

BIJOYINI SMRUTI TRUST

TRUST DEED

This INDENTURE IS MADE on 4th day of April 2014 (Fourth day of April, Two Thousand Fourteen) at Bhubaneswar, Odisha.

BETWEEN

Dr. Indramani Jena, aged about 65 years, occupation – Physician, S/O Sri Nakul Jena, At – Samaroh, Plot No. 128, Dumuduma (A); P.O. - Khandagiri P. S. Khandagiri, Bhubaneswar – 30; Dist: Khordha, Odisha. PIN – 751 030

Hereinafter called the Donor of the Trust on the one part

AND

1. **Dr. (Mrs.) Tanaya Jena**, aged about 33 (Thirty three) years, Occupation - Medical profession (Gynecologist), working at present at Hillside Nursing Home, Plot No. 92, Dumuduma, Khandagiri Square, W/O Sri Srichandan Kumar Routray, Samadarsan, Plot No. 264 (2210) + 265 (2220), Dumuduma (A), P.O./P.S. Khandagiri, Bhubaneswar-30, Dist. Khordha.; Odisha. PIN – 751 030
2. **Dr. Somnath Prasad Jena**, aged about 30 (Thirty) years, Occupation - Medical profession (Surgeon), under Superspeciality courses (First Year of M. Ch. Neurosurgery), S. C. B. Medical Colleges, Cuttack, S/O Dr. Indramani Jena, Samaroh, Plot No. 128, Dumuduma (A), P.O./P.S. Khandagiri, Bhubaneswar-30, Dist. Khordha.; Odisha. PIN – 751 030

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4. OBJECTS OF THE TRUST SHALL BE:

The objects for which the Trust Board is established are the following:

- a. To provide human resources for development activities and empowering groups for development of weaker sections of the society.
- b. To develop human resources in order to optimize the results and enhance the effective functioning of development projects in relation to health, livelihoods, education and environment.
- c. To facilitate reflection, renewal and development among individuals, groups, organizations and community.
- d. To initiate young people to development work and inculcate in them a value system for the development of individuals, groups and community.

- e. To conduct awareness campaigns for health education among general public and also specific role of individual citizen in the democratic set up of the nation, the duties of the individual and the role of each one in the society. Students form the best group to be motivated for their positive role in the society.
- f. To facilitate people's organizations in the urban and rural areas for the development of women and weaker sections of the community.
- g. To do liaison work between Government and Voluntary Organizations and other statutory Grant-in-Aid Bodies.
- h. To cooperate and collaborate with Government in the implementation of Government development schemes and programmes.
- i. To provide support services to Voluntary Organizations for perspective plans and capacity building for the effective implementation of their development projects.
- j. To initiate development work for the people with disability.
- k. To facilitate building Self Help Groups for the sustainable development of the weaker sections of the society.
- l. To promote justice, peace, non-violence and cooperation among people.
- m. To promote the above activities the Trust Board shall respect at all times the religious and cultural feelings of all people and shall avoid political activities.
- n. The above mentioned objects shall be carried on for the humanitarian and development work of all the people irrespective of gender, caste, creed and race.
- o. The trust shall take up steps to help patients needing health care through a regular weekly outdoor clinic in the name of BIJOYINI SMRUTI OUTDOOR attached to Hillside Nursing Home or any other suitable location where free or low cost prescription may be made for needy patients.
- p. The trust may take up steps to help publish deserving publications of needy young authors on issues of public utility after going through the contents of the manuscript or reviewing it through eminent researchers in that field.
- q. It is intended to have two Gold Medal Awards in the name of PROFESSOR BIJOYINI MOHANTY MEMORIAL GOLD MEDAL for the candidate of subject of Public Administration securing highest mark in Local Administration, in regular M. A. (Public Administration) of Utkal University every year. The chairman of the Trust shall apply and approve necessary formalities to place funds at the disposal of Utkal University.

