



NANKANA SAHIB EDUCATION TRUST.

(AS AMENDED)

WHEREAS it is found necessary to amend and alter certain provisions of the Instrument of Nankana Sahib Education Trust, executed on the Thirteenth day of January, Nineteen Hundred and Fifty Four, and registered at Ludhiana on the Eighteenth day of January, Nineteen Hundred and Fifty Four.

AND WHEREAS clause (B) of Para XIV of the said Instrument permits such amendments and alterations with the consent of all the Trustees and the sanction of Court.

AND WHEREAS all the Trustees have consented to the alterations and amendments and the sanction of the learned District Judge, Ludhiana, has been obtained on the Thirtieth day of October, Nineteen Hundred and Fifty Eight.

NOW, THEREFORE, we, the following Trustees of Nankana Sahib Education Trust, namely,

- (1) Master Tara Singh (President S.C.P.C., Amritsar), Ex-officio President of the aforesaid Trust,
- (2) Sardar Baldev Singh, Ex-Defence Minister, 17-Tuglak Road, New Delhi,
- (3) Sardar Swaran Singh, Union Minister of Steel, Mines and Fuel, New Delhi,
- (4) Rajkumari Anrit Kaur, M.P., Former Union Minister of Health, 2-Willingdon-Crescent, New Delhi-4,
- (5) Gyani Kartar Singh, Minister, Punjab Government, Chandigarh,
- (6) Sardar Chanan Singh Gill, Doraha, District Patiala,
- (7) Sardar Gurbux Singh Katani, C/O Mangat Industries, Doraha, District Patiala;
and
- (8) Sardar Waryam Singh, Vice-Principal, Khalsa College, Amritsar,



Trust Deed

Fee Rs. 154

Posting Fee Rs. 1/4

This Amended trusteeship deed has been presented before me on the 26th December, 1958, between 10-11 a.m., by S. Mohinder Singh Sidhwan Honorary Secretary, Nankana Sahib Education Trust, Ludhiana for registration.

Executor,

S. Mohinder Singh Sidhwan

Sub Registrar.

S. Mohinder Singh

26/12/58

The contents of the deed have been read over to the executant, who admits its execution to be correct and true.

*and identified by S. Mohinder Singh
Honorary Secretary*

Executant,

S. Mohinder Singh

Sub Registrar.

26/12/58

The signatures have been taken in my presence.

S. Mohinder Singh

Sub Registrar.

Entered at No. 552, book No. 4, Volume No. 5, at page 255
255 on the 26 day of December 1958.
The copy of which has been pasted in additional book
Volume No. 5 at page 132 to 136 on the same day.

Sub Registrar.
Ludhiana.

S. Mohinder Singh

having unanimously consented to alter and amend the said Instrument of the said Trust, and having obtained permission of the learned District Judge, Ludhiana, do hereby alter and amend the said Instrument of the said Trust, and the Instrument of the said Nankana Sahib Education Trust, as altered and amended, shall now read as under.

AND WHEREAS the Trustees have by means of Resolution No.5 passed on the Fourteenth day of May, Nineteen Hundred and Fifty Eight, at New Delhi, resolved that Sardar Mahinder Singh Sidhwan, Honorary Secretary of the Trust, be authorised to put in and prosecute the necessary petition in Court and to get the same registered, and have authorised him to take any legal assistance that he deems necessary and incur necessary expenditure in this connection.

This declaration of Trust made this Twenty Sixth day of December, Nineteen Hundred and Fifty Eight (26-12-1958) by the said Trustees through Sardar Mahinder Singh Sidhwan, Honorary Secretary of the Trust, witnesses as follows:-

WHEREAS the Trustees of this Trust are deeply interested in the moral and social uplift of the poor and backward section of people who are at present weak mainly, perhaps, on account of the fact that for ages they have lived and worked under great disabilities;

AND WHEREAS the Trustees feel for all such uplift and for the proper development and maintenance of human character, it is necessary first to raise the intellectual and economic status of these people and that in this age of machine one of the best ways to do so is to provide them -- facilities for industrial, sericultural and technical education and training and thus benefit them to earn their independent living and so stand erect in Society, but that these facilities are not at present available to them on an adequate scale.

AND WHEREAS the equality of opportunities now allowed to all people of India has no meaning without the equality of facilities, which unfortunately does not exist at present.

NOW, THEREFORE, this Instrument of Trust provides as follows:-

I. NAME.

This Trust shall be named " The Nankana Sahib Education Trust."

