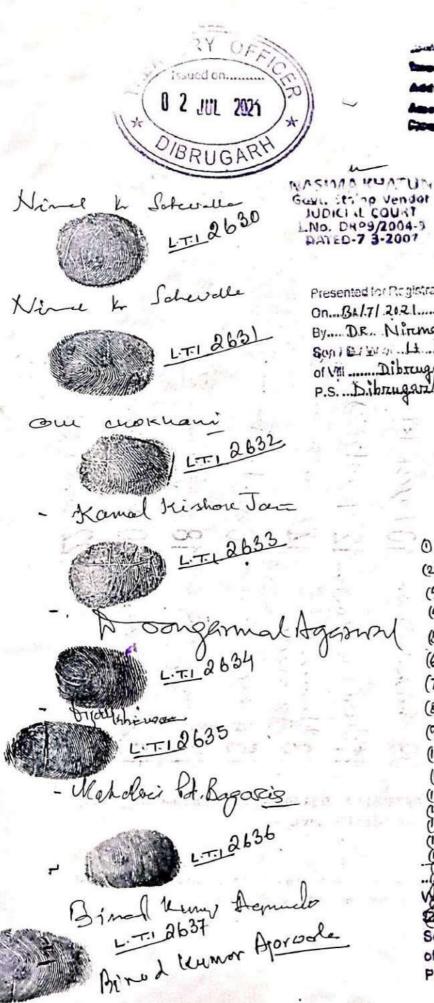


This DEED OF AMENDMENT of DEED OF TRUST DATED 14.10.2003 is made on this the \_\_\_\_ day of the month of 31.1.10/y of Two Thousand and Twenty One

BY

The following existing Trustees of the Marwari Education Foundation, a Trust duly formed under the law having its registered office at Dibrugarh



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This DEED OF AMENDMENT of DEED OF TRUST DATED 14.10.2003 is made on this the \_\_\_\_\_ day of the month of \_\_\_\_\_ of Two Thousand and Twenty One

BY

The following existing Trustees of the Marwari Education Foundation, a Trust duly formed under the law having its registered office at Dibrugarh

- Dr.Nirmal Kr. Sahewalla son of Late Surajmal Sahewalla, resident of Dibrugarh, District Dibrugarh, in the state of Assam.
- 2. Mr. Om Prakash Chokhani son of Late Banwarilal Chokhani, resident of Dibrugarh,
  District Dibrugarh, in the state of Assam.
- Mr. Kamal Kishore Jain son of Late HiraLal Ajmera, resident of Dibrugarh, District Dibrugarh, in the state of Assam.
- Mr.Dungarma IAgarwalla son of Late Premsukh Bazari, resident of Dibrugarh, District Dibrugarh, in the state of Assam.
- Mr. Vijay Khemani son of Late Sanwarmal Khemani, resident of Dibrugarh, District Dibrugarh, in the state of Assam.
- Mr.Mahabir Pd. Bagaria son of Late Srilal Bagaria, resident of Dibrugarh, District Dibrugarh, in the state of Assam.

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- Mr.Binod Kr. Agarwal son of Late Premsukh Agarwal, resident of Dibrugarh, District Dibrugarh, in the state of Assam.
- Mr.Binod Agarwal son of Late Ram Gopal Agarwal, resident of Dibrugarh, District Dibrugarh, in the state of Assam.
- 9. Mr.Rajan Lohia son of Late Jhabar Mal Lohia, resident of Dibrugarh, District Dibrugarh in the state of Assam.
- 10. Mr. Rajesh Khemani son of Late Bhagwati Pd. Khemani, resident of Dibrugarh, District Dibrugarh, in the state of Assam.
- 11. Mr.Purshottam Bukredia son of Late Gangaram Bukredia, resident of Dibrugarh, District Dibrugarh, in the state of Assam.
- 12. Mr.Kailash Kr. Dhanuka son of Late Inder Chand Dhanuka, resident of Dibrugarh District Dibrugarh, in the state of Assam.
- Mr. Mani Ram Agarwalla, son of Late Ramjila lAgarwalla, resident of Dibrugarh, District Dibrugarh, in the state of Assam.
- Dr.Bimal Jalan son of Late Devi Dutt Jalan, resident of Dibrugarh, District, District
   Dibrugarh in the state of Assam.
- Mr.Kaushal Bawri son of Late Shankarlal Bawri, resident of Dibrugarh, District Dibrugarh in the state of Assam.
- Mr.Srikant Beria son of Late BajarangLal Beria, resident of Dibrugarh, District Dibrugarh in the state of Assam.

