THIS DEED OF TRUST

 This indenture is made and executed on this 3rd day of February by between Mr. Nilanjan Sil s/o Mr. Himadri Sekhar Sil residing at Nichupara, Ramkrishna Pally, Radhanagar Road, Asansol (m corp.), Barddhaman, West Bengal-713325 (hereinafter called “SETTLER” which expression shall unless excluded by or repugnant the context be deemed to include his heirs, administrators and representatives) of one part and

1. Mr. Nilanjan Sil s/o Mr. Himadri Sekhar Sil residing at Nichupara, Ramkrishna Pally, Radhanagar Road, Asansol (m corp.), Barddhaman, West Bengal-713325

2. Mr. Abhishek Khemka s/o Ashok Kumar Khemka residing at Damohani Bazar, Damohani, Barddhaman, West Bengal - 713334

3. Mr. Kausik Chattopadhyay S/o Mr. Ashok Kumar Chatterjee residing at Goraipara, Dhandadihi, Shyamsundarpur, Barddhaman, West Bengal-713376

4. Mr. Mainak Sengupta s/o Mr. Pinaki Sengupta residing at 1B T-3, Diamond City West, 18 HO-CHI-MINH Sarani, Sarsuna, South 24 Parganas, Sarsuna, West Bengal,700061

(Hereinafter called the “TRUSTEES” which expression shall unless excluded by or repugnant to the context be deemed to include the survivors of them and their successors or the other person or persons for the time being acting as TRUSTEES with respect to the Trust mentioned and referred to in these presents) of the SECOND PART.

**WHEREAS**

The settler is desirous of settling a fund for public charitable purpose for such purpose the settler had made over to the Trustees as initial contribution of Rs. 11,000/- (Rupees Eleven Thousand Only) in cash and the Trustees have accepted the same to be held by them upto the Trust hereinafter mentioned.

The Trustees have at the request of the settler agreed to act as the Trustees of these presents and to hold the said sum of Rs 11,000/- (Rupees Eleven Thousand Only) and the investments for the same and other sums of properties which may from time to time from part of the Trust fund upon the Trust hereinafter declared of and concerning the same NOW THIS INDENTURE WITNESSTH that is consideration of the premises, the settler has transferred and assigned and made over up to the trustees the sum of Rs 11,000 (Rupees Eleven Thousand Only) in cash have and to hold the said sum and investments for the time being representing the same and all other sums or properties that may for the time being from part of the Trust Fund and the income, benefits and receipts there from to the Trustees absolutely and for public charitable purposes mentioned hereunder and with and subject to the powers provisions and declarations hereinafter contained and concerning, the same.

1. NAME OF THE TRUST

The name of the Trust shall be “MARK”

1. RGISTERED OFFICE

The Registered office of the trust will be located at the Wave 519, Purti Aqua,

Land mark - Opp Indian BankCheckPost – Chinar Park West Bengal PIN 700 136

1. AREA OF OPERATIONS.

All over India.

