TV. 38/2019 भारतीय गेर न्यायिक INDIA NON JUDICIAL

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TRUST DEED

Managing Trustee





1.ABUBECKER BASHEER

THIS DEED OF TRUST is made on this the 13th day

of August 2019 between (1) ABUBECKER BASHEER, aged 72

1.ABUBECKER BASHEER 1 on

3.NIBU BASHEER

4.REHNA SHINE

5.NAZAR ABDUL SALAM

Manager LOVE DALE RESIDENTIAL SCHOOL Perumkulam.P.O, Alamcode

hiruvananthapuram-695 102

IV. 38 presented in the office of the Shb Registor 2019 with the photographs and thump Impression of the presentant apper Section 32 (a) of the Indian Registration Act and paid a fee of Rupous Two thousand on 13 to day of Angust 2019 by Abubeeker Basheer I on homms residingat Al-Basal Building on 13 th Augus & 2019 Suo Regst true S. Smekmur Esceention admitteed by Abubeeker Basheer Isahmm 3/0 Abubecker Buti woman resolding at Al-Bassal Building. app: hov+: college Attingal. Towe copy Shira Basheer ThertionBushen Dr. And And Bassal Building of De at Al-Bassal Building LOVE DALE RESIDENTIAL SCHOOL Perumkulam.P.O, Alamcode Thiruvananthapuram-695 1

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years, son of Mr.Abubecker, residing at Al-Bassal Building, Opposite Govt.College, Attingal – 695 101, Thiruvananthapuram District (Passport No.Z3071709); (2) THAHIRA BASHEER, aged 63 years, daughter of Mr. Shahul Hameed, residing at Al-Bassal Building, Opposite Govt. College, Attingal – 695 101, Thiruvananthapuram District (Passport No.M1486480); (3) NIBU BASHEER, aged 38 years, son of Mr. Abubecker Basheer, residing at Al-Bassal Building, Opposite Govt. College, Attingal – 695 101, Thiruvananthapuram District (Passport No.Z3849416);(4)REHNA SHINE, aged 46 years, daughter of Mr. E. Abdul Khader, residing at AEP Building. Thottikkallu, Peru mkulam (PO) – 695 102, Thiruvananthapuram District (Passport No. N4884698) and (5) NAZAR ABDUL SALAM, aged 43 years, son of Mr. E. Abdul Salam, Nazar Manzil, Thrikkovil Vattom, Kannanalloor (PO) – 691 576, Kollam District (Passport No.Z2836296).

WHEREAS a Deed of Trust was executed on the 07th day of May 1999 vide No.530/1 of 1999 of SRO, Kavalayoor between (1) Mr. NIBU BASHEER, son of Mr.A. Basheer, Al-Bassal Building, Attingal - 695101 Thiruvananthapuram District as founder Member and Managing Trustee and (2) Mr. E. ABDUL KHADER, son of Mr. A. Ebrahim Pillai, AEP Building, Thottikkallu, Perumkulam – 695 102, Thiruvananthapuram District as a trustee with name and style "M/s. LOVE DALE RESIDENTIAL SCHOOL TRUST":

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Dr. ANN AMMED TO ABUBECKER BASHEER.

5.NAZAR ABDUL SALAM (

4.REHNA SHINE

on hymn2. THAHIRA BASHEER

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AND WHEREAS in the course of activity of Trust Mr. E. Abdul Khad er, Trustee of the Trust, expired on the 19th day of July 1999. As per clause 4 of the Deed the deceased has nominated his daughter REHNA SHINE as his nominee as a Trustee for him in the case of his death. As such REHNA SHINE, AEP Building, Thottikallu, Alamcode - 695 102, Trivandrum District become the Trustee of the Trust with effect from 19th July 1999.