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- 17. Mr.BajrangLal Kejriwal son of Late Rameshwarlal Kejriwal, resident of Dibrugarh District Dibrugarh, in the state of Assam.
- 18. Mr. Raj Kumar Todi son of Late Snehi Ram Todi, resident of Dibrugarh, District Dibrugarh in the state of Assam.
- 19. Mr. Debi Prasad Bagrodia son of Late Shew Bhagwan Bagrodia, resident of Dibrugarh,
  District Dibrugarh, in the state of Assam
- 20. Mr. Mahesh Munka son of Late Bansi Dhar Munka, resident of Dibrugarh, District Dibrugarh, in the state of Assam.
- Mr.Mahabir Prasad Kejriwal son of Late Laxmi Narayan Kejriwal, resident of Dibrugarh,
   District Dibrugarh, in the state of Assam.
- 22. Mr.Basant Kumar Garodia son of Late Kamakhya Pd. Garodia, resident of Dibrugarh, District Dibrugarh, in the state of Assam.

WHEREAS, the members of the Marwari community of Dibrugarh in order to uplift and advance the educational environment of the Dibrugarh Town as well as, for the benefit of the Hindi speaking population with a charitable intention, established the educational institutions, viz., Marwari Hindi High School, the Marwari Primary School and Shree Agrasen Academy, all situated at Jalukpara of Dibrugarh Town as well as, the Marwari Hindi H.E. School, the Marwari Hindi M.E. School and the Marwari Hindi L.P. School at Jyoti Nagar of Dibrugarh Town from time to time and was managing all the aforesaid institutions by forming a Managing Committee under the name and style of 'Marwari Hindi High School Managing Committee';

AND WHEREAS, the said Committee looked after and managed the running of the aforesaid institutions including its day to day management;

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AND WHEREAS, for the convenience of management and development of the aforesald institutions it was felt that a Trust be formed in accordance with law and the entire properties of the aforesaid schools be vested in the said Trust and accordingly, a Trust was formed under the name and style of 'Marwari Education Foundation' vide the Deed of Trust bearing no. 2064 of 2003 registered on 14.10.2003 w.e.f. 30-06-2003 detailing therein the mode of formation of the Trust, the different types of Trustees and other details of the Trust including the vesting of all the properties of the schools in the said Trust which were described in the Schedule given in the said Deed and the said Trust was thereafter functioning;

AND WHEREAS, one of the original members of the erstwhile Marwari Hindi High School Managing Committee, viz., Bhawani Shankar, Bagaria (since deceased), S/o Late Sardarmal Bagaria, a resident of Dibrugarh also became one of the permanent trustees of the aforesaid Trust;

AND WHEREAS, the said Bhawani Shankar Bagaria who was a man of philanthropic nature with an intention to organise, develop and further the object of the Trust, decided to donate 6 Bighas 0 Katha 0 Lessa of his land situated at Dainijan Gaon, Mouza Mancotta Khanikar, District Dibrugarh, to the Trust for the purpose of construction of a School for imparting education other than only vocational education starting from the Primary level to the High School level/ Higher Secondary Level only and declared his intention to do so among the trustees of the Trust and in pursuance to the said declaration, executed a Deed of Gift being Deed No. 362 of 2006 of Dibrugarh Sub-Registry on 30-06-2006 whereby, said Bhawani Shankar Bagaria gifted that

aforesaid land measuring 6 BighasO Katha O Lessa being land of part of Dag No. 91 covered by

Tea Periodic Patta No. 4 (Ka) situated at Dainijan Gaon, Mouza Mancotta Khanikar, District Dibrugarh, which was fully described in the aforesaid Deed of Gift and which gift was accepted by the donee, i.e., the Trust and the said plot of land was lying in the possession of the Trust since then and thus became the property of the Trust together with its other properties;

AND WHEREAS, the Trustees of the Trust in recognition of the donation made by Bhawani Shankar Bagaria (since deceased) unanimously resolved to keep the post of one Trustee

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amongst its 'Permanent Trustees' reserved for Bhawani Shankar Bagaria (since deceased) during his lifetime to be filled up subsequently, after his death, by his lineal heirs and successors to be nominated by his lineal heirs and successors descendants as and when required;

