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उत्तर प्रदेश UTTAR PRADESH



15 MAR 2019
 शाहगंज, जौनपुर
 SAC 204426
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**AMENDED DEED OF DECLARATION OF
 BARLAS FOUNDATION**

This Deed of Trust originally in the name of Barlas Family Welfare Trust made on 05/01/2016 and registered at Zild No. 18, Page 167 to 220 by Sub Registrar Shahganj Jaunpur U.P. and amended on 13th March 2019 as " Barlas Foundation (Previously Known as Barlas Family Welfare Trust) and is registered at Zild No. 30, Pages 333 to 386 at Serial no. 27 on 18/03/2019 Now Further amended by Barlas Foundation by its Trustee Mr. Mirza Azfar Baig S/O Late. Mirza Anwar Baig R/O H.No. 19 Mohalla Iraquiana Shahganj Dist-Jaunpur U.P. India Adhar No. 497881197317 (Here in after referred to as the Settlor and First Trustee which term Where ever the Context requirs or admits. It shall Mean executors, administrators and assigns)

On 27/03/2019 this Amended is made due to topographical and clerical mistake done in amended deed Registered on 18th March 2019.

Where it is being increasingly recognized that national prosperity is primarily a function of education and health and the Government of India and State Government have shown active awareness of this important problem and are encouraging the development of education and health.

WHEREAS THE SETTLOR above named has been desirous and keen to serve mankind in general and thus a Foundation is created to develop the education field and in health considering that it is expedient to make formal Trust for developing infrastructure service for providing Health services(Hospital) and the Primary Technical & Higher education, Technical courses and various allied Social welfare activities.

Whereas the SETTLOR Trustee constituted a sum of Rs.10,000/- (Rupees Ten thousand only) Corpus of the Foundation Fund together with all the contributions, addition, accumulations and accretions to the said money and the conversion thereof and investments in which the same may from time to time be invested all other movable and immovable properties and assets that may from time to time be vested in the trustees or be received by them by way of



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donations or otherwise or acquired by them or may come into their hands by virtue of these presents or by operation of law or otherwise how ever in relation to the foundation hereby created.

And where as with a view to and for the purpose of constituting the Foundation permanently as an irrevocable Foundation for the purpose of carrying on the objects of the Foundation as mentioned here after under the object clause of this deed of Foundation it is now considered desirable that for the purpose of creation of this charitable Foundation, the declaration of trust, which is created under article 30(1) of the constitution of India, be made in writing the manner set out here under.

THIS INDENTURE WITNESSES AS FOLLOWS

1) The name of the Trust shall be "BARLAS FOUNDATION"

2) REGISTERED OFFICE

The registered Office of the Trust shall be-situated in the state of Uttar Pradesh. The present address of the Trust shall be at Mohalla-Imranganj, Shahganj, Dist. Jaunpur, U.P. India with the power given to the Trustees to shift the same to any other place as they may mutually agree upon

3) AIMS AND OBJECTS

3.1.1 To Construct, Run, Manage, supervise and acquire of Schools, Colleges, Education Institutions, Training Center, learning center, Poly Technique School, Skill development Center, ITI etc. for the benefit of the public.

3.1.2 To construct, run, Manage, supervise and acquire of Hospitals, free dispensaries, Medical Center, Arogya Dharm Centers for poor feeding and homes for the old aged people in India and Abroad.

3.1.3 To promote, educate, Train and develop to people of India for information and Communication Technology, E-Learning, Digital Technology and their use in society, Self Employment Training Center(professional and Hi-tech) for elimination of unemployment among the people of the country .





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- 3.1.4 To promote better understanding National interiority, cast less society, save daughter, elimination of difference of Male & Female Sex and harmony among various regional linguistic and religious groups of the country and of the world.
- 3.1.5 To Establishment, conduct, maintenance of clinical laboratories, Medical College, Nurse Training center, Diagnostic Center, Para medical learning center etc. and institutions of similar nature and providing financial assistance to the deserving persons for medical treatment.
- 3.1.6 To Construction and running of Schools, Colleges, Educational Institutions, for the benefit of the public.
- 3.1.7 To establish boys, girls; and/or Co-educational institutions like schools, colleges, polytechnics, IIT etc. for imparting instructions in formal, technical and professional education any where in India.
- 3.1.8 To promote facilities for the learning and education particularly among the SC/ST women, minorities and weaker sections.
- 3.1.9 To provide a platform for people of various points of view for debating upon the aspects of poverty, education, welfare, human development and economic development.
- 3.1.10 To grant scholarships to deserving students, Granting of financial assistance to any educational institution for providing scholarships, prizes, medals, awards for excellence in studies, sports and scientific research, distribution of books and note books for poor and deserving students.
- 3.1.11 To give loans to deserving persons to help them settle in life on such terms as the Trustees may think expedient.
- 3.1.12 To extend monetary aid to the poor, destitute sick and disabled persons, orphans, widows and people in distress.
- 3.1.13 To establish, maintain, support or contribute to institutions or provide fund to carry out the relief in general to people who are poor and are in distress, and in particular to

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hospitals, Community Centers, Dispensaries, Asylums, Orphanages, Dharamshalas, Musafir khanas or other such charitable institutions provide that such activity shall be carried on no profit and no loss basis.

