

*Bimal Kumar Banerjee*  
*Notary* B. Com. LL.B.  
CALCUTTA & 24-PARGANAS.

Professional Address:  
C. M. M's Court  
Compound  
2, Bankshail Street,  
Calcutta-700001.

## *Notarial Certificate*

( Pursuant to section 8 of The Notaries Act, 1952 )

TO ALL TO WHOM THESE PRESENTS shall come, I, B.K. Banerjee, duly authorised by the Central Government to practise as a NOTARY do hereby ~~verify~~ authenticate, certify, attest as under the execution of the instrument annexed hereto collectively marked "A" on its being executed, admitted and identified by the respective signatories as to the matters contained therein, presented before me.

According to that this is to certify, authenticate and attest that the annexed instrument "A" is the

*executed*  
*Mohan*  
*and*  
*the*

*original*  
*by* *Shri*  
*Lal* *Bhargava*  
*Shree* *as per*  
*same*

PRIMA FACIE the annexed instrument "A" appears to be in the usual procedure to serve and avail as needs or occasions shall or may require for the same.

IN FAITH AND TESTIMONY  
WHEREOF being required of a NOTARY  
I, the said notary do hereby subscribe my  
hand and affix my seal of office at Calcutta on  
this the *10th* day of *Aug* in the year of  
Christ 19*98*.



*B.K. Banerjee*  
B. K. BANERJEE  
NOTARY.

*17/8/1998*





THIS INDENTURE made this 2nd day of May One Thousand Nine Hundred and Ninety Eight BETWEEN Sri MOHAN LAL SARAOGI son of Sri Ganeshmal Saraogi by caste Jain by occupation Business of 1/1, Camac Street, Calcutta - 700 016 hereinafter called the "SETTLOR" (Which expression shall unless excluded by or repugnant to the context here of be deemed to mean and include his heirs, executors, administrators, representative and assigns) of the ONE PART AND (1) Sri Mohanlal Saraogi son of Sri Ganeshmal Saraogi by caste Jain by occupation business of 1/1, Camac Street, Calcutta - 700 016 (2) Sri Rajendra Kumar Saraogi son of Sri Jeshraj Saraogi by caste Jain by occupation Business of 1/1, Camac Street, Calcutta - 700 016 AND (3) Sri Shree Chand Saraogi son of Sri Ganeshmal Saraogi by caste Jain by occupation business of 1/1, Camac Street, Calcutta - 700 016 aforesaid both hereinafter collectively called the "TRUSTEES" (which expression shall unless excluded by or repugnant to the context be deemed to mean and include their respective successor or successors in office) of the OTHER PART.

WHEREAS the said Sri Mohanlal Saraogi, the Settlor herein is desirous of creating a trust for the benefit and welfare of the general public irrespective of caste and creed with an initial contribution of Rs.251/- (Rupees Two Hundred Fifty One only) and WHEREAS at the request of the Settlor, the Trustees have agreed to act as Trustees of these presents to hold the said sum of Rs.251/- (Rupees Two Hundred Fifty One only) and also other sums and properties that may from time to time form part of the Trust Estate upon Trust for the objects and purposes hereinafter declared concerning the same.

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NOTARY  
Reg. No. 143/00  
Jal. M. S. Court Calcutta  
Sub. No. 100/00

Mohan Lal Saraogi

Rajendra Kumar Saraogi

Shreechand Saraogi

10 AUG 1998



HIS WITNESSETH AS FOLLOWS :

For effectuating his said desire, the Settlor Sri Saraoji do hereby grant, transfer assign and make over to the Trustees the sum of Rs. 251/- (Rupees Two hundred and one only) in cash to have and to hold the same and all sums and properties that may from time to time form part of the trust estate onto the Trustees upon Trust for the objects and purposes subject to the provisions, covenants and conditions hereinafter mentioned.



2. NAME OF THE TRUST AND ITS MAIN OFFICE.

The name of the Trust shall be "GANESHMAL MOHANLAL SARAOGI CHARITABLE TRUST". The main office of the Trust shall be located for the time being at 1/1, Camac Street, Calcutta - 700 016 until the Trustees decide to shift or transfer the main office to any other place within the Union of India.

