

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

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Certified to be a true Copy

তন্ময় কুমার মন্ডল
সদর সাব-রেজিস্ট্রার
ও
ভারপ্রাপ্ত কর্মকর্তা
সদর মহাফেজখানা
খুলনা।

২৬/০৭/২৪

DEED
OF
TRUST

(A Charitable-Religious Welfare Trust)

DATE: ০৮.১০.২৪.২০২৪

Mr. Joy Sarker, Date of birth: 01-Feb-1998, Son of Niranjana Sarkar, Address: Gonali, Gonali-9420, Tala, Satkhira, Bangladesh. ID NO: 2854504129, the Chairman of "The Yahweh Mission of Bangladesh". Here in after called the SETTLER which expression unless otherwise excluded by, repugnant or contrary to the context shall mean and include his Successor-in-Office, Executors, Administrators, Legal Representatives and the Assignees of the ONE PART:

স্বাক্ষর: নীরঞ্জন সর্কার

AND

1. Mr. Niranjana Sarkar, Date of birth: 04-May-1961, son of Tarapada Sarkar, Address: Gonali, Gonali-9420, Tala, Satkhira, Bangladesh. ID NO: 6438301647. General Secretary.

স্বাক্ষর: নীরঞ্জন সর্কার

“দেশপ্রেমের শপথ নিন, দুর্নীতিকে বিদায় দিন”

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ব্রজেন্দ্রনাথ চিঠিমাঝার ২৮
চিঠিমাঝার ৩০/১২/২০২০, মাদার অফিস
মাদার অফিস ১০/১২/২০২০, মাদার অফিস
মাদার অফিস ১০/১২/২০২০, মাদার অফিস
মাদার অফিস ১০/১২/২০২০, মাদার অফিস

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2. **Mrs. Eti Das**, Date of birth: 15-Jul-2004, daughter of Amit Das, Address: Harishchandrakati, Khailnagar, Tala, Satkhira, Bangladesh. Birth Registration NO: 20048719031013147. **Treasurer.**

ব্রজেন্দ্রনাথ চিঠিমাঝার
১০/১২/২০২০

3. **Mr. Simon Sarkar**, Date of birth: 26-Aug-1991, Son of Baburam Sarkar, Address: 58, Khan Jahan Ali Road, Morium Para, Khulna Sadar-9100, Khulna, Bangladesh. ID NO: 4156984066. **Executive Member.**

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১০/১২/২০২০

4. **Mr. Sudeb Sarker**, Date of birth: 03-May-2001, Son of Adar Sarker, Address: 353, Gonali, Gonali Nalta-9420, Tala, Satkhira, Bangladesh. ID NO: 2868021946. **Executive Member.**

ব্রজেন্দ্রনাথ চিঠিমাঝার
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Hereinafter called the **TRUSTEES**, which expression shall include Trustees of the above description for the Trust hereby created, and they shall hereby constitute together the Members of Trustees of the **OTHER PART**.

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দক্ষিণবঙ্গ প্রদেশ ত্রিগাচন্দ্রদেব

২৭৪০১- জন্ম ৮-৭-১৯৬৬ খ্রিস্টাব্দ

অবসর ৮/৭/২৪ অসিমে প্রবাসী

বাসস্থানঃ ১০০০ ইয়াংনাম রোড মাদ্রাসা মহিলাপাড়া

স্বাধীনতা

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WHEREAS the SETTLER and FOUNDER from his early youth has been a member of the Christian Community and by spiritual developmental teaching and has been involved in thinking about new ways of developing the Socio-economic welfare through holistic approach development for the community.

AND WHEREAS to seek subscriptions, donations and other support from major donor within National or Overseas and use the same for the purpose of "THE YAHWEH MISSION OF BANGLADESH".