- 3.1.14 To work for prevention, awareness and removal of all kinds of diseases and educate people for population and provided necessary help both monetary & non-monetary.
- 3.1.15 To assist/financial assistance to the policy makers, national and international funding agencies, bilateral and multinational development institutions in charting out of the investment and expenditure strategies for alleviating poverty and augmenting human development.
- 3.1.16 To organize seminars, workshops, conferences in all the priority areas mentioned above and to Act for green India and removal of pollution by any manner.
- 3.1.17 To collaborate and co-operate with the institution and organizations having similar aims and objects, Providing for or contributing to education and scientific research and development.
- 3.1.18 To Receive monetary and non-monetary aid from any Govt./Funding agencies/Semi Govt./Non Govt. Organization/Corporation/Limited companies/any Govt. Body or Public Sector Undertaking for attainment of all or any aid and object of the trust.
- 3.1.19 To act as a social worker for providing all kinds of help and consultancy to each citizen of India which require to maintain National integration so that disturbed person may come in to main stream of our country as pointed in the Indian constitutions.
- 3.1.20 The trust will not carry out any activities with the intention of earning profit and will perform with service motive only.
- 3.1.21 To do all work relating to solar mission like education, publicity, technical knowledge how, sell and purchase of solar equipment and accessories in India.



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- 3.1.22 To do all relevant activities and works for Skill India, Smart up Project, Literate India, Stand * up Project, Make in India, Green India etc. as per guidelines issued by government of India and State Government.
- 3.1.23 To work for Small scale Industries to generate employment and removal of all kinds of hurdles for MSMEs in India.
- 3.1.24 To do all work for promotion of Family Planning, control of Birth and Population in India.
- 3.1.25 To carry on such further charitable objects of General public utility as are compatible or in consonance with the objectives of the Trust.
- 3.2.0. FUNCTIONS**
To achieve the above mentioned objectives the BARLAS FOUNDATION shall carry out the following functions:
- 3.2.1 To arrange marriages of weaker section of people including of country communities and class whether in groups or individuals.
- 3.2.2. To arrange for health camps, awareness programs and other medical facilities to weaker peoples in villages and other part of the country.
- 3.2.3 To establish and run schools, colleges and institutions for imparting education through such media as may be desirable.
- 3.2.4 To conduct training and tutorial courses.
- 3.2.5 To raise funds and mobilize resources for achieving the objectives as mentioned in 3.1.
- 3.2.6 To acquire by purchase, lease, gift, grant, legacy, bequest, exchange, develop or otherwise from a person/company, government or institution what soever and to hold all parts of the movable or immovable properties of all descriptions.
- 3.2.7 To maintain deal with, and manage the said movable and immovable properties.



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PROPERTIES:

The Trust properties shall consist of:

1. The amount transferred by the SETTLOR as mentioned above, towards the Corpus fund of the Foundation.
2. Any cash, kind, properties, movable and immovable that may be acquired by purchase or otherwise or all manner of rights, title or interest in or over any property movable or immovable.
3. All additions and accretions to the Foundation properties and the income there from.
4. All donations, gifts, legacies or grants, in cash or kind accepted by the Trustees upon Foundation.

The properties of the Foundation shall be utilized for the objects set forth here in above and subject to the provisions and conditions here in mentioned.

1.0 RULES AND REGULATIONS

- 1.1 These rules and regulations shall be called the Rules and regulations of BARLAS FOUNDATION here in after referred to as FOUNDATION.
- 1.2 The name of the TRUST shall be BARLAS FOUNDATION.
- 1.3 The Registered Office of the FOUNDATION shall be situated in State of Uttar Pradesh. The present address of the Foundation shall be Village- Imranganj, Shahganj, Dist. Jaunpur, U.P. India which may be changed by the Board of Trustees from time to time according to the necessity of the Foundation.
- 1.4 Wherever referred under these rules, Trust shall mean BARLAS FOUNDATION.

2.0 AIMS AND OBJECTS

The aims, Objects and Functions of the BARLAS FOUNDATION shall be the same as those contained in the aims and objects mentioned earlier in 3.0 above.

3.0 BOARD OF TRUSTEES

The authority to manage and conduct the affairs of the Foundation shall vest in the Board of Trustees The, Board of Trustees shall consist of Minimum **Two and**





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maximum of Five members from amongst the Trustees.