3. OBJECTS AND PURPOSES OF THE TRUST

The trust fund will be utilised in India for relief of the poor, education, medical relief and advancement of any other objects of general public utility not involving the carrying on of any activity for profit. The trustees will have power to utilise the income and/or the corpus of the trust fund for all or any of these objects as they may decide and without prejudice to the generality of the said power, the trustees will have for advancement of the purposes aforesaid power :-

i) To establish, acquire, run and aid schools, colleges, libraries, reading room, research institutions, hostels, boarding house and quarters, Udyog shalas, Laboratories, Gymnasias, Sporting Club, Stadium, Physical cultural homes, Recreation centres and other Institutions for the advancement of spiritual moral and physical well being and general education and dissemination of knowledge among the public at large at any place or places in India without any restrictions as to caste and creed :

ii) To award stipends, scholarships fellowships and educational loans to the deserving and the needy students :

iii) To establish, promote, maintain and aid hospitals medical school and colleges, Nursing Institutions, Sanitorium Mobile Dispensaries, Health Centre and such other Institutions and activities for the benefit of the general public irrespective of caste and creed :

iv) To establish or aid Maternity Homes, Child welfare centres, orphanages, widow homes and/or otherwise to aid women-folks in the country side in distress :

v) To grant aid for the marriage of poor girls.

vi) To extend assistances to poor families and persons without any caste or creed and to provide aid and support to the old disabled and the helpless;

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vii) To aid and establish institution and activities devoted to learning of Sanskrit and ancient literature and studies in archeology, history, philosophy, yoga, ethics music, dance, drama, painting and other forms of intellectual and cultural expressions.

viii) To help any section of humanity irrespective of caste and creed during natural calamities such as floods, famines, earthquake, fires, pestilence, civil commotion or otherwise to help people indistress;

ix) To aid or undertake the constructions, maintenance or repair in full or part of Tanks, Pools (for drinking water) rent house, Dharmashalas and other works of public utility;

x) To aid or establish such other charitable social, educational, cultural, spiritual and moral institutions and activities as the Trustees may in their discretion deem proper to reclaim the youth of the country from moral and spiritual degeneration:

xi) To award prizes for notable work in the fields of Art, Literature, science, social sciences, Technology etc.

xii) To acquire any lands and/or buildings and/or to build any buildings or structures for all or any of the purposes and objects of the Trust and to do all such things and perform all such acts as may be necessary or proper for the achievement of any or all the objects aforesaid :

xiii) To donate in cash or in kind to other Institutions having similar charitable and educational functions as their objects.

4. If any one or more of the acts in furtherance of the objects specified in clause 3 of these presents are held not to be objects of a public charitable nature within the meaning of sec. 2(15) of the Income Tax Act, 1961, the trustees shall not carry out such act object or objects as if the same are not incorporated in these presents but the validity of the trust created by these presents as a trust for public charitable purposes shall not be thereby affected in any manner.

5. TRUSTEES :

The first trustees shall be the following persons :-

1. Sri Mohanlal Saraogi
2. Sri Rajendra Kumar Saraogi
3. Sri Shree Chand Saraogi

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*a*  
M. E. Banerjee  
NOTARY  
Reg. No. 145/89  
S.M.M./S Court Camp  
Calcutta-700001

*(Mohan Lal Saraogi)*





MANAGING TRUSTEES :

i) The Trustee Sri Mohanlal Saraogi will be the Managing Trustees until he resigns or retires or dies. After his death, resignation or retirement, the vacancy caused thereby will be filled by Sri Shree Chand Saraogi who will be a Managing Trustee until he resigns or retires or until his death;

ii) At least two members of the Sri Ganeshmal Saraogi family shall always be the Trustee and one of such members shall be and remain the Managing Trustee so long as he is alive and/or until he retires, resigns or be removed for his misconduct or moral turpitude;

iii) That if a member of the said Ganeshmal Saraogi family be not available for the post of Managing Trustee, then the Trustees may appoint or nominate any other person as Managing Trustee by two-thirds majority votes of the Trustee, for such period as may be decided upon.