II. OBJECTS.

- The main purposes for which this Trust is founded are:-
- (a) To provide facilities for Civil Mechanical, Electrical, Technical, Agricultural, Industrial and all other types of Engineering and scientific education and training to the weaker or backward and poor section of people in general and to such people of rural areas in particular; and with this end in view, to establish, maintain, and manage an Engineering College, at Ludhiana, or in its suburbs and other Civil Mechanical, Technical, Electrical, Agricultural, Industrial and Scientific Schools and Institutions at suitable places in the State of Punjab, and with the same end in view to set up plants, workshops and other machinery for the production and manufacture of Mechanical, Electrical, Agricultural and Industrial tools, Plants, machinery and goods.
 - (b) To provide facilities and make special arrangements for poor, backward and other deserving students for preparation for competitive examinations and tests for recruitment to the Civil and Military Services and all other services of every description and for admission to the Professional Colleges, Schools and Institutions in India.
 - (c) To supply necessary information for the said purposes to people through Books, Magazines, Papers and otherwise.

III. COMPOSITION AND CONSTITUTION OF THE BOARD OF TRUSTEES.

- (1) The following persons are and shall be the Trustees of "The Nankana Sahib Education Trust" :-
 - (a) President for the time being of the Shromani Gurdwara Prabandhak Committee, Amritsar, Ex-officio.
 - (b) Six persons appointed by the Shromani Gurdwara Prabandhak Committee in its general meeting by a single transferable vote.
 - (c) One person, appointed, in accordance with the rules framed by the Board of Trustees in this connection, by the donors (other than the Shromani Gurdwara Prabandhak Committee), whether individual, group of individuals, association of persons or Firm, Company, Local Body, Statutory Body or Association thereof or other Bodies corporate otherwise, for a sum of Rupees One Lac or more, or for a piece of land and other property worth Rupees One Lac and Fifty Thousand or more donated to the Trust.

- (2) A person appointed as Trustee shall assume office as such as soon^{as} he accepts his appointment and informs the President of the Board of Trustees in writing addressed to him of such acceptance and not before. In case he fails to so accept the office within a month of the date of his being informed of such appointment in writing, the office shall be deemed to be vacant.
- (3) The Trustees shall exercise their powers and perform their duties as a Committee and, except as otherwise provided in this Instrument, a resolution passed by a majority of votes of the Trustees in a meeting properly called and held as provided under the rules, shall be deemed to be a joint act of all the Trustees.

The Trustees while acting as a Committee shall be known as " the Board of Trustees", hereinafter referred to as 'the Board'.

IV. OFFICE-BEARERS AND THEIR FUNCTIONS.

(1) PRESIDENT:

The President of the Shromani Gurdwara Prabandhak Committee for the time being, shall be the President of the Board by virtue of his office. He shall preside over and conduct the proceedings of the meetings of the Board in accordance with the rules of business framed under Para 1 of Article XII in-fra and shall perform such duties as are assigned to him by this Instrument itself and the Rules framed in accordance with the provisions of this Instrument.

(2) Vice- President:

The Board shall at its option elect one or two Vice-Presidents from amongst the Trustees. When two Vice-Presidents are elected, one out of them shall be designated as " Senior Vice-President" and and other as "Junior Vice-President". The Senior Vice-President shall preside over the meetings of the Board in the absence of the President and the Unior Vice-President in the absence of both the President and the Senior Vice-President. The Vice-Presidents besides presiding over the meetings shall perform such other duties as are assigned to them by this Instrument and the rules framed under it.

(3) Secretary:

The Board of Trustees shall elect a Secretary, who may or may not be Trustee. He shall perform such duties and functions as are prescribed by the Board.