 4. AIMS AND OBJECTIVES

1. This Trust Fund will be utilized in for relief of the poor, education, medical relief, Shelter, fooding and clothing for human and animals , advancement or upliftment of society and there people and for the advancement of other object of general public utility not involving the carrying on of any activity for profit.
2. THE TRUSTEES shall have power to utilize the income and/or corpus of the Trust Fund for all or any of the following purposes.
3. To promote awareness about the protection and welfare of cows, street animals and other species and classes of animals and to maintain environmental balance.
4. To help in the protection, welfare and development of children, women and old people.
5. To establish goshalas, prepare Panchgavya products and create awareness among people about the importance of Panchgava products including milk.
6. Take initiative for participation and implementation of all or any activity(s) authorized by the State or Central Government.
7. To arrange and organize religious, social and cultural programmes for all human being from time to time.
8. To built and/or grant donation to any Temple, Mosque, and Church, Gurudwara, Dhramshalla and other places of worship and / or religious institutions or maintain it.
9. To set up, run and manage nursery schools. Primary schools, secondary and higher secondary schools. Also may establish and run college to .promote true education by cultivation of totality among students.
10. To publish or cause to be published useful literatures, magazines etc. without profit motive.
11. To study, cultivate and demonstrate the art of music and dancing.
12. To promote and encourage advancement of literacy, cultural, spiritual and scientific education.
13. To help and assist the needy *&* poor students of all communities for the progress of studies.
14. To help the aged, sick, helpless and indigent persons in the society.
15. To work for the happiness of the down trodden needy people for their primary needs such as food, cloth, education and shelter etc.
16. To organize ambulance and other medical assistance for free rendering services to the needy patients.
17. To import and develop social awareness among the illiterate women and men by organizing awareness camps from time to time.
18. To open, organize and manage charitable dispensaries , first aid centre, blood donation camps from time to time and to generate awareness among people regarding thalasimia, cancer and HIV/AIDS , STD, TB etc.
19. To promote awareness about environment and to arrange tree plantation in the localities to combat pollutions and beautification of public places, road sides etc.
20. To arrange for medical treatment to the distressed people and those who are physically challenged by rendering qualified doctors, medicines and other allied articles free of cost.
21. To render medical help, assistance to needy persons and to arrange for treatment of such persons by providing allopathic, Homoeopathy, Ayurvedic, Unani or any other mode of medical care and treatment.
22. To open, found, establish or contribute to the maintenance of orphanage, widow, orphan house, poor houses, old age home and other institutions for the welfare of orphans and widows and/or invalid person.
23. To help poor people in marriage, funeral and cremation of the dead.
24. To assist, finance , support for establishment and maintenance of an institution meant for grant of relief to the poor section of the public, advancement of education or including relief and advancement of help in any form for the advancement of education and moral upliftment of the masses.
25. To open, found, establish or finance and/or assist and contribute to the maintenance of hospitals and/or institutions for promotion and/or research and education in medical services including surgery.
26. To distribute clothing, food, to needy.
27. To pay stipend, Scholarship and other activities and to develop institutions for research.
28. To establish, found and maintain library, reading room etc., for the convenience of the public.
29. To open sports center, rest house, parks etc, for the benefits of the general public.
30. To start, maintain and assist in relief measures in those parts of the country which are or became subjected to natural calamity such as famine, flood, fire, earthquake etc.
31. To repair, renovate any charitable property or assist them.
32. To renovate, repair any property or any place or places which are notified by the Central Government to be of the historic and artistic importance throughout any State or States.
33. To sink tube wells and to provide water either through tube wells or by digging well for supply of drinking water and to establish piayous for making available water at places where it is scarce and/or needed. To sink tube wells, arrange for wells, Baweris, water tanks and to make available water by all possible means.
34. To construct Road, High ways, bridges, parks, gardens and/or maintenance and/or grant aid for construction and/or maintenance and/or repairs of the same for the use and benefit of the general Public.
35. To construct dwelling units for economically weaker section for their use and occupation without charging any price for the same.
36. To finance, assist and or provide for promotion of sports in one or several fields.
37. To induct the propagation and improvement of value and ethics in society interalia through arrangement of lectures, discourse meetings etc. to be addressed by eminent and notable persons in different fields.
38. To provide for any efforts and opportunities and facilities in the field of education, scholarship, free studentship and other financial assistance to the students.
39. To grant aid and/or help in the marriages of poor and destitute girls including widows.
40. To render assistance and/or grant aid to the promotion, growth and development of Indian Art and Culture.
41. To support and grant aid to institutions for the welfare of the persons belonging to the schedule caste and schedule tribes backward classes men, women and children.
42. To render assistance and/or grant aid to recognized public charitable trust and/or institution or societies.
43. To acquire, purchase, receive, manage, take on lease any buildings and/or properties of any kind and/or to vary any such investment in such manner as the trustees may think fit and proper.
44. To arrange for protection of animals, birds, to plant trees, to arrangement of improvement of Horticulture, agriculture and to provide research facilities for the improvement of seeds and crops.
45. To accept donations, subscription, contribution, grant subsidies to persons, trust, foundations, organization, society Government, Semi-Government authorities or concerned whatsoever on such terms and conditions as may be thought fit and proper.
46. Promote organic products and holistic health care.
47. Any other object of charitable nature
48. BOARD OF TRUSTEES