7. MAXIMUM AND MINIMUM NUMBER OF TRUSTEES

The member of Trustees shall not be less than three and not more than eleven.

B. A place of Trustee shall fall vacant in any of the following events.

- a) If he/she dies : or
- b) If he/she becomes bankrupt : or
- c) If he/she becomes insane or otherwise becomes incapable to act : or
- d) If he/she resigns from his office :
- e) If he/she be found guilty of misconduct or moral turpitude:

9. APPOINTMENT OF NEW TRUSTEES AND FILLING OF VACANCIES :

a) The power to appoint new or additional Trustees upto the maximum number fixed herein and to fill vacancies in the office of the Trustees shall vest in the Settlor during his life time.

b) After the death of the Settlor, the Trustees shall have the power to appoint new Trustee or additional Trustees and to fill up the vacancies in the office of the Trustees by majority vote subject to the provisions contained in clauses (5) and (6) hereof:

10. A Trustee or Managing Trustee may be removed by two-thirds majority of Trustees in meeting assembled therefor on the ground of gross misconduct or moral turpitude :



TESTING OF TRUST PROPERTY

Once a new Trustee is appointed he/she will be deemed to be in possession of the Trust properties and the same shall vest in him/her alongwith other Trustees for the time being and he/she will be entitled to carry out all the duties and functions of the Trustee :



12. MEETING

All meeting of the Trust shall be at such time and place as the Managing Trustee shall decide failing him/her any remaining TWO TRUSTEES may call a meeting and that at least one meeting of the Trust shall be held in each financial year for the purpose of submitting the yearly accounts and for other purpose.

13. NOTICE OF MEETING

Notice of the meeting of Trust and all communications will be sent by hand delivery to each of the Trustees at his address for the time being noted in the records of the Trust and such communication shall be valid for all purposes ;

14. COMMUNICATION OF VIEW BY AN ABSENT TRUSTEE :

A Trustee who is unable to be present at a meeting of the Trustees may send her/his views on the particular item on the Agenda in writing and such expression of opinion so far as it is unambiguous and ascertainable by the trustee attending shall be taken to be vote of the absent Trustee on the matter concerned.

15. QUORUM

Two Trustees present at a meeting shall form a Quorum for any meeting of the Trustees.

16. The Trustees present shall choose one of themselves to be the Chairman of such meeting.

17. REQUIREMENT OF MAJORITY VOTE

All questions arising at the meeting of the Trust shall be decided by a majority of vote and in case of equality of votes, the Chairman of the meeting shall have a casting vote PROVIDED HOWEVER any resolution dealing with the disposal of the corpus of the Trust properties or any part thereof shall not be decided and disposed of except with the consent of the settlor Trustee during his life time and after his death, with the consent of two-thirds majority of all the Trustees for the time being.

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Mohan Lal Saraf





18. RESOLUTION BY CIRCULATION

All resolution shall be in writing and all resolutions except those affecting the corpus of the Trust may be passed by circulation amongst all the Trustees and if consented to by a majority of the Trustees shall be as valid and effectual as if it had been passed at a meeting of the Trustee duly called and convened and will be recorded in the minute book of the Trust and confirmed at the next meeting of the Trustees as hereinafter mentioned.

19. MINUTES OF PROCEEDINGS

The minutes of the proceedings of every meeting of the Trustees shall be entered in a book to be kept for the purpose and be signed by the chairman of the next meeting. Such minutes shall be the conclusive evidence of the business and other matters transacted at such meeting.

20. ACCUMULATION OF TRUST INCOME

Subject to the provisions of the Income Tax Act, 1961 as amended from time to time, the trustees shall keep aside such amount which remains unspent in their hands till the same is required to be spent for the object of the Trust.