The Board of Trustee shall consist of Permanent Trustee who shall be also called executive Trustee and shall have voting right in any matter of the Foundation. The Foundation may appoint non-executive Trustee but they shall have no voting power and shall provide consultancy to Foundation on their field of specialization only.

3.1 PERMANENT/EXECUTIVE TRUSTEE


The TRRUSTEES named above shall be the first and permanent trustees and have given their consent to be appointed as the trustees and as token therefore, they have set their hands to this instrument. Permanent/Executive Trustee shall be only blood relation of the SETTLOR only if any clause have different meaning then this clause shall supersede any clause of this deed.

3.2 NON EXECUTIVE TRUSTEE

Permanent Trustee may appoint Non executive trustees if they deem fit to run the trust. The tenure of non-executive trustee will be for one year and they shall be re-appointed for second year and their tenure may be up three years be re-appointment. No personal shall be re-appointed if he/they have hold position ,or three years continuously it means one year gap is compulsory for re-appointment of non-executive trustee. They shall be experienced person in the field of education, science, accountancy, management, administration, technical, rural economy, agriculture or social work and shall not have voting right in the Foundation.

3.3 NUMBER OF TRUSTEES. THEIR TERM AND POWER TO CO-OPT.

The Foundation will be managed by a Board of Trustees consisting of not less than two and not more than five executive trustees and seven non executive trustees. The total number of Trustees shall not exceed the number twelve. The SETTLOR and the name given in this deed will be First/permanent Trustee and they shall automatically form the Board of Trustees.





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The terms of office of the First executive Trustee shall be for their life time. The Board of Trustees shall have no power to increase the total number of Trustees as mentioned above contained here in.

Any Trustee, including the Managing Trustee may retire from the Trusteeship hereof by giving one calendar on this notice in writing of is or her intention to do so, to the Board of Trustees and after the expiry of the period of notice, the Trustee giving the notice shall if so facto cease to be a Trustee of these presents.

Any vacancy caused by death of any one of the First or executive Trustees, or any vacancy caused by the resignation of any of the Trustees, may be filled up by co-option by the Board of Trustees.

The Trustees who are not First Managing Trustee or First executive Trustees shall hold office for a period of one year from their date of appointment by the Trustees. At the end of this one year period, the Board of Trustees may re-appoint them for subsequent term or appoint other persons as Trustees in such a manner that the total number of Trustees does not exceed the approved minimum number of Trustees.

The Managing Trustee shall have be power to remove a Trustee suffering from physical or mental disability or if he/she is accused of misappropriation of Trust funds or property or misconduct, after satisfying himself on enquiry and such action of the Managing Trustee shall be final.

The proceedings of the Board of Trustees shall not in any way be invalidated due to any post or posts remaining vacant.

When a vacancy is yet to be filled up, the remaining Trustees shall act as "Full Board" subject to the presence of Quorum in the meetings. Any vacancy in the Board of Trustees or illegality in the appointment of Trustees or their proceedings shall not invalidate any prior act or decision of the Board.

3.4 QUALIFICATION OF TRUSTEE

Following persons shall not be appointed as Trustees or shall disqualify





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- a) Any person who has been declared as bankrupt
- b) A person who has not attained age of 18 years
- c) An unsound mind person

3.5 APPOINTMENT OF TRUSTEES

If and when the Trustees of THESE PRESENTS die or/and desire to retire or refuse to or become incapable to act in the Foundation or take the benefit of insolvency law for the time being in force or become of any unsound mind or bankrupt or insolvent or otherwise be disqualified by operation of law or, if any trustee without leave or absence remains absent from three consecutive meeting of the Board of Trustees, then in every such case it shall be lawful for the surviving or continuing trustees for the time being of THESE PRESENTS to appoint new Trustee or trustees in place of the Trustee or Trustees so long as desiring to retire or refusing or becoming incapable to act or taking the benefit of the insolvency law or failing to attend three consecutive meeting of the Trustees without leave given and upon every such appointment or vacancy, the number of trustees for the time being of THESE PRESENTS shall accordance to minimum and maximum no given supra

3.6 REMOVAL OF TRUSTEE

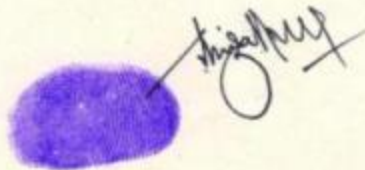
Any trustee who is not qualified by Para 3.4 and 3.5. Stated above automatically shall be removed from Board of Trustee and Board shall send a letter with reason. If any person other than 3.4 and 3.5 above does not act as a good trustee and he is damaging object of Foundation or his intention is found against Foundation by any manner then he shall be removed from Board of Trustee by the majority of Trustee.

3.7 PATRON:

Persons of eminence in public life may be invited as patrons/guardian of the Foundation by the Board of Trustees.

3.8 LIABILITY OF FOUNDATION:

The trust shall not be liable for any activities of members of Trustees which are related to their personal nature or those activities that are not done for the benefit of foundation.