THEREFORE the Settler has a desire to establish a religious welfare Trust for better management and maintenance of the said property for the benefit of greater Christian Community. The Settler therefore wants to create an initial "THE YAHWEH MISSION OF BANGLADESH" of Taka: 50,000.00 (Taka Fifty Thousand Only) with the hope that local and international donors will be available to materialize the dream of the Trust by increasing its fund for the benefit of the beneficiaries, Christian and other communities, who ever take the services of the Trust, the name of the Trust "THE YAHWEH MISSION OF BANGLADESH" (A Charitable-Religious Welfare Trust).

1. NAME OF TRUST:

The name of the Trust will be (a) "THE YAHWEH MISSION OF BANGLADESH"

2. PRESENT ADDRESS OF THE TRUST:

The present address is Gollamari Christian Para, Khulna -9100, Sonadanga, Khulna, Bangladesh.

3. WORKING AREA OF THE TRUST:

Whole Bangladesh will be the working area of the "THE YAHWEH MISSION OF BANGLADESH".

4. NATURE OF THE TRUST:

It is a religious and welfare Trust and all the income of this Trust shall be utilized for the implementation of the objects of this Trust. Members of this Trust will not have any benefit from the property or income of the Trust in any manner whatsoever, unless any service are being rendered.

5. AIMS AND OBJECTIVES OF THE TRUST:

The aim and objects of the Trust are:

- To establish and strengthen local churches.
- To work for spiritual growth and fellowship among the Christian Community through conference, seminar, symposium, etc.
- To prepare and distribute Christian literature, develop and train Christian music and songs for spiritual and Biblical understanding among the people of the community.
- To establish School and College to provide Biblical, Theological, Ministerial and Pastoral training, etc.
- To purchase of all kinds of movable and immovable property for the implementation of the objects of the Trust and to sale and let lease or transfer or otherwise utilize, develop, expand, immovable assets and

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স্বাক্ষরিত করিয়াছেন S. S. N. Khanna ১৭/১২/৮৫

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১৭/১২/৮৫ তারিখে স্বাক্ষরিত করিয়াছেন S. S. N. Khanna

১৭/১২/৮৫ তারিখে স্বাক্ষরিত করিয়াছেন S. S. N. Khanna

properties of the Trust as the Board deems fit.

- f) To set up and maintain children homes, hostels, orphanage, etc. for underprivileged children and old and disable homes.
- g) To set up secular schools, Bengali and English, vocational training centers, etc.
- h) To set up agricultural, fishery, dairy, poultry, etc. projects for training and improvisation.
- i) To set up World class Medical Collage, hospital, clinic, dispensary, family planning, etc.
- j) To set up projects to fight HIV/AIDS, drug addiction, alcoholism, prostitution, human trafficking, etc.
- k) To set up projects for awaking people for general health awareness of arsenic-free water, sanitation, etc.
- l) To express Christian love and compassion in relief and rehabilitation action for the people of Bangladesh at the time of crisis caused by the disaster.
- m) To implement the above the experts are to be hired from nationals or expatriates.
- n) To do all such lawful acts, matters, deeds and things as are incidental or conducive to the attainment of the above objects and to the physical, spiritual, social, economic, technical, etc. uplift and welfare of Bangladeshi people in general as far as lie within the power and recourses of the society.
- o) To seek and receive subscriptions, from any foreign fund/donations or contributions the Society shall abide by all provisions laid down in the Foreign Donation Voluntary Activities Regulation Ordinance 1978, and Rules contained in mentioned Regulations.
- p) To receive donations, grants, gifts contribution, and scholarships or money from within or from outside the country, which the patrons, donors and members are willing to give for the implementation of various programs of the Trust.
- q) The Trust would be entitled to open and operate bank Account(s) in any scheduled Bank of Bangladesh as decided by the Board of Trustees.
- r) To promote and dissemination of general, moral, religious and other useful knowledge and education and to publish manuals, books and any such literature deemed of importance for the Church.
- s) To adopt, keep and continue relationship with the constitution of the "THE YAHWEH MISSION OF BANGLADESH" written in Bengali which would be the part of this Deed of Trust.

6. BOARD OF TRUSTEES:

- a. The Board of Trustees shall consist of 5 (Five) persons.
- b. The maximum number of members of the Board shall not be more than said number 7 (Seven). In addition the Executive Director will be ex-officio member of the Board without voting power.