V. DUTIES, POWERS AND LIABILITIES OF TRUSTEES:

- (1) The Board shall start, found and run an Engineering College at Ludhiana, or in its suburbs, and other institutions and works, and at such places in the State of Punjab as the Board considers proper.
- (2) The Board may collect funds and acquire land, buildings and other property for the Engineering College and other institutions and works started and managed by it and for all other purposes of the Trust.
- (3) The Board shall incur all the expenses in connection with, and spend the Trust funds, on the purposes of the Trust as herein provided within the limits of the budget duly sanctioned.
- (4) The Trustees shall have all the powers, duties and liabilities assigned or attached to the office of a Trustee under the Indian Trusts Act and shall also suffer, except as otherwise provided in this Instrument, from the disabilities contained in the said Act.
- (5) The Board may appoint a Managing Committee to manage and control the affairs of any Institution founded or run by it. Such Managing Committee shall have the powers, functions and duties expressly given in this Instrument and delegated to it by the Board from time to time.
- (6) The Board may delegate any of its powers, functions and duties, excepting the powers of :
 - (i) Appointment, dismissal, removal and suspension of and imposition of any other penalty on the Principal or head of an Institution,
 - (ii) Framing of rules and regulations,
 - (iii) Sanctioning of Budget,
 - (iv) Appointment of auditors,
 - (v) Sanctioning of Grades and Cadres of the Staff, to any Managing Committee constituted under the preceding paragraph.
- (7) The Board may appoint or employ an Assistant Secretary, or such

other staff for its own office as may be deemed necessary for its proper functioning and may from time to time determine the number, designation, grade and scales of salary or other remuneration of such staff and may at any time dismiss, remove, suspend or reduce in rank any of its employees or impose any other penalty.

(8) . The Board may appoint the Principal or head of an institution, other Teaching and clerical staff and employees of the institutions run and founded by it, and may suspend, dismiss, remove or impose other penalties on them in accordance with the service rules framed by it, but when a Management Committee of an Institution has been appointed under the provisions of this instrument, this power shall be exercised by that Management Committee in accordance with the rules and regulations framed by that Managing Committee and approved by the Trust, except with regard to the appointment, suspension, dismissal, removal of and imposition of penalty on the Principal or head of an institution, which shall in all cases be done by the Board.

(9) The Board may determine the cadres and grades, fix emoluments and terms of service of the staff and employees of the institution run and founded by it, but when any Managing Committee of an institution has been appointed, under the provision of this Instrument, this power shall be exercised by that Managing Committee with the approval of the Board.

VI. VACANCIES IN THE OFFICE OF THE TRUSTEES.

(1) The office of the Trustee mentioned in clause (a) of Para 1 of Article III shall not become vacant .

(2) The office of a Trustee other than the Trustee mentioned in para 1(a) above, shall become vacant as provided in the Indian Trusts Act and also by:

(a) His resignation in writing from the office addressed to the President, in which case the office shall become vacant as soon as the remaining Trustees present in the meeting of the Board accept his resignation by a majority of votes. In case of neglect or refusal of the Trustees to accept his resignation, the office

shall become vacant on the expiry of three months from the date of submission of resignation unless the same is withdrawn earlier.

- (b) His retirement as provided in para (3) below of this Article.
- (c) In case of Trustees appointed by donor or donors, by expiry of five years from the date of appointment.

EXPLANATION:

- (1) On the death of an individual donor, his nominee, if any, shall be entitled to complete the remaining term of his office on the completion of which the office shall become vacant permanently.
- (2) The office of a Trustee shall not become vacant by the mere fact that he has continuously resided outside India for any length of time or that the Trustee has not attended any meeting of the --- Board for a particular period.
- (3) The Trustee other than the one appointed under clause (a) of para 1 of Article III, and those chosen to fill a casual vacancy, shall hold office for five years from the date of their appointment and shall be eligible for re-appointment.
- (4) A vacancy in the office of a Trustee shall be filled up as provided below:
 - (a) In case of a Trustee appointed by the donor or donors, by the donor or donors concerned.
 - (b) In case of a vacancy in the office of a Trustee appointed by the Shromani Gurdwara Prabandhak Committee, by the S.G.P.C. from among its members, or otherwise, in its general meeting by single transferable vote. All the -- vacancies existing at a time shall be filled up in the same general meeting.

EXPLANATION:

A member appointed to fill up a casual vacancy shall serve only for the unexpired portion of his predecessor's term of office.

VII. MANAGING COMMITTEE AND ITS POWERS AND DUTIES:

- (1) The Board of Trustees may appoint a Managing Committee to manage the affairs of any of the institutions started and run by the Trust.
- (2) The Principal or the head of such institution shall be an ex-officio member of the Managing Committee of that institution.
- (3) A Managing Committee shall exercise such powers and perform such duties as are mentioned in this Instrument and those that are delegated and entrusted to it by the Board of Trustees from time to time in accordance with the rules framed under this Instrument.
- (4) A Managing Committee may, if and when it finds necessary or convenient, appoint sub-committees consisting of its own members

or from outside for the due performance of its functions and duties and such Sub-committees be answerable and subordinate to the Managing Committee appointing them.