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4.0 BOARD OF GOVERNORS/EXECUTIVE COUNCIL

The Board of Trustee may constitute Board of governors or Executive council for administration and for working of any institute.

The right and responsibility shall be decided by Board of Trustee.

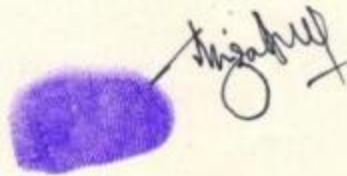
5.0 OFFICE BEARERS OF THE BOARD OF TRUSTEES

5.1 The Board of Trustees of the FOUNDATION shall have the following Office Bearers:

i	Chairman	1(One)
ii	ViceChairman	1(One)
iii	Secretary	1(One)
iv	Vice Secretary	1(One)
v	Treasurer	1(One)

All above three Office Bearer shall be chosen from the Executive Trustees and if any executive trustee is not interested by any reason or short in number then Treasurer may be appointed from Non-executive Trustee only.

The SETTLOR/Managing Trustee will be President of Board of Trust till his life time and other executive trustee shall be other office bearers till his life time or they may elect by Board of Trustee as other office bearer. If any post arises vacant by any reason the successor or managing Trustee shall be also permanent trustee after he death or retirement. If





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they are eligible and not debarred by any law time being force and shall retain the post of managing trustee.

The First office bearer of Board of Trustee will be as under:

S. No.	Name	Address	Occupation	Designation
1	Mrs. Kahkashan Khan D/o Late. Asim Khan	H.No.19 Mohalla Iraqina Shahganj, Jaunpur, U.P.	Service	Chairman/Settler Trustee
2	Mr. Altamas Barlas S/o Mr. Mirza Azfar Baig	Sharda apartment R- Block, flat No.501, GomtiNagar Extension, Lucknow, U.P.	Business	Vice Chairman/Settler Trustee
3	Mr. Mirza Azfar Baig S/o Late. Mirza Anwar Baig	H.No.19 Mohalla Iraqina Shahganj, Jaunpur, U.P.	Business	Secretary/Settler Trustee
4	Mrs. Sara Barlas D/o Mr. Mirza Azfar Baig	Sharda apartment R- Block, flat No.501, GomtiNagar Extension, Lucknow, U.P.	Student	Vice Secretary/Settler Trustee
5	Mr. Arslan Barlas S/o Mr. Mirza Azfar Baig	H.No.19 Mohalla Iraqina Shahganj, Jaunpur, U.P.	Business	Treasurer Trustee



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- 5.2.1 The Board of Trustees, in its own wisdom, may create any other office/post by what ever name it may call on such terms and conditions as may be decided by Board of Trustees from time to time.
- 5.2.2 The NON executive post shall be filled by Board of Trustee as per need and requirement of trust. The first Non-executive Trustee will be as under:

S. No.	Name	Address	Office post
1	Mirza Afzal Baig	Sabrahad Shahganj, Jaunpur, U.P	Non Executive Member
2	Shajra Barlas	-DO-	-DO-
3	Abdul Munim Khan	Bindawal Jairajpur, Azamgarh, U.P.	-DO-
4	Abdul Rahman	Bindawal Azamgarh U.P.	-DO-
5	Shahid Ahmad Khan	Bindawal Jairajpur, Azamgarh, U.P.	-DO-

6.0 POWERS AND DUTIES OF THE OFFICE BEARERS

- 6.1.0 Chairman (Managing Trustee): In addition to discharging normal duties of the trustee the Managing Trustee shall president over meeting of the Board of Trustees. He is authorized to sign all documents, including bank documents, acknowledgements for the contributions received and agreements with individuals, Government Institutions





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- and other organizations, on behalf of the Board of Trustees. He shall have all the residuary powers, not explicitly assigned to any of the other officers in these present.
- 6.1.1 To ordinarily president over and conduct the meetings of the Board of Trustees and endorse the proceedings.
- 6.1.2 To approve the agenda for the meeting of the Board of Trustees and to adjourn or postpone meeting in accordance with the rules, as well as to permit the holding of extra ordinary meetings.
- 6.1.3 To exercise casting vote
- 6.1.4 To supervise the affairs of the institutions run under the BARLAS FOUNDATION.
- 6.1.5 To exercise and perform all such power and duties as may be conferred on or vested in him by the Board of Trustees from time to time.
- 6.3.0 Secretary**
- 6.3.1 The Secretary shall be the Chief executive Officer of the BARLAS FOUNDATION. He shall discharge his duties and exercise power subject to the orders, Directions control and superintendence of the Board of Trustees. He shall conduct all official correspondence under his signature and he shall have supervisory powers over all the institutions of the Trust and shall have powers of visiting the institutions as and when necessary for discharging his duties.
- 6.3.2 He/She shall convene all meeting of the Foundation on due dates and give intimations thereof to the members in time under the supervision and direction of the President.
- 6.3.3 He/She shall prepare the agenda of a meeting under the directions of the President and shall record on minutes of all proceedings of meeting under direction of President
- 6.3.4 To supervise the affairs of the institutions run under the BARLAS FOUNDATION.
- 6.3.5 To exercise and perform all such powers and duties as may be conferred on or vested in him by the Board of Trustees from time to time.