AND WHEREAS it has been decided in the Board meeting held on 07-12-2002 that three (3) more members to be incorporated in the Trust and as such (1) Mr. NAZAR ABDUL SALAM, Nazar Manzil, Kannanalloor (PO), Kollam (2) ABUBECKER BASHEER, Al-Bassal Building, Opposite Govt. College, Attingal - 695 101, Trivandrum District and (3) THAHIRA BASHEER, Al-Bassal Building, Opposite Govt. College, Attingal - 695 101, Trivandrum District were incorporated with effect from 07-12-2002 after accepting their willingness to be as Trustees.

AND WHEREAS, while so, the Founder Trustee and Chairman Mr. NIBU BASHEER has made his desire to resign from the post of Chairman of the Trust due to his personal inconvenience and thereby proposed his father and Trustee Mr. ABUBECKER BASHEER as the

1. ABUBECKER BASHEER ____ ON MOTOR THAHIRA BASHEET

MA 711 3. NIBE BASHEER

M.Scenwarziner British S. WAZAR ABDUL SALAM

4.REHNA SHINE

Identified by Slo. Abdullakretty. Attingal Finance Building. Consultant. Attingal She toda Been. Shetod Do Shelm House Do New A.E.P Prilding. Person House Wilge. Alames d. On 13th day of Angust 2019 June. Town why Dr. ANNAMMA GEORGE ON COLD COLD Reg J + 2002 day is August 2019 S. Suck inner Shind Perumkulam.P.O, Alamcode Thiruvananthapuram-695 102

Chairman and Managing Trustee of the Trust. The proposal was accepted unanimously by the other Trustees and as such Mr. ABUBE CKER BASHEER, Al-Bassal Building, Opposite Govt. College, Attingal become the Chairman and Managing Trustee of the Trust as per said Board meeting held on 07-12-2002.

AND WHEREAS it has been mutually agreed and decided upon by the Trustees to carry on the activities of the Trust as such provided in the Trust Deed dated 07^{th} May 1999 and as such to run the "LOVE DALE RESIDENTIAL SCHOOL" located at Thottikkalu, Perumkula m (PO) – 695 102.

AND WHEREAS while the Trust was carrying on its activities with Five Trustees it has been mutually agreed and decided upon by the Trustees that the present Trust Deed has to be amended with respect of its objects and to register the Trust as provided under section 12A of the Income Tax Act as a Charitable Trust for which approval and grant of registration of the Commissioner of Income Tax (Exemption), Kochi has to be obtained.

THEREFORE THE TRUST DEED WITNESSETH AS FOLLOWS;

1. The name of the Trust shall be "LOVE DALE RESIDENTIAL SCHOOL TRUST" hereinafter referred as the TRUST.

And The Office of the Trust shall be at Love Dale School Building SCHOOL LOVE DALE RUHDING SCHOOL LOVE DALE RUHDING SCHOOL LOVE DALE RUHDING SCHOOL RUHDING

1. ABUBECKER BASHEER _______ THAHIRA BASHE

3.NIBU BASHEER

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4. REHNA SHINE Johnashen

5.NAZAR ABDUL SALAM

3. AIMS AND OBJECTS:

The aims and objects of the Trust shall be:

- (a) To provide impart of education for which to establish and carry on educational Institutions like Schools, Colleges, K.G. Section, and to carry on courses in all branches of Engineering. Science, Medical, Commerce, Industrial, Commercial, Arts, Management and other facility of education and to run Management and Computer training institutions for catering the needs of Primary level, Secondary level, Senior Secondary, Professionals and Technical students without any discretion on sex, caste, creed, religion and language.
- (b) To get approval for the school as well as for the Trust with Organi sations/bodies like Central Board of Secondary Education, Government of India, Government of Kerala and other Governmental organisations, International organisations and such other organisations for promoting the objectives of the Trust.
- (c) To manage or to take-over and manage any organisation or Institution which will help in promoting the objectives of the Trust.

(d) To make appointments to academic, administrative, technical and other posts as may be do necessary and pay the appointees such administration including gratuity, pension, provident fund and such them.

WAMMED Pother benefits and perquisites as may be fixed from time to time.