The management and control of the Trust and the Trust properties shall vest in the Board of Trustees, which shall comprise of all the Trustees as mentioned in the deed or majority of Trustees. The Board of Trustees shall have power to increase or decrease the strength of board from time to time.

1. The Trustees mentioned above in the Deed of Trust shall hold their office as long as they enjoy the trust of majority of Trustees.
2. The number of trustees shall not be less than two or not more than twelve board of trustees from time to time.
3. The surviving or continuing Trustees may act notwithstanding any vacancy in the body provided however that if the number shall fall below two, the minimum fixed by these presents, the trustees shall not act except for the purpose of filling any vacancy and protecting the trust so long as number is below the said minimum.
4. If any vacancy arises in the office of a trustee for any reason whatsoever, existing trustees shall have the power to appoint new trustees, as they deem fit and proper.
5. CHAIRMAN OF THE BOARD OF TRUSTEES

Shri Nilanjan Sil s/o Mr. Himadri Sekhar Sil shall be the first chairman of the Board of Trustees. In case of any vacancy arises in the office of chairman for any reason whatsoever, the next chairman shall be among the existing trustees selected by the Board of Trustees.

1. CESSATION OF TRUSTEES.

A person shall be ceased to be trustees in any of the following events.

1. If he/she dies.
2. If he/she resigns.
3. If he/she becomes insolvent.
4. If he/she becomes insane or otherwise incapable to act.
5. If he/she retires.
6. If he/she resides permanently out of India.
7. If he/she is requested by 2/3rd of the trustees to vacate.
8. MEETINGS, NOTICES AND QUORUM
9. All meetings of the Board of Trustees will be held at such place as the Trustees may decide from time to time.
10. Notice of the meeting of the Trustees and all other communications may be sent to the Trustees at the respective addresses registered for the time being in the records of the Trust.
11. The quorum shall be of two or one third of the trustees whichever is higher in all the meetings of the Board of Trustees.
12. Any two of Trustees may by a notice in writing convene a meeting of the Board of Trustees.
13. The Trustees shall hold at least two meeting of the board of trustees in given accounting period.
14. Every Trustee shall have one Vote in any meeting and the decision of the board shall be majority. In case of equality of the votes the chairman of the meeting shall have a second casting vote.

1. Any resolution in writing circulated amongst all the Trustees present in India and passed by majority of three-fourth of such Trustees shall be as valid and effectual as if it has been passed at a meeting of the Trustees duly convinced.
2. A minute book shall be kept at the office of the trust for the time being or with such trustee or trustees as the board of trustees may decide wherein shall be recorded the proceedings of the meetings of the trustees and it shall be open to the inspection of the trustees or their authorized agents and representatives.
3. Resolution passed and entered in the minute book on any matter relating to the trust shall be conclusive evidence of the facts and matters duly noted therein.
4. All the trustees shall abide by the decision of the board of trustees whether at the meeting or by circular resolutions and such decision shall be deemed shall to be the decision of each of the trustees severally and jointly.
5. POWER AND DUTY OF TRSUTEES

Every power, authority or discretion hereinafter conferred upon the trustees shall be exercised or signified either by some instrument in writing to be signed by all the trustees or by resolution of majority of the trustees. For the furtherance of the objects of the trust, the trustees shall have the following power.