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- 6.3.6 To purchase, sale, mortgage, transfer any property in the name of foundation for the purpose and attainment of the object of the foundation.
- 6.3.7 It shall be his duty to see the proper accounts are kept and documents prepared as per rules of all the incomes and expenditure.
- 6.3.8 To get the accounts audited by the Chartered Accountants approved by the Board of Trustees.
- 6.3.9 He/She shall operate Bank(s) accounts relating to the BARLAS FOUNDATION, severally or jointly with the President as agreed in Boards meeting.
- 6.3.10 The Secretary will in every meeting submit the report of the working of the foundation and its units along with a detailed statement of receipts and expenditure and cash and bank balance for the consideration by the foundation. He/she may also delegate his/her power to officials of foundation from time to time.
- The Secretary shall be also responsible for the day to day administration activities of the Foundation. The Secretary shall deal with correspondence received by the Foundation, send replied in consultation with the Managing Trustee, Vice President and/or the Treasurer where necessary. He/She is responsible for the safe custody of all the properties and records of the Foundation. The secretary shall represent the trust in all legal matters, sign the papers, related to legal cases, attend to courts or represent the Foundation in government offices.

6.4.0 Treasurer

The Treasurer shall be responsible

- 6.4.1. To keep the funds and the books of accounts of the BARLAS FOUNDATION in safe custody and to keep the funds in reputed bank approved by the Board of Trustees.
- 6.4.2 To receive all grants, contributions, donations and subscriptions of the BARLAS FOUNDATION and issue proper receipts
- 6.4.3 To make all payments and procure vouchers and receipts

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- 6.4.4 To obtain prior approval of the Board of Trustees for payment of the amounts not already provided in the Budget. Provided that in case of emergency, he/she may make payments of not exceeding Rs.5000/- in consultation with the President or the Secretary and report the matter in the next meeting of the Board of trustees and obtain its approval.
- 6.4.5 To administer and control the finance of the BARLAS FOUNDATION within the provisions made in the budget.
- 6.4.6 To maintain proper accounts of all funds and to prepare budgets.
- 6.4.7 To keep proper accounts and records of all the financial transactions and place them before the Board of Trustees meetings.

FOUNDATION ADMINISTRATION AND POWER TO THE BOARD

- A. The Board of Trustees shall have power to
1. To administer the Foundation, its properties and affairs and do all the things which will fulfill the performance of the objects for which the Foundation is established and for this purpose the Board can apply the whole or any part of the Foundation property towards the payment of the expenses of the foundation.
 2. The income and the properties of the foundation will be solely utilized towards the objects of the Foundation and no portion of it will be utilized for payment to the SETTLOR or Trustees or their relatives by way of salary allowances, profit, interest, dividend etc.
 3. To open one or more bank accounts and operate the same or provide for operation of the accounts by any two among them authorized on their behalf.
 4. To invest the Foundation funds in the manner not prohibited by any provisions of the Income Tax Act, 1961
 5. To buy, sell, mortgage, grant, lease, hire or other alienate all or any of the properties of the foundation in its discretion for adequate consideration.

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6. To execute power of attorney to any person for the purpose of executing, administering or managing the whole or any part of the Foundation for the purpose of all or some among the objects of the Foundation.
7. To borrow money with or without security and to repay the same.
8. To receive collect and enforce recovery of all monies due or payable to the Foundation and grant receipts and discharges therefore.
9. To settle, compromise or compound any disputes or refer the same for arbitration or litigation.
10. To receive voluntary contribution from any person or persons from India or outside, after complying with the statutory formalities by way of donation, Gifts or in any other manner and to hold the same upon Foundation for the objects set forth here in.
11. To appoint, suspend, dismiss or otherwise deal with the staff required for the administration of the Foundation, to frame rules relating to their salaries and other benefits and generally to exercise all power ancillary and incidentally to effectively carry out the objects of the Foundation.
12. The Board shall have power to make and rescind rules and regulations for the management and administration of the Foundation.
13. No Trustee shall commit any act or breach of Foundation of the Foundation fund of property or cause any loss to the Foundation property or commit fraud in the administration of the Foundation fund/property.
14. The Trustees shall hold honorary office and shall not be entitled to any Salary allowances or perquisites, except for the reimbursement of actual expenses incurred in connection with attending to the Foundation matters.
15. The Board of Trustees will follow the instructions given by any donor who makes substantial contribution towards furtherance of the objectives of the Foundation, so





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long asuch instructions are not detrimental to the attainment of the objects of the Foundation and are in conformity with the provisions of the Income tax act, 1961.