- r. Similarly PROFESSOR BIJOYINI MOHANTY SMRUTI GOLD MEDAL for the candidate securing highest mark in final examination of M.A. Political Science (or to Best Political Science Graduate candidate until Post Graduate in Political Science is opened in the college) of Rama Devi Women's College (Autonomous or Deemed University) and PROFESSOR BIJOYINI MOHANTY SMARAKI GOLD MEDAL for Best Political Science Graduate of Saila Bala Women's College, Cuttack will be awarded every year. The chairman of the Trust shall apply and approve necessary formalities to provide gold medal annually or to place funds at the disposal of Rama Devi Women's College authorities, as the case may be.
- The Trust may think of creating more awards at different Universities / Colleges / Schools / Institutions and take necessary steps for the purpose.

5. The objects for which the Trust Board is established are the following:

- (a) To establish, construct, organize, consolidate, conduct, equip, improve, alter, maintain, administer, close down and dispose off:
 - i. Educational, cultural, technical, scientific, social and charitable institutions and all their branches;
 - ii. Institutions for training social and public workers.
- (b) To raise and acquire funds, movable property of all descriptions, to acquire immovable property of any tenure in anywhere in India from Indians abroad as the needs of the trust board may require, with or without building structures by contract, either by way of purchase absolutely or on lease or in charge or other forms of acquisition at such rent and on such terms and conditions under land acquisition law for the time being in force.
- (c) To accept donations from any donors or donor agencies of India or abroad for realizing above objectives.
- (d) Whenever necessary to erect and construct a building or buildings or infrastructures and also to alienate by way of sale, mortgage, lease, exchange, hiring out or gift or otherwise the social and other properties of the trust board or portions thereof.
- (e) To print, publish, issue and exhibit journals, periodicals, books, papers, pamphlets, advertisements, reports, lectures and other reading matters for the advancement, promotion and diffusion of useful knowledge and information concerning the work and activities of the trust board.
- (f) To undertake and hold such schemes – projects, investments, industry or any other activity which may generate funds for the trust to implement the objects of the trust board.
- (g) To open and operate accounts of any description in any Bank or Banks.

- (h) To do all such other lawful things may be incidental to or conducive to the attainment of the objects of the trust board.
 - (i) If any or more of the objects of these presents are held not to be the objects of a public charitable nature, the trustees may not carry out such objects as if the same are not incorporated in these present; but the validity of the trust created by these present for public charitable purposes shall not be affected in any manner.
6. The financial year of the trust shall end on 31st March of every year provided that the board trustees shall at liberty to change the same from time to time if they so deem fit and proper. The first financial year of the trust shall close on 31st March, 2014 (Thirty First March, Two Thousand Fourteen).
 7. The trustees shall from time to time after meeting the expenses of and incidental to the management of the trust properties, decide the particular object or objects for which the income or the purpose of the trust fund or properties for the time being available shall be applied.
 8. The trustees may accept any donation, contribution, grant or / and grant-in-aid in cash or in kind from any person or persons, from company, corporation, association, institution, trust, various departments, agencies of the Government and semi-government of state and central government and from various foreign government agencies etc.
 9. For the furtherance of the objects of the trust upon such terms and conditions as they may in their absolute discretion think fit, can be adopted. The trustees may also take over the management of any other charitable or public institutions on such terms as they may think fit and they manage such institutions.
 10. Without affecting the generality of powers and functions of the trustees to manage and administer the trust, the board of trustees shall have the following functions:
 - a. The board of trustee shall have the entire control and the management and affairs of the trust and the administration of all its properties movable and immovable and shall have such posers to do all such things to carry out the objects of the trust. The board of trust shall also have power to make byelaws from time to time for the transaction of the business and affairs of the trust.
 - b. To borrow if need be against the assets of the trust by way of loan from bank over draft, or otherwise as may be necessary for the benefit fo the trust and for effectively carrying out the objects of the trust, provided the trustees agree with majority on such borrowings to the terms of their decision or agreement.
 - c. The Chairman and the Secretary may execute such documents, deeds, papers etc. as may be necessary in that connection.