- (5) Every Managing Committee thus constituted shall submit each year at such time as may be prescribed by the Rules an estimate of the Income and Expenditure of the institution under its management for the ensuing financial year, to the Secretary of the Trust, who shall prepare a consolidated Budget of the Trust and lay before the Board the Budget of the Trust thus prepared for consideration and sanction. It shall be in the discretion of the Board to sanction or reject such estimate or to pass it after such alterations or modifications as are deemed necessary or expedient.
- (6) After the estimate of income and expenditure for the ensuing financial year has been sanctioned by the Board of Trustees, the Trustees shall arrange to transfer from time to time, as needed, and credit to the accounts of the Managing Committee of every Institution the amount so sanctioned.
- (7) The Managing Committee shall spend the money so received from the Trustees, in accordance with the sanctioned budgets and not otherwise.
- (8) The Managing Committee and the members of the Managing Committee who spend any money otherwise than as sanctioned or approved by the Trustees shall be deemed to have committed criminal breach of trust and shall personally be liable to refund the same to the Trust.
- (9) All the income from fees, grants etc., excepting the students funds, except where otherwise decided by the Board, shall be credited to the Trust account and shall not be utilized by the Managing Committee under any circumstances.
- (10) OFFICE HOLDERS OF THE MANAGING COMMITTEES.
- (a) The President of the Board shall be the ex-officio Chairman of every Management Committee appointed under this instrument. He shall preside over the meetings of such committees and perform such other duties as are entrusted to him by the rules and regulations.
- (b) Every Management Committee shall elect one Vice-Chairman from amongst its members who shall perform duties of the Chairman in his absence.

- (c) The Principal of an institution managed by the Trust shall be the Secretary of the Managing Committee of that Institution and he shall perform such duties as are entrusted to him by the rules made by the Managing Committee and approved by the Board.
- (11) The Office of a member of the Managing Committee other than the Principal or head of the institution concerned shall become vacant by his (a) death, (b) or resignation in writing, (c) or insanity or insolvency, (d) or conviction by a Court of an ---- offence involving moral turpitudes, (e) or removal by the Board by a unanimous decision, (f) or on expiry of five years from his appointment. A vacancy, thus caused, shall be filled by the Board.
- (12) Any contravention of the provisions of this Instrument, by a Managing Committee or its members shall be deemed to be breach of trust.

VIII. ADMISSION AND COURSES OF STUDIES.

- (1) The Board shall frame rules not inconsistent with the provisions of this Instrument for admission of students and --- trainees in the institutions run by the Trust, and the admission shall be made strictly in accordance with those rules.
- (2) The Courses of studies at the Engineering College should preferably be the same as prescribed by the University of Punjab for Technical Education and are being followed at the Engineering College of Punjab State, or the State Board of Technical Education for Degree and Diploma classes.
- (3) The minimum qualifications for admission of students to the Engineering College, should preferably be the same, as laid down from time to time for the Engineering College of Punjab State or fixed by the University of Punjab and the State Board of Technical Education.

IX. RESERVATION OF SEATS:

WHEREAS the Trust is created primarily to help the people of Rural areas, who are admittedly a backward or weaker section and the Trust will not be fulfilling its purposes if such people do not get the fullest benefit from the activities of this Trust,

so it is provided that in case the number of candidates is more than the seats available for admission to the Engineering College or to any other school or Institution of the Trust, seventy per cent of the seats shall be filled up from among the candidates whose parents have permanent residence in rural areas, provided such number is available from among candidates who have applied for such admission.

EXPLANATION:

"Rural Area" means areas outside the limit of a Municipality or a Cantonment Board."

X. FUNDS AND ACCOUNTS:

- (1) The accounts shall be opened in the name of the Trust with bankers approved for this purpose under the Indian Trusts Act, or by the Reserve Bank of India.
- (2) The Trust money shall not be advanced as loan to any person or individual or company, or society or other Association or Body except those approved under the Indian Trusts Act for this purpose.
- (3) All the incomes of the Trust and its institutions shall first be credited to the accounts of Trust with the bankers and all withdrawals shall be made by cheques.
- (4) The accounts of the Trust shall be operated upon by the Trustees under the joint signatures of the President and the Secretary for the time being, of the Board of Trustees.
- (5) The account of a Managing Committee appointed under this Instrument, if any, shall be operated upon under the joint signatures of the President and Secretary of the Managing Committee but the Board of Trustees or with its approval the Managing Committee may, where necessary, prescribe any other mode for operation of its accounts.
- (6) The amounts sanctioned in the budget shall be withdrawn from the Trust funds by cheque and credited to the accounts of the Managing Committees concerned, if any, with the bankers. Every Managing Committee shall open an account in its own name.