16. The Board of Trustees shall have the power to invest the funds, assets and properties of the Foundation at their discretion in accordance with the provisions of the Income Tax act,1961.
17. The Board shall also determine from time to time the amount it shall spend on the various activities of the Foundation.

B. Roles and responsibilities and Powers

The Roles, Responsibilities and powers of all these officers is defined below in addition to these, the Managing Trustee may grant additional roles, responsibilities and powers to any of the Trustees.

MEETING OF THE BOARD OF TRUSTEES:

The Board of Trustees should meet at least once in every calendar quarter and may meet more often when required.

- 1) The meeting of Board of Trustees shall be convened by the Managing Trustee and he shall preside over the meetings. In his absence, the managing Trustee may authorize the Vice-President to be the Chairman of such meetings. In the event of the Managing Trustee or Vice President are not able to attend the meeting already convened, any of the Trustees present in the meeting may elect one amongst themselves to be the Chairman of the meeting.
- 2) One half of the Board of Trustees or a minimum of two Trustees, whichever is higher, shall constitute the quorum FOR THE Board of Trustee meetings.
- 3) All decisions shall be carried out by the majority decision of the Board but in the event of equality of votes, the Chairman presiding over the meeting shall have a casting vote.





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- 4) any resolution in writing signed by all the trustees by circulation shall have equal force as though it has been passed at a meeting of the Board of Trustees.
- 5) The meeting of the Board shall be conveyed after giving at least a week's notice unless all the Trustees agree to accept a shorter notice.
- 6) The Board of Trustees may invite other person's interest in the objects and functioning of the Foundation to attend the meetings of the Board, but they shall not be entitled vote in the meetings of the Board.

7.0 Meetings

There will be two types of Meeting in the Foundation namely Annual General Meeting and Extra ordinary General Meeting and Management Committee Meeting.

7.1.1. Annual General Meeting:

The BARLAS FOUNDATION shall each year hold in addition to any other meeting a General Meeting as its Annual General Meeting and shall specify the meeting as such in the notice calling it. The gap between the two Annual General Meeting shall in no case exceed 15 months provided the BARLAS FOUNDATION might hold its first Annual General Meeting within a period of not more than 18 months from the date of its registration.

7.2.0 Extra Ordinary General Meetings

- 7.2.1 The president of the BARLAS FOUNDATION shall, on the requisition of such member of the Trust, as specified below, forth with proceed to call the Extra Ordinary General Meeting of the BARLAS FOUNDATION.
- 7.2.2 The requisition stating clearly the matter for the consideration of which the meeting is to be called, shall be signed by the requisitions and shall be submitted at the registered office of the BARLAS FOUNDATION. The number of members entitled to





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requisition such meeting shall not be less than 25% of the total strength of the Trustees or Three whichever is less.

7.2.3 Where two or more important matters are specified in requisition, the provisions of the above clause shall apply separately in regard to each such matter, and the requisition shall accordingly be fulfilled in respect of those in regard to which the condition specified in sub-section is fulfilled.

7.2.4 If the President does not, within 21 days from the date of submission of valid requisition in regard to any matter, proceed to call the meeting for the consideration of those matters on date not later than 45 days from the date of submission of the requisition, the meeting may be called by the requisitioners themselves.

7.2.5 The requisitioned meeting shall be convened and conducted in the same manner as is practiced for the annual meetings.

7.3.0 Management Committee Meeting

This type of meeting will be of routine nature for smooth running of the trust. These meetings will be held minimum at quarterly but may be called any time by the management committee. Four number of meetings in a year will be minimum but there will be no limit for maximum number.

7.4.0 LENGTH OF NOTICE FOR CALLING THE MEETING

7.4.1 The General Meeting of the BARLAS FOUNDATION may be called by giving a notice of not less than 21 days in writing and meeting management committee not less than three days.

7.4.2 In case of emergency, the meeting can be called after giving shorter notice at the sole discretion of the President and in his absence by the Vice President.





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7.50 **MANNER OF SERVICE**

7.5.1 Every notice of the meeting of the BARLAS FOUNDATION and the Affiliated Units shall specify the place, date and hour of the meeting and shall contain the agenda to be transacted there at.

7.5.2 Notice of every meeting shall be sent at the address available in the records of the BARLAS FOUNDATION by post, by Hand or By E-mail, to all the members entitled to attend such meeting

7.5.3 Inadvertent omission to give notice, or non-receipt by any members, to that it should have been given shall not invalidate the proceeding of the meetings.