21. POWER OF TRUSTEES

The Trustees shall have the following powers, inter-alia  
(a) To possess and manage the Trust properties and to do all acts necessary for its maintenance, preservation, augmentation and proper use and application thereof :

(b) To open and maintain banking account of any kind or category in the name of the Trust with any Bank or Banks and deposit therein or withdraw therefrom any money and to operate upon the same and also to draw, issue, sign, negotiate and discount cheques, drafts, pay orders, hundies, promisory notes and other bills of exchange, securities debentures and other negotiable instruments. A bank account may be opened and operated by the Managing Trustee or jointly by any two of the Trustees authorised in this behalf by the Board of Trustees by a resolution in that behalf;

(c) To pay all taxes and charges, payable in respect of any immovable property for the time being forming part of the Trust Estate and to carry out necessary repairs;

(d) To demise any immovable property or properties for the time being and from time to time belonging to the Trust either from year to year or for a term of years not exceeding 21 years or on monthly tenancies at such rent and subject to such covenants and terms as they may by two-thirds majority think proper and also accept surrenders of leases and tenancies and generally manage the same in such manner as they may think fit and proper in the interest of the Trust;





(e) To institute suits and take other legal proceedings on behalf of the trust.

(f) To compromise, compound, abandon, submit refer to arbitration or otherwise settle at their discretion and debt account claim dispute or suit with regard to the Trust Estate or any portion thereof and generally in connection with the affairs of the Trust;

(g) To nominate, constitute and appoint attorney or agent and delegate to such attorney or agent all or any of the powers vested in them under these presents;

(h) To invest of the Trust fund not immediately required for the time being in such manner and upon such terms as the Trustees may think fit from time to time and to vary such investment and/or to invest trust funds in purchase and sale of immovable properties and other modes as mentioned in section 11(5) of Income Tax Act, 1961.

(i) To sell, lease, transfer, settle and convert into money the Trust Properties or investments as well to purchases, take on lease, acquire and construct buildings and structures in the interest and benefit of the Trust.

(j) To sign, seal, execute, deliver and to get registered according to law any deed of sale, conveyance, re-conveyance, assurances, leases, mortgages, charges and documents relating to the funds and properties of the Trust.

(k) To appoint, engage and remove persons in connection with the affairs and activities of the Trust or for the collection and management of the income thereof and to pay such salaries remuneration and emoluments as the Trustees may think fit.

(l) To accept contributions in cash or kind or any movable or immovable properties for any of the objects of the trust in accordance with the procedure laid down under the law for the time being.

(m) To start, manage continue or discontinue, abolish or revive any institution established or managed by the Trust or under its authority as well as to grant aid and/or cease aid to any institution, to determine the principles and particulars of aid to be given by the Trust to institutions individuals and causes to impose any condition for subscription or donation or aid made or received by the Trust for any charitable purpose or for any public cause and to earmark any portion of the Trust properties income for any particular object or objects of the Trust :-

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n) To formulate scheme and frame rules and regulations for carrying out the objects of the Trust and for the management of any institution established or sided by the Trust and generally for managing the affairs of the Trust and to carry the same from time to time.



22. CONTRIBUTION TO THE TRUST

The Trustees may accept any contribution from any person individual and/or any firm, Ltd., company or from institutions, Government or local authorities as well as relations of the settlor for any particular project sponsored by the Trust or generally for objects and purposes in pursuance of and in consonance with the premises of these presents and may also receive funds donations and properties movable or immovable to be added to the corpus of the trust.

23. INVESTMENT OF TRUST PROPERTY

The Trustees may invest the Trust property in various kind of immovable properties and in other forms and modes as prescribed under section 11(5) of the Income Tax Act, 1961 and on such terms as the Trustees may think fit and proper. The Trustees shall have the power to alter, vary or transpose the investments of Trust funds and/or properties from time to time in such manner as they may in their absolute discretion deem fit. The Trustees shall have the power to dispose of any immovable property or movable property belonging to the Trust on such terms as they by two-thirds majority think fit and proper for the purpose of and benefit of the Trust. Nothing contained in this deed shall be deemed to authorise the Trustees for any act which may in any way be construed as violative or contrary to the provisions of section 2(15) 11, 12 and 80G 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 of the public at large without any profit motive and in accordance with the law relating to public charitable Trust for the time being in force.

24. ACCOUNTS

The Trustees shall cause true and accurate accounts to be kept of all moneys received and spent and of all matters in respect thereof in course of management of properties or in relation to the carrying out of the objects and purposes of the Trust as well as of all assets, creditors, effects, properties of the Trust Estate.