AND WHEREAS, in furtherance of the said resolution, Bhawani Shankar Bagaria who was already a Permanent Trustee since the inception of the Trust continued to remain as such during his lifetime;

AND WHEREAS, subsequently, after his demise the post of Permanent Trustee to be filled up by any of his lineal heirs and successors, descendants remained to be filled up;

AND WHEREAS, the aforesaid facts of the donation of 6 BighasO Katha O Lessa of land and of the decision of reserving one post of Trustee to be filled up by the lineal descendants of Bhawani Shankar Bagaria (since deceased) from amongst his lineal heirs and successors, descendants remained to be incorporated in the Deed of Trust together with the details of the aforesaid land which was gifted by Late Bhawani Shankar Bagaria to the Trust in the Schedule of the Property mentioned in the Deed of Trust aforesaid;

AND WHEREAS, it was already unanimously resolved in the meeting of the Trustees of the Trust Board which was held on 05-11-2019 and further ratified in the Special General Meeting of the Foundation held on 22-12-2019 that amendments in the original Deed of Trust bearing no. 2064 of 2003 of Dibrugarh Sub-Registry needs to be made so as to record the aforesaid facts and to keep the same alive for the posterity, in-as-much-as, the gift made by Bhawani Shankar Bagaria (since deceased) for the construction/establishment of a School for imparting education other than only vocational education starting from the Primary level to the High School level/ Higher Secondary Level only at Dainijan area at Beheating gives a new dimension in the development of the said project contributing significantly and substantially for advancement of the entire educational atmosphere of Dibrugarh;

AND WHEREAS, it was also felt that with the incorporation of the aforesaid provision some further changes needed to be effected in the original rules and regulations of the Trust for which, vide the aforesaid resolution dated 05-11-2019 adopted in the meeting of the Trust and further ratified in the Special General Meeting of the Foundation held on 22-12-2019, it was

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resolved that the said rules and regulations may be amended as may be deemed fit and required;

NOW THEREFORE IN VIEW OF THE AFORESAID FACTS, THIS DEED OF AMENDMENT is executed today stating the aforesaid facts which needs to be incorporated in the original Deed of Trust bearing no. 2064 of 2003 wherever required and for that purpose this Deed may be read after Clause No. 25 of the original Deed of Trust and these amendments be deemed to be included/effective therein w.e.f 22-12-2019 and both the original Deed of Trust effective from 30-06-2003 and this Amended Deed of Trust be treated as one and single document and the amended rules and regulations shall be deemed to be automatically amended and the new amended rules shall come into operation w.e.f 22-12-2019;

It is also clarified that the Schedule which has been given in the original Deed of Trust is also hereby amended by adding Point No. 7 and also by incorporating all immovable and movable properties embedded or standing on the piece and parcel of land described infra as on the date of execution of Original trust Deed as follows:

## 1) "SCHEDULE REFERRED TO ABOVE (AFTER AMENDMENT)

- All those piece and parcel of land measuring 1 Bigha, covered by Periodic Patta No. 56 being Dag No. 74 (Ka) of Rehabari Ward, Dibrugarh Town Mouza.
- All those piece and parcel of land measuring in total 2 Bighas 4 Kathas 14 Lessas covered by Periodic Patta No. 49 being Dag No. 82 (2 Bigha 1 Katha 7 Lessas) and dag No 83 (3K-7L) of Rehabari Ward, Dibrugarh Town Mouza.
- 3. All those piece and parcel of land measuring 1 Bigha covered by Periodic Patta No. 286 being Dag No. 763 of Gabharupathar Ward, Dibrugarh Town Mouza.
- All those piece and parcel of land measuring 1 Katha 10 Lessas covered by Periodic Patta No. 255 being Dag No. 448 of Gabharupathar Ward, Dibrugarh Town Mouza.