7.60 **QUORUM OF THE MEETINGS:**

7.6.1 Minimum 50% of the total number of the members of the Board of Trustees/Sub committees, as the case may be, shall be quorum of the meetings.7.6.2 If within half an hour of the appointed time for holding the meeting the quorum is not present, the meeting

7.6.3 In case of AGM:

i If called by requisition of members, shall stand dissolved.

ii In case of normal meetings shall stand adjourned to the same day of the next week, or such other day/date or time as the members present or the Board of Trustees may determine.

iii If at the adjourned meeting also there quorum is not present within half an hour from the appointed time of meeting the members present shall form the quorum.

7.70 **CHAIRMAN OF THE MEETINGS**

7.7.1 The President shall be the Chairman of the meetings.





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7.7.2 In the absence of the Chairman, Secretary President shall chair the meeting and in his absence the Trustees present at the meeting shall elect chairman from amongst themselves.

7.8.0 VOTING

7.8.1 At any general meeting, the resolution put to vote shall, unless poll demanded, be decided by show of hands. Provided that Patrons and on executive members would not be entitled to vote in meeting. The declaration by the Chairman that on a show of hand a resolution has or has not been carried either unanimously or by particular majority and an entry to that effect in the books containing the minutes of the proceeding of the BARLAS FOUNDATION shall be conclusive evidence of the fact without proof of numbers or proportion of the votes cast in favor of or against such resolution.

7.8.2 Before or on declaration of result of the vote on any resolution by show of hands, the poll may be ordered to be taken by the Chairman of the meeting. If 40% members present in the meeting demand the same.

8. SUB COMMITTEES

The Board of Trustees may constitute Sub-committees for special purposes or separate Management Committees for its institutions. The Secretary or one of the members of the Board of Trustees nominated by it shall be Convener of such committee. However, the President shall have the power to constitute such committees to meet unexpected need and situation subject to ratification by the Board of Trustees at its next meeting.

9. INDEMNITY

Every member of the Board of Trustee, sub-committees and other officers of the FOUNDATION and its institution\$ shall stand indemnified by the office of the FOUNDATION of losses and expenses incurred in the discharge of their official





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duties lawfully in good faith in the interest of the BARLAS FOUNDATION/affiliated units and institutions.

10.LEG% PROCEEDINGS/DOCUMENTS

The Secretary or any other person who the Board of Trustees of the FOUNDATION authorized shall represent the FOUNDATION in all legal proceedings by or against the BARLAS FOUNDATION affiliated units or institutions.

11.ANNUL REPORT

The Secretary shall prepare the annual report on the working and progress of the BARLAS FOUNDATION/affiliated units and institutions and shall place before the Board of Trustees for its approval.

12.ACCONTING YEAR

Financial year shall be accounting year of the BARLAS FOUNDATION and its institutions but it may change by management of trustee by 3/4 majority but if Central Govt. has changed financial year than any notification by Central Govt. will be applicable to BARLASFOUNDATION also.

13.ACCOUNT AND AUDIT OF ACCOUNTS

The account of the BARLAS FOUNDATION and other institutions for the year shall be audited by a Chartered Accountants approved by the Board of Trustees. The income and expenditure account and the balance sheet for each year, duly certified by the Chartered accountants shall be laid in its Annual General Meeting for approval.

14.INCOME AND APPLICATION OF INCOME AND PROPERTY

Income and profits of the FOUNDATION in whatever manner derived shall be utilized to achieve and promote the objectives of the FOUNDATION as specified in the Aims & Objectives of the Foundation. No portion thereof shall be paid or transferred directly or indirectly by way of dividend, profits and bonus or otherwise to the Trustees, provided that nothing here in shall prevent payment in form of

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remuneration to any Trustee in return for any services actually rendered by him/her to the FOUNDATION.

15. BANK ACCOUNT

15.1 The Bank account(s) shall be opened in such of the Bank(s) as may be approved by the Board of Trustees and the same shall be operated General Secretary severally or jointly with President s decided in the meeting of Management Committee.

15.2 However, a separate account in any bank can be opened for day to day expenses which shall be operated by either Secretary or Treasurer. But any single payments shall not exceeding Rs.5,000.00 or Rs.50,000.00 in a year to any single party/group and sufficient fund shall be transferred from Main Bank account as per clause 15.11 to this account after approval of Board.

16. AMENDMENT OF FOUNDATION

Whenever it shall appear to the BOARD OF TRUSTEES of the FOUNDATION that it is advisable to alter, extend or abridge such purpose, or have other purposes within the meeting of the Memorandum of Association or to amalgamate the BARLAS FOUNDATION the wholly or partially with any other TRUST , BOARD OF TRUSTEES may submit the proposition to the members of the FOUNDATION in a written or printed report and may convene special meeting for the consideration thereof, according to the Rules and regulations of the BARLAS FOUNDATION Provided no such proposition shall be carried into effect unless the same has been sent to all the members of the BARLAS FOUNDATION at least 21 days before the said meeting and 4/5 of the members present in the meeting convened for the purpose have voted for such proposition.

