authorities both Central and state;

- 11) In entering into any agreement or contract or in executing and/or registering any documents.

- 111) generally in doing and performing any act, deeds matter of thing, whatsoever which has to be done, executed and performed by the Board of the trustees or trustees as the case may be, in the relation to any property of the trust or in or about concerns, engagements, business affairs and matters of the trust and or of the Board and/or trustee/trustees is/are such principal/principals.

- 1v) The Board may take any other step it may deem fit to meet any contingency affecting the trust in any legal proceeding or any other matter.

16. OFFICIALS YEAR

The Official year of the trust shall be first April to, 31st March of each year.

17. WINDING UP OF THE TRUST :

The Trust is revocable. The Trustees shall have powers to wind up the trust activities. The property funds and assets of the trust that may remain after full satisfaction of the liabilities of the trust will be transferred paid and handed over to any other trust, society or institution, established for achieving similar aims and objectives provided that :

- 1) Notice of such meeting is served on all the existing trustees.
- 11) such meeting is attended by atleast $\frac{3}{4}$ of the existing trustees;
- 111) such decision or resolution is carried by the votes of atleast $\frac{4}{5}$ the trustees present.
- iv) at the time of meeting of the Board of Trustees, there shall exist all the minimum trustees in office of not less than $\frac{2}{3}$ rd of the Trustees, there should be no vacancy existing on the minimum number of board of trustees.

18.

AMENDMENTS TO THE SCHEME :

It at any time it is found that alterations in any of the provisions of this trust or scheme for the purpose of effective achievement of the objects of this trust are imperative and very essential, then the board shall approve of such alteration by a resolution passed in its meeting and thereafter the modification shall become part and parcel of the terms, conditions and provisions of this trust and of this scheme.

The Board may at any time and from time to time make, amend, delete and rescind rule and bye-laws for the conduct of its business for the control management and administration of the trust made under this trust and for carrying but the objects of the trust relating to any matter under this scheme, provided that such rules and bye laws shall not be inconsistent with or repugnant to any of the provisions of the scheme of trust.

19.

DECLARATION

This Trust shall and the scheme set forth under this Indenture shall come into force immediately after the execution and registration thereof.

The Trustees abovenamed also hereby declare that

they have consented to be the Trustees under this Trust, accepted the trust and have taken delivery of the possession, de jure and de facto of the funds raised hereby.

IN WITNES WHEREOF the trustees have hereunto set and subscribed their respective hands and seals on the day, month and year first above written.

SIGNED SEALED AND DELIVERED

by the withinnamed TRUSTEES
in the presence of :

1. Md. Shah Alam
25, Bright Street,
Calcutta-700017.

2. NAUSHAD ALAM
4C GREEN PARK
CAL 19.

1. Munir Ahmed

2. NIAZ AHMAD

3. Jahangir Alam

4. Abdul Wahid

5. Iftikhar Ahmed

6. Shamshed Alam

(SIGNATURE OF THE TRUSTEES)

Drafted by me :

Hassan Shahidullah Ashrafi.

(Hassan Shahidullah Ashrafi)
Advocate,
10/1C, Topsia First Lane,
Calcutta-700 039.

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for the year. 2000

13/2060
DATED THIS 20th DAY OF July 2000

B E T W E E N

MR. MONIR AHMED & OTHERS.

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...
TRUSTEES



Registrar of Assurances
24-7-2000



DEED OF TRUST

20.7.2000

033/6
HASSAN SHAHIDULLAH ASHRAFI
Advocate,
10/1C, Topsia First Lane,
Calcutta - 700 039