1.ABUBECKER BASHEER-

3.NIBU BASHEER

5.NAZAR ABDUL SALAM

Thiruvananthapuram-693

4.REHNA SHINE

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- (e) Establish, erect, equip and maintain or contribute towards establish ments, erection, equipment and maintenance of educational instituti ons such as CBSE courses, Medical, Ayurveda, Sidha, Nursing, Engin eering, Arts, Science & Commerce College, Information Technology and even Universities for this purpose.
- (f) To invest funds of the Trust in Banks, in Government or other approved securities.
- (g) To develop a healthy attitude towards the development of mental, physical and moral uplift of the students and all those connected with the institution so as to make them good citizen.
- (h) Medical relief to the poor and the needy and to conduct social wel fare programs.
- (i) Advancement of any other object of general publicutility, not involving the carrying on of any activity for profit, as the law may regard as public charitable purpose. Any accumulation of income shall also be made and deemed to be made for application to such charitable purposes as aforesaid.

(j) Pay tuition fees, examination fees, boarding and lodging fees to deserving students and to supply books free of cost to such students.

ABUBECKER BASHEER

5.NAZAR ABDUL SALAN

REHNÀ SHINE

Manager
VE DALE RESIDENTIAL SCHOOL
Serumkulam, P.O., Alamcode

Perumkulam.P.O. Aldin Perumkulam.P.O. Aldin

- (k) Tender financial assistance to needy and deserving persons, to ena ble them to obtain medical treatment in India, in cash or such other for m and on such terms and conditions as the Trustees shall deem fit.
- (1) To accept donation, grants, presents and other offering and to deal with the same for the purpose of the trust.
- (m) The beneficiaries of this Trust shall be the general public without any distinction as to caste, creed, community, religion or race.
- (n) To grant stipends, Scholarship, Studentship and other allowance, concessions or gratuitous to deserving students and candidates.
- (o) To provide libraries, reading rooms for the benefits of students and general public for promoting education.
- 4. (a) The profits, income and property of the Trust will be applied solely for the promotion of the objects of the Trust, as set forth above and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise howsoever by way of profit to any person provided that nothing herein contained shall prevent the payment in good faith of remuneration of any officers or servants or employees of the Trust or other persons in return for any services

rendered to the Trust.

LABUBECKER BASHEER

3.NIBU BASHEER

5.NAZAR ABDUL SALAM

4.REHNA SHINE

- (b) The Trust do not intent to run any business and that it will not func tion in the nature of conducting any business activity and not for the purpose of profits.
- (c) The Trust do not intent to run any business and that in case Trust intent to run any business, then it will satisfy the conditions stipulated in Section 11 (4) and Proviso to Sec.80 G (5) (1) of the Income Tax Act, 1961.
- 5. The number of Trustees shall not be less than two and not more than five. The Trustees shall be Trustees for their life time but any Trustee s may resign by giving notice in writing to his/her co-trustees and shall also cease to be a trustee if requested in writing by three-fourth of the remaining Trustees. Appointment of Trustee either to fill up vacancy or as additional trustee shall be by resolution of the Trustees.

6. MANAGEMENT AND ADMINISTRATIONS

(a) The management of the Trust shall be vested in a Board of Trust ees comprising of five members. The Board shall have a Chairman, Secretary and Treasurer. The Trust shall presently function at a buildi ng of Love Dale Residential School, Perumkulam (PO), Thiruvanan thapuram District and shall be changed from time to time as agreed by the Trustees. The Board of Trustees shall make necessary rules and regulations for the effective management and administration of the Trust and shall draw up schemes and projects for achieving the objects of the Trust. THIND AND THAHIRA BASHEER