17. AMENMENTS TO RULES AND REGULATIONS

1) While this Foundation shall be irrevocable, the rules and regulations may be amended by alternation, addition and substitution or otherwise at a meeting of





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General Body by a resolution passed by majority or not less than $\frac{1}{4}$ members present at the meeting called for the purpose. Notice to the proposed amendment/amendments should be circulated to the members at least 21 days before the meeting of the General Body. The amendments to the foundation deed can only be passed by a resolution of the Board of Trustees in an actual meeting and not by circulation.

- 2) If any alteration or amendment is necessary, the same shall be effected through either resolution of board of trustee by $\frac{3}{4}$ majority or supplementary deed/deeds approved by board of trustee as per.
- 3) Legal requirement for any law time being force in India and these shall be read together with the main Foundation deed.

18. BORROWING POWER

- 18.1 The Board may take any loan/financial assistance from any bank, financial institution, NBFC etc. secured or unsecured for attainment of object of Foundation and entire amount shall be utilized.
- 18.2 For the purpose for which it has taken. The permanent/executive trustee shall be authorized to execute any documents for availing loan and mortgage any properties of foundation on behalf of Foundation. The Board of trustee may authorize any office bearer for execution and mortgage of properties also to avoid presence of all members before the bank in this case. Bank shall send a letter for confirmation by registered post. The non-executive trustee shall not be liable to execute any documents of bank because of their tenure is /are rotational and on executive. The personal guarantee of office bearer of bank shall be optional and will not be in forced.

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18.3 The properties of Foundation can mortgage for loan in the name of any executive trustee if a resolution have been passed by 3/4 majority of board of trustee and also it is in the interest of the foundation.

19. **ARBITRATION**

In case of any difference of opinion regarding the affairs of the Foundation the unanimous decision of Managing Trustee ad any two executive members of the In case of any difference of opinion regarding the affairs of the Foundation the unanimous decision of Managing Trustee ad any two executive members of the Board of Trustees shall be final.

20. **DISSOLUTION**

Members not less than 4/5 of persons present in a meeting convened for the purpose may determine that the BARLAS FOUNDATION shall be dissolved either forthwith or at any future time agreed upon at the meeting. In the event of dissolution of the Foundation, the entire Foundation funds shall be realized and first be used for payment of liabilities of the Foundation. The assets left if any, shall be disbursed to other Foundations or associations having similar objectives after obtaining previous approval of Commissioner of Income Tax and in no event it shall be distributed in any manner to any of the Board of Trustees or their relatives or related concerns.

21.0 **ASPLICABILITY OF FOUNDATION ACT**

The provisions of the Indian Foundation Act 1882 shall apply to all matters not specifically mentioned in these presents.

22.0 **APPLICATION OF INCOME TAX ACT**

All clauses here in are intended to secure exemption from Income Tax on the income of contributions and donations to the Foundation and any clause or portion of this Deed of Foundation which is in consistent with or repugnant to the sections of the



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Income Tax Act 1961 as amended, substituted or modified from time to time shall be deemed to be deleted or modified with effect from the date on which the sections to which the clause or part of a clause is repugnant or inconsistent comes into force.

SCHEDULE

At present the Foundation has no property or assets, either movable or immovable, other than the Foundation Fund donated by the settlor, AS DESCRIBED IN THE Schedule below:

Cash contribution to the Corpus Fund of the Foundation of Rs. 10,000/- (Rupees Ten Thousand Only)

IN WITNESS WHERE OF THE SETTLOR AND THE FIRST TRUSTEES here to have set their hands on the day, month and year first above written.

Witness:- *Sugar Yadav*

1- Sugar Yadav
S/o Shri Rajendra Prasad Yadav
Add- Churi Mohalla, Shahganj
Jaunpur U.P.



Mirza Azfar Baig
Secretary/Settler Trustee
Pan No- AACTM9010A

2- *Mr. Narendra Prasad Upadhyay*
Mr. Narendra Prasad Upadhyay
S/o Shri K.K. Upadhyay
Vill & Post- Pachwara, Distt.-Mirza



Prepared by-Dr. V.S. Mishra
Advocate Diwani Court
Varanasi U.P.



पुंटे विनेख 60

इस सं. 2187 स्टाप दिनांक 25/3/19

स्टाप क्रमांक 201900981003323

स्टाप की धन राशि 21682168

16) सुनील कुमार गुप्ता स्टाप विवेता
बही संख्या 4 जिल्द संख्या 31 के पृष्ठ 15 तक क्रमांक
ला 0 नं-403 को रजिस्ट्रीकृत किया गया।
29 पर दिनांक 27/03/2019 को रजिस्ट्रीकृत किया गया।

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर

Shyam Mohan

श्याम मोहन (प्रभारी)

उप निबंधक : शाहगंज

जौनपुर

27/03/2019



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