

TRUST DEED

THIS DEED OF TRUST is made by **Smt. Vimal Mithal**, aged about 62 years, wife of Late Justice Narendra Nath Mithal, presently residing at House No. 324, Kothi "Ram Batika", Shivaji Marg, Meerut hereinafter referred to as the AUTHOR OF THE THE TRUST;

WHEREAS the Author is the widow of Late Justice Narendra Nath Mithal Judge, High Court of Judicature at Allahabad, who was deeply involved and was interested in building a healthy civilised society by promoting education and sports activities in general and by developing civic and legal consciousness in particular;

WHEREAS in keeping with the interests and desires of Late Justice Narendra Nath Mithal so as to perpetuate his memory and to pursue causes that were close to his heart, the Author of the Trust is desirous of forming a Trust for fulfilment and attainment of the objects of the Trust hereinafter provided;

WHEREAS the trustees herein have agreed to act as the FIRST TRUSTEES OF THE TRUST to administer the affairs of the Trust in accordance with the terms and condition hereinafter provided;

AND WHEREAS the Author has this day handed over an amount of Rs. 10,000/- (Rupees ten thousand only) towards the nucleus of the Trust fund.

NOW THIS DEED witnesses as follows:

1. Name of the trust :

The name of the trust shall be "**JUSTICE NARENDRA NATH MITHAL MEMORIAL FOUNDATION**" and its office at present shall be situate in House No. 324, "Ram Batika", Shivaji Marg, Meerut and/or such other place or places as the Trustees may decide from time to time.

Object of the trust:

The objects of the Trust shall broadly be as follows:

(i) To promote sense of justice, equity and good consciousness for the achievement of "legal literacy".

(ii) To develop necessary infrastructure for the development of the healthy and civilised society by establishing libraries, law colleges, institutes and training centres' and by

(iii) Instituting awards, scholarships etc. for the benefit of law students especially girls and for judicial officers and by conducting or sponsoring seminars, symposium and conferences.

Trustees:

The Trust shall have a minimum of three Trustees and a maximum of seven Trustees at a given time. The first trustees shall be as follows:

- (1) Shri Ram Prakash Mittal, Retd. General Manager, Hind Lamps, Pallavpuram, Meerut.
- (2) Smt. Meenakshi Mithal, 30th "Gitanjali", 17th Road, Santa Cruz West, Bombay-54
- (3) Shri Arun Kumar Mithal, Advocate, "Braj Shree", Shivaji Marg, Meerut.
- (4) Shri Praveen Mithal, Advocate, "Ram Batika", Shivaji Marg, Meerut.
- (5) Shri Anupam Chandra, 201, Saket, Meerut.
- (6) Shri Pankaj Mithal, Advocate, High Court, Allahabad
- (7) Dr. Pallav Mithal, Lecturer, Political Science, Agarwal Degree College, Jaipur

The above named First Trustees shall be Trustees for life. On the death of any Trustee or the Trustee otherwise vacating the office of the trusteeship or becoming incapable of performing the duties as the Trustee, the remaining Trustees may, if they so desired, appoint a person as a Trustee in place of the deceased or the outgoing Trustee.

There shall be a Trustee Chairman of the Trust for the life, a Trustee Secretary and a Trustee/Treasurer to be appointed by the Trustees from amongst themselves.

4. Patrons:-

The Trust shall be competent to nominate patrons for advisory purposes. The patrons shall have a right to participate in the meetings of the Trust, if so desired by them, but shall have no voting right.

5. Trust Fund:-

The Fund and properties of the Trust shall consist of:

- i) the sum of Rs. 10000/- (Rupees ten thousand only) which has been settled by the Author as the nucleus;
- ii) gift/donation either in cash or kind which may be made by any philanthropic institutions/persons/government or members of the public who are in agreement and sympathy with aims and objects set out by the Trust including any donation made for any of the specified purpose or object of the Trust;
- iii) properties moveable and immovable which may be acquired by the Trust by purchases, exchange, lease, gifts or otherwise;
- iv) income and profit from the properties of the Trust;
- v) such fees, charges etc. as may be collected in the course of any work or function that may be organised by the Trust or by the imparting of legal education, publication of law books, journals etc;

The Trustees may, if so desire, increase the nucleus of the Trust Fund from time to time, but it shall not be reduced in any manner. The nucleus of the Trust shall in no case be disturbed and shall always remain invested in the name of the Trust in recognised interest bearing security.

The earnings from the Trusts Fund and properties shall be utilised for carrying out the objects of the Trust.

The Trustee Chairman/Chairperson and the Trustee Secretary shall jointly open and operate account in the name of the Trust with any of the scheduled banks for the purposes of the Trust.

The Trust shall maintain proper and regular account books through the Trustee Treasurer and such account books shall be kept at the office the Trust. Each Trustee shall have a right to inspect the account books during the office hours. The annual accounts may be audited by a Chartered Accountant to be named by the Trustees.

6. Administration of Trust:

The Trust shall hold at least one meeting of its Trustees annually. The Trustees may also hold meetings, if necessary, at such intervals as they may decide. All decisions of the Trust shall be taken by majority.

The Chairman/Chairperson shall preside at all the meetings and in his/her absence the Trustee may elect a Chairperson from amongst themselves to preside the meeting.

The Trustees may also take decision by circulation of Trust matters approved by the majority of the Trustee after it has been circulated to all the Trustees.

The Trustee Chairperson shall attend day to day affairs of the Trust and shall exercise such powers and perform such duties as the Trustees may vest in him from time to time.

The Trustee Secretary shall be responsible for convening the meeting, circulating the agenda etc., maintaining the minutes of the meetings and other documents of the Trust. All copies of the documents of the Trust issued under the joint signatures of the Trustee Chairperson and Trustee Secretary shall be treated to be genuine true copy of the original, if so issued.

The Trustee Chairperson and the Trustee Secretary shall have the power to engage and appoint counsel, attorney or representative on remuneration to conduct any legal or other administrative proceedings in the interest of the Trust on its behalf and shall also have the power to deal with any matter of urgent nature connected with the affairs of the Trust provided such decision is reported to the Trust in its next meeting.

7. **Rules and Regulations:-**

For the proper and effective conduct of the affairs of the Trust and for the day to day functioning of the Trust the Trustees shall have the power to frame and may frame a set of Rules and Regulations not inconsistent with the Trust Deed.

Executed and signed on this 19th day of June, 1998.

Sd/-

(Smt. Vimal Mithal)

Author

Witnesses:-

1. Arun Sharma,
Advocate,
M.Com. LL.B.
Meerut, U.P.
2. Satya Dev Sharma,
Advocate,
Near Registry Office,
Meerut.