25. APPOINTMENT OF AUDITORS

The Trustees if they think fit shall appoint an Auditor annually for each year on such terms and remuneration as they think fit for auditing the accounts of the Trust.

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ACCOUNTING YEAR

The accounting year of the Trust will be from 1st April, to 31st March, of calendar year or such other period as the Trustees may decide and a Balance Sheet will be prepared and the accounts will be placed before the meeting of the Board of Trustees specially called for the purpose and shall be signed by the Trustees.



27. INDEMNITY

The Trustees shall be respectively chargeable only for such money funds and securities that they shall have actually received notwithstanding their signing a receipt jointly with others for the sake of conformity and shall be answerable and accountable for their accounts receipt neglects and defaults, one trustee shall not be answerable for the other or others of them nor for any banker broker or any person with whom or into whose hand any Trust money or securities may come to be deposited or given nor for the depreciation of value of stock, shares, funds or other securities nor for any other loss unless the same shall happen through their wilful default, misconduct or negligence respectively.

28. DECLARATION

The Trust is hereby expressly declared to be public charitable Trust and irrevocable and all the provisions of this Deed are to be construed accordingly.

29. FAILURE OF THE TRUST

If the Trust fails, all available funds of the Trust shall be handed over to any of such public charitable institutions having similar objects and operating within the Union of India as may be approved by the Trustees.

IN WITNESS WHEREOF THE PARTIES hereto have hereunto set and subscribed their respective hands and seals, the day month and year first above written.

SIGNED SEALED AND DELIVERED  
BY SETTLOR AT CALCUTTA IN  
THE PRESENCE OF:

SETTLOR

✓ Mohan Lal Sarangi  
MOHANLAL SARAOGI

SIGNED SEALED AND DELIVERED  
BY TRUSTEES AT CALCUTTA IN  
THE PRESENCE OF:

TRUSTEES

Mohan Lal Sarangi  
1. MOHANLAL SARAOGI

Shreechand Sarangi  
2. SHREE CHAND SARAOGI

Rajendra Kumar Sarangi  
3. RAJENDRA KUMAR SARAOGI

ATTESTED EXECUTION  
BEFORE ME ON IDENTIFICATION

1. D. K. Bhat  
(Dilip Kumar Bhat)

2. B. K. Sinha  
(Binod Kumar Sinha)

3. Bishwanath Dhan  
(Bishwanath Dhan)

Attested by me

A. K. Banerjee

A. K. Banerjee  
NOTARY  
Reg. No. 148/25

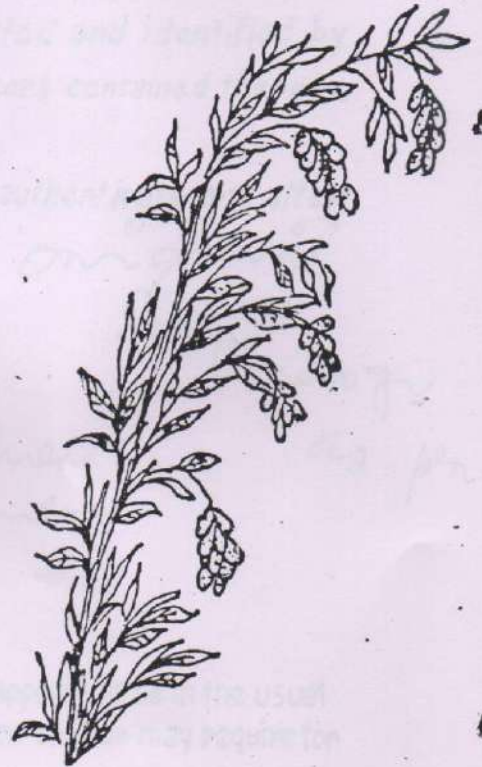
(B. K. BANERJEE)  
NOTARY



INSTRUMENT "A" dated.....*15*.....day of  
.....*plen Aug*.....  
with

*Notarial Certificate*

Dated.....*15*.....day of.....*Aug*.....19*92*



Shri B.K. Banerjee  
NOTARY PUBLIC  
CALCUTTA & 24-PARGANAS  
C.M. M's Court Compound.  
2. Bankshall Street,  
Calcutta-700 001.