- d. The Chairman and the Secretary of the trust are authorized to sign or execute any agreement, contract, instrument, document or any other paper required to be signed or executed on behalf of the trusts subject to the decision of the trust,
 - e. To appoint or make provision for appointment of committee or subcommittee of the trustees to attend to or supervise or conduct specified job or functions or trust matters in such manner and subject to such terms and condition, rules and regulations as the board of trustees may from time to time think fit and proper.
 - f. To spend any portion of the corpus or the income of the trust fund for purchasing land, constructing building or other structures for and in the name of the trust for the purpose of carrying out promoting or executing any or all of the objects of the trust.
11. The trustees shall cause true and accurate accounts to be kept of all money received and spent in course of management of the trust properly and in relation to the carrying out of the objects and purpose of the trust as well as of all assets, credits and other trust properties.
12. The trustees may invest the trust estate either in the purchase of the immovable properties or mortgage of immovable properties in such manner as allowed by law in force from time to time and to convert, alter, vary, dispose up or transfer such investments from time to time or any subsequent amendment as man be made form time to time.
13. The trustees shall at liberty to sale such portions or any portion of the Trust Estate (movable or immovable) either by public auction or private contract with such prices and in such terms and conditions as they may in their absolute discretion think fit and to receive or vary and contract for the sale thereof and to resell the same without being answerable for any loss occasioned thereby and Execute all conveyance and assurances.
14. There shall be a Chairman, a Secretary and a Treasurer who will be elected from among the trustees and will hold office for a period of 2 years unless they are removed or impeached from their office earlier by the Board of trustees with a majority of votes in a meeting specially called for the said purpose.
15. All the business and the resolutions of the Board of Trustees and other function of the trust will be executed and carried out by the Chairmen and the Secretary from time to time to give effect and to carry out the objectives and the presents of the trust deed. The treasurer will be in charge of cash and account of the trust.
16. The trustees shall keep an account or accounts in any Bank or Banks to operate such account or accounts whenever in debit or in credit and give all appropriate instructions to the Banker or the Bankers regarding operation of such account and the Chairman of the trust, the Secretary and the Treasurer are authorized to operate the account or accounts. All or any two of them with their joint signature can withdraw any amount from the account or accounts or the trust for the purpose

carrying out the functions of business and carrying out the objects of the trust and to meet the other expenditure of the trust. A resolution in this regard has to be maintained.

17. the trustees may appoint managers, lawyers, solicitors, auditors, architects, engineers and / or other employees and staffs for the purpose of management, supervision of the trust estate and to carry out the functions, business and the objects and for keeping accounts, records and for other purpose of the trust.
18. The trustees shall have full power to compromise or compound all actions, suit, cases and other proceedings and settle differences and disputes touching the trust estate and properties and may refer any such differences or disputes to arbitration and to adjust and settle all accounts relating to the trust estate or property and to all other acts deeds and things fully and effectually without being liable or answerable for any bonafide loss or damage accrued thereby.
19. The trustees may from time to time frame schemes, rules and regulations to carry out the objects and for managing the affairs of the trust and other wise for giving effect to the purpose and assets of the trust and to vary or modify the same whenever necessary as the trustees may in their discretion deem fit and proper.
20. All the trustees, unless they voluntarily resign or otherwise decide shall continue to be trustees during the tern of their natural life. Any trustee may resign or retire at any tome without assigning any reason and without being responsible for any cost or costs accrued by such retirement.
21. The number of trustees shall be not less than two and more than 7 (Seven). The serving and the continuing trustees may, notwithstanding any vacancy in their board, act as trustees and may accept new trustees in place of outgoing trustees as and when necessary.
22. All proceedings, questions and matters arising at the meeting of trustees shall be decided by a majority of votes. In case of difference of opinion, the opinion of majority trustees shall prevail and if the trustees are equally divided in any matter, the Chairman shall have a casting vote.
23. A resolution in writing circulated among all the trustees / members and sign by a majority of the trustees / members shall be valid and effectual as if it had been passed at a meeting of the trustees duly called and convened.
24. The notice of the meeting of the trustees and all communications may be sent to the trustees / Governing Body members at their address registered for the time being in the records of the trust and all meetings of the trust shall be held at such place at such time as the Chairman of the Trust shall decide from time to time.
25. A trustee / member who is unable to present at a meeting of the trustees / governing body may send his views in the agenda in writing and such views hall be taken to be his vote in the matter concern.