All withdrawals from the accounts of the Managing Committees shall be made by cheque.

- (7) No Managing Committee appointed under this Instrument shall have an income of its own and any income that accrues to it must be credited to the Trust Accounts and form part of the Trust funds.
- (8) When the Trust property consists of money and cannot be applied immediately, or at an early date, to the purposes of the Trust, the Board may invest that money as approved by it unanimously. In the absence of unanimous decision the money shall be invested as provided in Section 20 of the Indian Trusts Act, 1882.

XI. AUDIT.

- (1) The Board and the Managing Committee shall keep, or cause to be kept, regular accounts of money and other property and stocks. The accounts of the Trust and the Managing Committees shall be audited annually by some Chartered Auditors appointed by the Board.
- (2) The Balance sheet of the accounts duly audited shall be published for public information within three months of the report of the auditors.

XII. GENERAL.

- (1) (a) The Board shall make rules and bye-laws, not inconsistent with this Instrument, to carry out the purposes of the Trust and to regulate its own procedure and conduct of its business as well as the procedure and conduct of the business of the Managing Committees.
- (b) In particular and without prejudice to the generality of the foregoing powers, the Board may make rules:-
 - (i) Prescribing method of appointment of Trustees by the donors,
 - (ii) Prescribing the duties of office holders of the Trust,
 - (iii) Prescribing procedure for appointment, removal and dismissal of employees and entering into contracts of services with them,
 - (iv) Prescribing the forms of the statements of incomes and expenditure,
 - (v) Prescribing the powers and duties of the Managing

Committees and Sub-Committees,

- (vi) Prescribing the procedure and method of summoning and holding of the meetings of the Board and Managing Committees and maintaining their records.
- (2) Every Trustee and every member of a Managing Committee shall have only one vote, but in case of a tie the Chairman of the meeting may exercise an additional or casting vote.
- (3) For the purposes of sections 42 and 43 of the Indian Trusts Act, the President and the Secretary of the Board of Trustees jointly, or under their joint signatures, may perform the duties, or exercise the powers and do the acts referred to in the said sections, until or unless the Trustees by a resolution provide otherwise.
- (4) The President and the Secretary of the Board may also act for and on behalf of the Board in all the suits and other proceedings in the name of the Trust or the Trustees, until and unless the Trustees, by a resolution provide otherwise.
- (5) No alteration or amendment in any of the provisions of this Instrument shall be made, except by the unanimous vote of all the Trustees present at the meeting specially called for the purpose with a clear notice of thirty days and with the sanction of the Court.
- (6) The quorum for a meeting of the Board of Trustees shall be 1/3rd of the number of the Trustees with a minimum of three.
- (7) Notwithstanding the provisions for the expiry of the term of his office as embodied in Article VI Supra, a Trustee or a member of a Managing Committee shall continue to hold office till the appointment of a person to take his place as such.
- (8) The powers, duties, liabilities and acts or proceedings and activities of the Board or the Managing Committees shall not be deemed to have been suspended or invalidated merely by the existence of a vacancy in the office of one or more Trustees or members of the Managing Committee.
- (9) If the Trust or its purpose fails for any reason beyond the control of the Trustees and the Board unanimously decides that the Trust can no longer truly and effectively serve its real

purpose, the Trustees shall close down and liquidate the Trust and all institutions run or managed by it and shall transfer all the funds and properties both moveable and immoveable to the Shromani Gurdwara Prabandhak Committee, Amritsar, which shall utilize the same in accordance with the provisions of the Sikh Gurdwaras Act, 1925.

IN WITNESS WHEREOF Sardar Mahinder Singh Sidhwan, Honorary Secretary of the Trust, as duly authorised by the Trustees, has hereunto set and subscribed his thumb-impression and signatures, this Twenty Sixth day of December, Nineteen Hundred and Fifty Eight (26-12-1958).

For and on behalf of the Nankana Sahib Education Trust, Ludhiana.

Mahinder Singh Sidhwan

(Signatures of S. Mahinder Singh Sidhwan).

(Thumb-impression of S. Mahinder Singh Sidhwan)

WITNESSES:

1. *Harnam Singh*
Grewal
Advocate Ludhiana
2. *Gur Singh*
Advocate
Ludhiana