- (b) If any Trustee is adjudged insolvent or is insane or found guilty by a criminal Court of Law, the said Trustee can be dismissed from the Trusteeship provided three-fourth of the Trustees favours the dismis sal. A Trustee shall also be liable to be expelled from the Trusteeship by a vote of two-third among the Trustees, if his/her conduct is found to be detrimental to the interests of the Trust.
- (c) The gain and income thereof and the stock, fund, securities, donat ions, contribution, subscription and amalgamation that may hereafter be collected by the Trust under these presents and the properties, mova ble and immovable, shall be held by the Trustees as Trust fund upon Trust. As far as practicable, the corpus of the trust shall always remain intact and only income thereof shall be used for the charitable purpose.
- (d) The Trustees shall at no time be entitled to appropriate themselves any revenue or funds of the Trust by way of profits, interest, dividend etc., except any amount that may be reimbursed for the expenditure incurred by them on behalf of the Trust.
- (e) The Managing Trustee shall represent the trust in all legal procee ding.

4.REHNA SHINE

(f) The quorum for a meeting of the Board of Trustees of the Trustees medinal school and the meetings of the Board of Trustees. If the Chairman is absent in any meeting, the meeting shall elect a Chairman/Chairperson to preside over that meeting. 1.ABUBECKER BASHEER 1. ABUBECKER BASHEER 3.NIBU BASHEER

(h) Unless otherwise provided herein, the affairs of the Trust shall be conducted on resolutions passed by a majority. In the event of a tie Chairperson shall have a casting vote.

7. Powers and Duties of the Board of Trustees

- (i) The Board of Trustees shall hold the Trust Fund and income there from and utilise the same for achieving the objects of the Trust.
- (ii) The Trustees shall maintain accounts for all moneys received or spent in the course of the management of the Trust properties or in relation to the carrying out of the objects of the Trust.
- (iii) The Managing Trustee alone shall have the power to accept donations and contributions in cash or kind, to enter into any agreement or contract with any person, corporation, association, Government, trust or any public authority for transactions which are consistent with the objects of the trust, to borrow, if needed, against the security of the assets of the trust or otherwise by way of overdrafts, loans etc as may be necessary for the benefit of the Trust and to execute documents, deeds etc as may be necessary in connection there with and to mainta in, conduct, defend, compound or abandon any legal proceedings by or against the Trust.
- (iv) The Board of Trustees may at any time they think expedient, utilise any part of the Trust Fund in acquiring by purchase or lease or otherwise any land or other assets for the office or any other projects

of the Trust.

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2.THAHIRA BASHEER

4.REHNA SHINE

(v) The Trustees shall not be entitled to any remuneration in their said capacities as trustees, however those trustees who are under special assignments or functions are entitled to remuneration as may be fixed by the Board of Trustees from time to time.

(vi) The Board of Trustees shall have the power to appoint, remunera te, suspend, dismiss or otherwise punish the officers and staff for the efficient functioning of the Trust and to frame the service rules and regulations for such officers and staff. Subject to approval of Managi ng Trustee.

(vii) The Board of Trustees shall subject to approval of Managing Trus tee have power to sell, exchange, surrender or pledge, mortgage or otherwise deal with the movable or immovable properties of the Trust and to use the proceeds for the benefit of the Trust.

(viii) Each of the Trustees will have the power to delegate any one or more of the powers vested in him/her to any other person of his/her choice during the period of his/her absence from India with the consent of the remaining trustees, and such delegate shall perform the duties assigned to him/her, so however the Trustee so delegating the power shall be responsible and accountable to the trust for allothers sode MMA CEORGE Shall be responsible and accountable to the trust for allother MMA ceorge actions of the delegate. Any delegation made as above shall be a long through a Power of Attention through a Power of Attention through a Power of Attention through the country of Attention through the country of Attention to the country of Attention to

ncipal through a Power of Attorney duly executed.

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3.NIBU BASHEER

4.REHNA SHINE

5.NAZAR ABDUL SAI

(ix) A Trustee may resign his trusteeship, such resignation shall be eff ective only from the date of acceptance of the resignation by the Board of Trustees.

8. The Trust hereby established shall be one to which the provisions of 80 G of the Income Tax Act, 1961 or any replacement or modificati ons thereof for the time being in force shall apply so that any donation thereto be recognised as eligible for the exemption or relief from the tax in regard to the donors.