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- All those piece and parcel of land measuring 1 Bigha covered by Periodic Patta no. 286 of Dag No. 763 of Gabharupathar Ward, Dibrugarh Town Mouza.
- All those piece and parcel of land measuring 0 Bigha 1 Katha 10 lessas covered by Periodic Patta No. 255 being Dag No. 446 (P) of Gabharupathar Ward, Dibrugarh Town Mouza.
- 7. A plot of land measuring 6 Bighas 0 Katha 0 Lessa being land of part of Dag No. 91 covered by Tea Periodic Patta No. 4 (Ka) situated at Dainijan Gaon, Mouza Mancotta Khanikar, District Dibrugarh."
- THAT, the said amended rules and regulations together with the original rules and regulations are mentioned herein as follows

Existing Rules and Regulations	Amended Rules and Regulations w.e.f 22-12- 2019
1. (2) (a). These Permanent Trustees who are 5 (five) in number shall continue to hold their office for life unless they resign or otherwise be removed or disqualified earlier.	1. (2) (a). These Permanent Trustees who are 5 (five) in number shall continue to hold their office for life unless they resign or otherwise be removed or disqualified earlier. However, in recognition of the donation of the land to the Foundation as described hereunder one Permanent Trustee shall be reserved for Late Bhawani Shankar Bagaria's heirs and successors to be nominated by his lineal heirs, successors, descendants as and when required.

## Description of the said plot of land:

A plot of land donated vide Gift Deed No. 362 of 2006 registered with the Deputy Sub-Registrar, Sub-Registry Dibrugarh, on 30-06-2006, measuring 6 Bigha 0 Katha 0 Lessas covered by part of Tea Periodic Patta No. 4 (Ka) being part of Dag No. 91 situated at village Dainijan Gaon, Mouza Mancotta Khanikar, District Dibrugarh, Assam, which is bounded as under:

North: By private road South: By part of Dag No. 91 East: By part of Dag No. 91 West: By part of Dag No. 91

Be is stated herein that it is specifically mentioned in the above Gift Deed at Clause 2 letters of exchange mentioned underneath that the Trust shall construct a school building of Shree Agrasen Academy on the said plot of land in furtherance of its objects as an educational institution for imparting academic education and not to be used for any other purpose or for exclusive use as hostels / other accommodations / for running any vocational training school, which also well enumerated correspondences between the Donor and the Trust vide letters of exchange dated 16-01-2006, 07-02-2006 and 02-03-2006. Henceforth, the said plot of land shall also form to and be Of Land Richard Of Mariabi B. Bayesis

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part of Schedule of immovable properties referred in Original Trust Deed dated 30-06-2003.

1. (2) (b). The elected Trustees shall be 16 (sixteen) in number of whom 2 (two) shall be elected by and from amongst the Poshak members, 3 (three) shall be elected by and from amongst the Shresth members and the remaining 11 (eleven) shall be elected by and from amongst the Sansthapak members and the Uttam members jointly by method of secret ballots to be conducted by the Permanent Trustees as per procedure laid down under Rule 17 infra.

1. (2) (b). The elected/nominated trustees shall be 16 (sixteen) in number of whom 7(seven) shall/be elected by and from amongst the Poshak members, the Shresth members and Sansthapak members and the remaining 8 (eight) shall be elected by and from amongst Uttam members by method of secret ballots to be conducted by the Hony. Returning Officer as per procedure laid down under Rule 17 infra. However, one Trustee shall be nominated perpetually for every term of 4 years as mentioned in Rules & Regulation No 1(2)(c) by the lineal heirs, successors, descendants of Late Bhawani Shankar Bagaria from amongst the individuals who is eligible to be a members of the Foundation and who may be recalled before expiry of aforesaid 4 years and in that event that post of the said trustee shall be filled up by another nominee to be appointed by the aforesaid lineal heirs, successors, descendants of Late Bhawani Shankar Bagaria for the balance period.

2.(2) In the event of any vacancy arising in the category of Permanent Trustees the same shall be filled up by a majority decision of Poshak Members and Shresth Members jointly from amongst the members of the Foundation within a period of 3 months from the date of

(2). In the event of any vacancy other than that of Trusteeship of Late B.S. Bagaria and his lineal heirs and successors, descendants arising in the category of Permanent Trustees the same shall be filled up by a majority decision of Poshak Members and Shresth Members and

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Sansthapak Members jointly from amongst the members of the Foundation within a period of 3 months from the date of vacancy.

## 7. Sansthapak members:

All the existing members whose names appear in the Membership Register on the date of creation of this Deed of Trust, shall henceforth be designated as the Sansthapak Members and from such date they shall continue to be such members for a period of 25 (twenty five) years, having all such rights and privileges as are attached to the category of Uttam Members, unless ceased to be so earlier in the event of their death or resignation or removal or disqualification or dissolution.