1. **Power to Appoint Officers and staff.**

The trustees may employee servants, Agents, Attorneys, Lawyers, Auditors, Doctors, Nurses, and contractors for managing the affairs of and the objects of the trust and pay them such salaries, emoluments, bonus, gratuity, annuity, wages, and delegate to them such power and powers as the trustees may in their discretion think fit.

1. **Opening Bank Accounts.**

The board of trustees may open any bank account or accounts with such scheduled bank as may from time to time be determined by the trustees and such accounts shall be operated by such of the trustees or other persons as may from time be authorized to do so by a resolution passed board of trustees at their board meeting.

1. **Investment of Trust Fund**
2. The trustees will be at the liberty to invest the full trust fund or potion there to in the manner provided hereby but shall be chargeable only for such money, and funds that shall be actual come into their hands and a trustee shall not be answerable or accountable for neglect, default acts and omission or commission of the trustees, nor of nay banks or other person with who the trust properties or any securities may have been deposit or kept.

1. The Trustees may invest the trust fund either in the purchase of immovable property/shares/ mutual funds/ debentures/ fixed deposits with banks / other instruments on such terms and conditions as board of trustees or any other authorized by the board of trustees may deem fit & proper from time to time in compliance with the Income Tax, 1961, or any other act applicable to the trust from time to time.
2. The trustees shall be competent in their absolute discretion to transfer and assign the Trust fund to any recognized trust, society or institution having charitable objects for the purpose of administering the trust fund.
3. It is expressly declared that no part of the trust fund or its income shall be applied for any purpose which is not public charitable purpose in law and if any provision hereof can be construed to authorize the trustees to utilize the trust assets or its income for any charitable purpose, all the powers and provisions shall be consumed as being construed as being subject to such restriction and limitation.
4. **Acceptance of Donations, Subscriptions and Grants**

The trustees may accept donations, contributions or grants in cash or kind from any person or persons for the furtherance of the objects of the trust or any one or more of them upon such terms and conditions if any as they ma in their absolute discretion think fit, but not inconsistent with the objects of the Trust.

1. **Power to Borrow Fund**

The trustees may raise or borrow money from bank and financial institution, and private party if required for the purpose of Trust on a mortgage or pledge of the Trust Estate or any part hereof with or without any security and at such rate of interest and such terms and conditions as they shall in their absolute discretion may think fit

1. **Power to Purchase, Construct, Hire or take on Lease Properties.**
2. The trustees shall have power to buy, acquire take on lease any property moveable or immovable that may be needed to carry out the objects of the Trust.
3. The trustees may erect buildings, constructions and sheds of any materials or design and may enter into all contracts, execute all deeds and documents necessary for the same and otherwise.
4. The trustees may pay all charges and outgoing payable in respect of any immovable property for the time being forming part of the trust estate and may carry out repairs to be done to the same and may keep the same insured against the loss or damage by fire or any other insurance risk and pay all other costs, charges and expenses of and incidental to the administration and management of the trust estate and the properties for the time belonging to the trust as they may in their absolute discretion may think fit.
5. **Power to sell the Immovable Property and manage.**

The trustees shall subject to the restrictions contained in clause 7(c)(ii) above be at the liberty to sell the whole or such portions of movable or immovable property forming part of the trust estate at the prices and on such terms and conditions relating to title or otherwise in all respects as they may in their absolute discretion think fit and to rescind or vary any contract for the sale thereof and to resale the same without being answerable for any loss occasioned thereby for that purpose to execute all necessary conveyances, transfers, or other assurances for all moneys received by them.

1. **Power to give Property on Lease/Rent.**

The trustees may demise the immovable property or the properties for the time being and from time to time belonging to the trust either from year to year or from less term or any terms of year or on monthly tenancies at such rate and subject to such covenants and terms as they may think proper and also accept surrenders of lease and tenancies and generally manage the same in such manner as they may think proper.

1. **Power to make, amend rules and regulations.**

The trustees may frame schemes and rule and regulations including rules for action of trustees and office bearers, for the carrying out of the objects of the trust and for the management and running of any institution established, run or aided by them, for managing the affairs of the trust and otherwise for giving effect to the objects and purposes of the trust and to vary the same from time to time.