9. It is expressly agreed that with the unanimous decision of the Board of Trustees or their successors in office the Board shall have the power to modify or enlarge any of the objects or purpose of the Trust with the prior written permission of the Commissioner of Income tax having jurisdiction over the Trust.

10. The Bankers of the Trust shall be "South Indian Bank Ltd", Atting al Branch and or any other bank or banks as the Board may from time to time decided upon. Managing Trustee and Secretary of the Trust shall jointly have the power to open, operate and close the bank account for and on behalf. They shall jointly have the power to draw, sign cheques for and on behalf of Trust. However in the absence of said Chairman and Secretary the cheque shall be signed by two Authorised signatories appointed by the Trust Board. The Managing Trustee shall

Owner of the Respiratory of BASHEER

Or, M. Serry bring of NAZAR ABDUL SALAM

2.THAHIRA BASHEER

4.REHNA SHINE

E DALE RESIDENTIAL OCH E DALE RESIDENTIAL OCH E DALE RESIDENTIAL OCH E DALE RESIDENTIAL OCH Mkulam.P.O., Alamede Thapuram-695 102 have power to apply and take loans from Bank, Individuals, or Financi al Institutions for furtherance of any or more objects of the Trust against security of the assets of Trust.

11. School Management

The Chairman of the Board of Trustees shall constitute a School Mana gement Committee as per provision contained in Section 20 (1), (2) & (3) and under Section 21 of the Affiliation By-laws of Central Board of Secondary Education.

12. POWERS & DUTIES

Chairman

(a) The Chairman shall be the Managing Trustee of the Trust during his life time or otherwise become an ordinary trustee. He shall preside over the meetings of the trustees and the General meetings. The Chairman of the Trust shall be nominated by the Trust Board Membe rs from time to time and Mr. Aboobaker Basheer, aged 72 years, shall be the Chairman of the Trust.

(b) The Managing Trustee have the power to take decision in matters chool where difference of opinion arises, if any, and the decision of the ancode of the

5.NAZAR ABDUL SALAM

4.REHNA SHINE

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- (c) The Chairman shall be the Manager of the Institutions under the Trust and shall exercise such powers as may be necessary for the gene ral management of the Trust. In the absence of Chairman Mrs. Shahida Beevi, AEP Building, Perumkulam (PO) shall act as the manager of the Trust and sign documents.
- (d) The Managing Trustee shall represent the trust in all legal procee dings.
- (e) All documents to be executed or taken by the Trust shall be execu ted or taken in the name of the Chairman.

Secretary

(a) Mrs. THAHIRA BASHEER, Trustee of the Trust shall be the Secr etary of the Trust. Secretary shall convene the meetings of the Trust and the Board of Trustees in consultation with Chairman and as direc ted by Chairman. It shall be the duty of the Secretary to make availa ble the Balance Sheet and the annual income and expenditure statem ent every year for scrutiny of the Board of Trustees. The agenda for meetings shall be fixed by the secretary in consolation with the Chair man.

(b) The Secretary shall assist the Chairman generally and perform su ch functions and exercise such powers as delegated to her by the Chair man. She shall attend the school Managing Committee for and on beha

lf of the Trust.

4. REHNA SHINE DO WAShing

Treasurer:

The Treasurer shall be elected from the Board of Trustees and be responsible for maintaining proper accounts for the Trust Fund, properties and institutions under the Trust and of all the transactions of the Trust, which shall be audited every year. The accounting year of the Trust shall be the financial year from 1st April to 31st March.

13. TRUST INCOME

The income of the Trust for each year after meeting the cost and expenses of administration of the Trust shall be utilized for carrying out of the various activities for achieving the objects of the Trust. Any surplus income shall be kept for future needs of the Trust. Investment of the Trust Fund shall be made in conformity with the provisions of the Income Tax Act.