## 7. Sansthapak Members:

All the existing members whose names appear in the Membership Register on the date of creation of this Deed of Trust, shall henceforth be designated as the Sansthapak Members and from such date they shall continue to be such members having all such rights and privileges as are attached to the category of Poshak Members, unless ceased to be so earlier in the event of resignation or removal or disqualification or dissolution.

- 8. (2). Such Poshak Members as are members in their individual capacity, shall continue to be such members for a period of 25 (twenty five) years unless ceased to be so earlier in the event of their death or resignation or disqualification or removal.
- 8. (2). Such Poshak Members as are members in their individual capacity, shall continue to be such members till their life and thereafter a successor as nominated by the deceased's family will continue to represent the membership perpetually unless ceased to be so in the event resignation or disqualification or removal.
- 8. (3). Such Poshak Members as are members in their capacity of being Firms, HUFs, Company, Trust, etc. shall also continue to be such members for a period of 25 (twenty five) years unless ceased to be so earlier in the event of such Firms, HUFs, Company, Trust,
- 8. (3). Such Poshak Members as are members in their capacity of being Firms, HUFs, Company, Trust, etc., shall also continue to be such members and in the event of the death of the authorised representative such Firms, HUFs, Company, Trust, etc. can continue to

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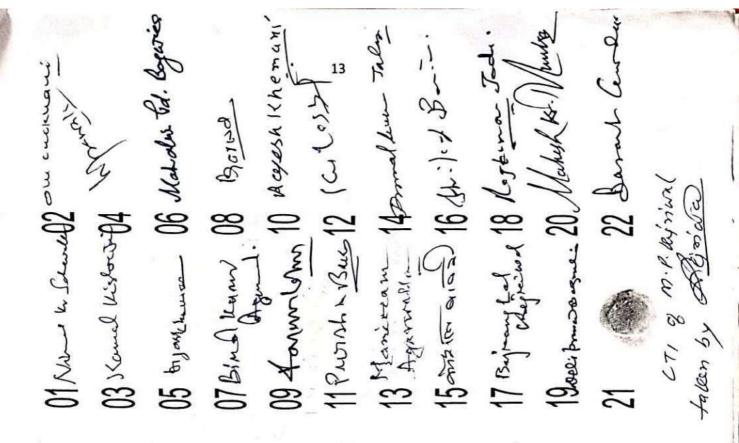
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etc. being dissolved wound up or otherwise becoming extinct or inoperative by operation of law.

nominate a representative (Subject to the qualifications as laid down under Rule 4 supra) unless ceased to be so earlier in the event of such Firms, HUFs, Company, Trust, etc. being dissolved wound up or otherwise becoming extinct or inoperative by operation of law.

- 9. (2). Such Shresth members as are members in their individual capacity, shall continue to be such members for a period of 25 (twenty five) years unless ceased to be so earlier in the event of their death or resignation or disqualification or removal.
- 9. (2). Such Shresth Members as are members in their individual capacity shall continue to be such members till their life and thereafter, till the life of successor members unless ceased to be so earlier in the event of resignation or disqualification or removal.
- 9. (3). Such Shresth members as are members in their capacity of being Firms, HUFs, Company, Trust, etc. shall continue to be such members for a period of 25 (twenty five) years unless ceased to be so earlier in the event of such Firm etc. being dissolved, wound up or otherwise becoming extinct or inoperative by operation of law.
- 9. (3). Such Shresth members as are members in their capacity of being Firm, HUF, Company, Trust, etc. shall continue to be such members till the life of the representative and thereafter, till the life of one more representative nominated (Subject to the qualifications as laid down under Rule 4 supra) unless ceased to be so earlier in the event of such Firm etc. being dissolved, wound up or otherwise becoming extinct or inoperative by operation of law.
- 10. (2). Such Uttam Members shall continue to be such members for a period of 15 (fifteen) years unless ceased to be so earlier in the event of their death, resignation or disqualification or removal.
- 10. (2). Such Uttam Members shall continue to be such members till their life unless ceased to be so earlier in the event of their death, resignation or disqualification or removal.



3) That it is repeated and reiterated that the PRINCIPAL DEED i.e. DEED OF TRUST shall subject to the said amendments be in full force and effect.

IN WITNESS WHEREOF, The TRUSTEES above named set and subscribe their respective on this DEED OF AMENDMENT on the day, month and year first above-mentioned in presence of witness

Witnesses:

1. Japan Kejnind)

2. (Suntakh kujuwa) Advocati