1. **Power to Delegate.**
2. Any trustees may subject to the approval of board of trustees delegate in writing all or any of the powers under these presents to his nominee who will be entitled to exercise such power or powers in the same manner as the trustee himself/ herself be able to do personally.
3. The board of trustees may empower the chairman in writing or verbally to exercise such powers, which are vested with the board. In such cases the chairman will be entitled to exercise all such power or powers in the manner as board of the trustees could exercise under this trust deed.
4. **Power to appoint committee/sub-committee**

The trustees may appoint and dissolve committee or sub-committee or delegate such power to the committee or sub-committee so appointed as they may in sole discretion think fit. Persons who are not trustees may also be the members of such committees.

1. **In case of dispute**

In case of any dispute the decision of settler will be final.

1. **Power to Amalgamate/ Take Over other trust or vice versa**
2. Any trustee will be at the liberty to allow or be allowed and permit, or to be permitted to amalgamate or to be amalgamated with any trust, charity or Institutions in any area whose objects are the same or similar to those of these presents, provided they are not inconsistent with or repugnant to the objects thereof.
3. The trustees may take over any literary, charitable, culture, artistic, or public charitable institutions on such terms as they may manage such institution.

1. **Power to Compromise.**

The trustees shall have full power to institute, defend, prosecute, compromise or compound all action, suits and other proceedings and all differences and disputes touching the trust estate and/or the trust properties to arbitration and to do and execute all necessary acts, deeds and things in that connection without being liable or answerable for any loss occasioned thereby.

1. **Power to add/alter Object Clauses of the Trust**

The trustees by absolute consent have further power to add, alter, rescind, remove, modify all or any of the objects as narrated above by passing a resolution to that effect but subject to the definition of chartable objects defined in sec 2(15) of The Income Tax Act, 1961.

1. The receipt by the trustees or trustee of the trust or any other person authorized by the board of trustees for any moneys, stocks, funds, shares, securities or investments paid delivered or transferred to them in execution of the trust or power hereof shall effectually release and discharge the person or persons, paying delivering or transferring the same there from and from seeing or from being bound to see to the application or being answerable for the loss or misapplication thereof.
2. **AUDIT AND ACCOUNTS**

The trustees shall cause true and accurate accounts to be kept of all money received and spent and all matters in respect thereof in course of management of trust properties or in relation to the carrying out of the objects and purpose of the trust fund draw the receipts and expenditure and other accounts and a balance sheet at the end of the year and cause the same to be audited by chartered accountant.

The accounting year of the trust shall be same as per The Income tax Act, 1961.

1. **TRANSFER OF TRUST PROPERTY**

The trustees shall be competent in their absolute discretion to transfer and assign the trust fund to any recognized trust, society or institution having charitable objects for the purpose of administering the trust fund.

1. **IRREVOCABLE TRUST**

The trust created hereby is irrevocable.

1. **DISSOLUTION OF TRUST**

The trust may be dissolved with the unanimous resolution passed by all the trustees of the trust. All the funds, assets of the trust shall be transferred to any other trust/institutions having the object similar to the object of this trust as may be determined by the board of trustees at or before the dissolution.

**IN WITNESS WHEREOF** the parties hereto have hereunto set and subscribed their respective hands the day month and year first above written

**SIGNED, SEALED AND DELIVERED**

By the Trustees in the presence of:-

1. **------------------------------------------**

 **(Nilanjan Sil)**

 **S/0 Mr. Himadri Sekhar Sil**

**(Abhishek Khemka)**

**S/0 Mr. Ashok Kumar Khemka**

**-----------------------------------------**

**(Kausik Chattopadhyay)**

**S/o Mr. Ashok Kumar Chatterje**

**---------------------------------------------- (Mainak Sengupta)**

 **S/o Mr. Pinaki Sengupta**

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