14. ACCOUNTS AND AUDIT:

The Accounts of the Trust shall be maintained properly by the Treasurer and the audited statement of income and expenditure and Balance Sheet of every financial year ending 31st March shall b placed before the Board of Trustees within six months from the clase of the financial year through Secretary. A statutory Auditor may be appointed for audit of accounts by the Trust in the coneral meeting.

1.ABUBECKER BASHEER 1 mmm2.THAHIRA BASHEER

3.NIBU BASHEER

5.NAZAR ABDUL SAL

15. LEGAL PROCEEDINGS:

The Chairman of the Trust shall represent the Trust to sue and to be sued. The public Trust shall be registered with the jurisdictional Com missioner of Income tax as per the provisions of the Income tax act for the purpose of exemption from the payment of the Income tax.

16. AMENDMENT

- (a) Any Amendment to the Trust Deed shall be made by the Board of Trustees with the prior approval of the jurisdictional Commissioner of Income Tax.
- (b) If powers to effect amendment to the Trust deed/Memorandum of Association/Bye-laws have been given to the Trustees/Office bearers, it would not extend to alter the basic character/objects of the Trust/Society/Institution/Organisation and further, no such amendments which may prove to be repugnant to the provision of section 2 (15), 11, 12, 13 and 80G of the Income Tax Act shall be made.

17. DEATH OF A TRUSTEE

In the case of death of a Trustee the interest in the Trust of the deceased shall vest with his or her legal heirs unless it is specifically

nominated.

THAḤIRA BASHEER

4.REHNA SHINE

Johns Siene

Dr. ANN PRINCIPOLITIES STOP BASHEER

5.NAZAR ABDUL SALAM

Dr. ANNAMMA Dr. MScPW) Prings

18. DISSOLUTION:

It is hereby declared that the Trust shall be and remain irrevocable for all times to come. But, in case the Trustees so decide unanimously that they may hand over the corpus of the Trust to any other Trust or Instit ution or a Society registered under the Societies Act, having identical or similar objects, they may transfer the assets and liabilities of the Trust to such other Institution on such terms and conditions as the Trustees may think to impose.

19. IRREVOCABLE TRUST

It is hereby declared that the Trust shall be an irrevocable trust for all times to come, so however, in case the Board of Trustees so decided unanimously, they may hand over the corpus of the Trust fund to any other Trust or Institution or Society having identical or similar objects and purpose or to the Government and thereafter the Trust Fund shall be owned and managed by such Trust, Institution, Society or Govern ment accordingly.

As per the original Trust Deed No.530/1 dated 07-05-1999 of SRO, Kavalayoor the Trustee NIBU BASHEER has given a total sum of Rs.26,000/- as Trust Corpus fund. Now the trust has RS.50,000/- as its Trust Corpus fund.

his witness whereof the Trustees have here unto set and subscribed their respective hands on the day, month and year here-in-above writt centand at the premises of the registered office mentaned above,

1. ABUBECKER BASHEER ____ COMMINICATE SHURAHBASHEER

5.NAZAR ABDUL SALAM

which comes under the jurisdiction of the Sub-Registrar office, Kavala your in Thiruvananthapuram District with an intention to register at Sub-Registry office, Kavalayoor.

on Market BASHEER 1.ABUBECKER BASHEER 4.REHNA SHINE 5.NAZAR ABDUL SALAM Witness

(1)SHAHIDHA BEEVI, W/O E.A. KHADAR, NEW AEP BUILDING, THOTTIKALLU, PERUMKULAM P.O

(2)N.I. IBRAHIM KUTTY, S/O ABDULLA KUTTY, ATTINGA L FINANCE BUILDING, GOX.COLLEGE RAOD, ATTINGA L, ATTINGAL P.O

The Document prepared by TDA/883, AJITH PS, S/O PURUSH OTHAMAN NAIR, AJITH BHAVAN, CHENCHERIKONAM, ALAMCODE P.O John

This document is computer printed. Note of correction. Nil

1, on mmn 3. THAHIRA BASHI 1.ABUBECKER BASHEER

3.NIBU BASHEER

ZAR ABDUL SALAN

4.REHNA SHINE