26. The minutes of the proceedings of every meeting of the trustees shall be entered in a book to be kept for that purpose and signed by the chairman or that meeting and shall when so entered and signed be conclusive evidence of the business and other matters transacted at such meeting.
27. No person being undercharged, insolvent or convicted of an offence or of unsound mind or a minor shall be eligible for a trustee or membership.
28. A person shall cease to be a trustee or member if he dies or if she /he becomes bankrupt or inf she/he becomes insane or otherwise becomes incapable to act or if she/he resigns from office.
29. The board of trustees shall be entitled to sue in the name of the trust and may similarly be sued in the name of the trust. In both the events, the Chairman of the trust will represent the trust.
30. Initially it is decided that Dr. Indramani Jena, the Donor will act as Chairman and Dr. Tanaya Jena, one of the trustees, will act as Secretary and Dr. Somnath Prasad Jena, one of the trustees will act as Treasurer of the trust for a period of 2 (two) years from the date of execution of the trust deed.
31. The board of trustees may by a unanimous vote of all the GB members present in a meeting except the trustee / member proposed to be removed permanently or otherwise from his office after finding the trustee / member proposed to be removed guilty of serious misconduct in concerning the trust estate or trust affairs arriving at a definite conclusion for the reason recorded in writing the continuance of trustee proposed to be removed is not desirable keeping to the objects of the trust and other connected matters in view and the decision of the board of Governing Body in this behalf shall be final and binding and shall not be called in question anywhere provided however no conclusion for such guilt shall be arrived at without giving to the trustee or member proposed to be removed a full and fair opportunity of explaining his conduct and the charges prevail against him for his removal.

IN WITNESSETH WHEREOF THE donor cum trustee and other trustees execute these presents on the day, month and year above mentioned.

(Dr. Indramani Jena)

Donor cum Chairman BIJOYINI SMRUTI TRUST

Certified that the executants of this trust deed are my clients and this deed is drafted by me as per the instruction of the executants and they signed in my presence after going through the contents.

ADVOCATE

BIJOYINI SMRUTI TRUST

Sl. No.	Name	Age	Occupation	Address
1	Dr. Indramani Jena	64 years	Medical profession (Physician)	S/O Sri Nakul Jena, Samaroh, Plot No. 128, Dumuduma(A), P.O./P.S. Khandagiri, Bhubaneswar-30, Dist. Khordha.; Odisha. PIN – 751 030
2	Dr. Tanaya Jena	33 years	Medical profession (Gynecologist)	W/O Sri Srichandan Kumar Routray, Samadarsan, Plot No. , Dumuduma(A), P.O./P.S. Khandagiri, Bhubaneswar-30, Dist. Khordha.; Odisha. PIN – 751 030
3	Dr. Somnath Prasad Jena,	30 years	Medical profession (Surgeon)	S/O Dr. Indramani Jena, Samaroh, Plot No. 128, Dumuduma(A), P.O./P.S. Khandagiri, Bhubaneswar-30, Dist. Khordha.; Odisha. PIN – 751 030
4	Sri Srichandan Kumar Routra	36 years	Senior Manager, Hindustan Aeronautics Limited, Sunabeda	S/O Madhu Sudan Routray, Samadarsan, Plot No. , Dumuduma(A), P.O./P.S. Khandagiri, Bhubaneswar-30, Dist. Khordha.; Odisha. PIN – 751 030
5	Dr. Prerna Biswal	26 years	Medical profession (Anaesthesiologist)	W/O Dr. Somnath Prasad Jena, Samaroh, Plot No. 128, Dumuduma(A), P.O./P.S. Khandagiri, Bhubaneswar-30, Dist. Khordha.; Odisha. PIN – 751 030
6	Sri Madhu Sudan Routray	73 years	Farming	S/O late Udayanath Routray, At: Chheda, P.O/P.S. Adaspur, Dist: Cuttack
7	Sri Bibhu Prasad Biswal	56 years	Educationist	S/O late Mahendra Kumar Biswal, At: Trilochanpur. P.O. Mahajanpur; P.S. Jagatpur; Dist Cuttack; Odisha, PIN - 754200