If any vacancy arises in the Board on account of death, incapacity, persistent neglect of duty or involvement in activities against the Trust, the remaining Board of Trustees shall nominate to fill the said vacancy and the Board of Trustees must approve the nominated person with $\frac{3}{4}$ majorities.

Any decision to sell the land or building of "THE YAHWEH MISSION OF BANGLADESH" should be made through unanimous decision by all members of the Board of Trustees and existing donor representative.

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৭. VACANCY OF THE MEMBERSHIP:

a) A member shall be ceased to be a member of the Trust-

- 1 If any member of the Board of Trustees found to be engaged in any work detrimental to the interest of the Organization, he/she will be removed or terminated from the membership.
- 2 If any Trustee loses his/her membership in his/her Church, such a Trustee will also lose his/her membership in "THE YAHWEH MISSION OF BANGLADESH".
- 3 If a Trustee remains absent for three consecutive meetings without tendering any reasons.
- 4 On his/her death or written and signed resignation to the Chairman of the Trust. Or
- 5 If any Trustee becomes invalid, mentally unstable, declared convicted for any accusation and convicted in a court of law, his/her membership in the Trust will be cancelled.

b) If the post of a member of the Board become vacated, it shall be fill up through the nomination by the Founder Chairman within 1 (one) month by the decision of the Board.

8. BOARD OF TRUSTEES:

The Board of Trustees will be formed with Chairman, Secretary, Treasurer and two other members elected in the Board Meeting held on 01 March, 2024. They will hold office for a period of two years.

9. POWERS AND FUNCTIONS OF THE BOARD OF TRUSTEES:

- i. The Board of "THE YAHWEH MISSION OF BANGLADESH" shall consist of 5 (Five) persons.
- ii. The Board and the Chairman/Executive Director will work on behalf of the Trust for implementation of the aims and objectives of the Trust. The Board of Trustees will remain responsible for all its activities.
- iii. The Board will constitute the fund and will operate, manage, maintain and control the same along with the movable and immovable properties of the Trust. No portion of the funds, assets movable or immovable will be used for any other purpose other than what was originally sanctioned by the donors. Changes, if any for use of funds and assets will only be made with the written consent of the donor.
- iv. The Board will appoint one Executive Director/Ex. Officio (when needed) to maintain and manage the work of the Trust. The hiring/firing of the Executive Director will be made in consultation with the Board.

10. POWER AND RESPONSIBILITIES OF THE OFFICERS OF THE TRUST:

a. Chairman:

The overall responsibility of managing the Trust will rest with the Board and the Chairman will function as constitutional head of the Trust. He will preside over all official Board meetings or other committees of the Trust. In the absence of the Chairman, the Vice Chairman will preside over such meetings. If for any reason the Board becomes dysfunctional, the Chairman will constitute new Board through elections within 30 days. The full responsibilities of the Chairman are as follows:

1. The Chairman shall be the head of the office, and shall be responsible for its efficient day-to-day operations, management and upkeep. He shall have all the power for that purpose.

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2. The Chairman is authorized to fill in the vacancies in the office, within the

3. The Chairman shall realize and recover all funds due to the office and given receipts thereon.

5. The Chairman shall be responsible for the maintenance of all records of the Trust.

7. The Chairman will promote the ministry of the Trust, raise funds, create awareness and advocate on behalf of the Trust at various Churches, Governmental and Non-Governmental national and international organization and through other like-minded organizations.

8. Any funds or gifts in cash will be deposited in the Bank account of the Trust within 3 days of its receipt.

b. General Secretary:

1. In the absence of the Chairman, the Secretary will perform the function of the Chairman. Otherwise the Secretary will assist the Chairman in all his functions.

2. The Secretary will call meetings of the Trust in consultation with the Board members. He/she will call meeting mentioning the date, time, place and agenda of such meetings.

3. The Secretary will write and maintain the minutes of all meetings of the Trust and will circulate such minutes to the Board of Trustees.

The Treasurer shall be responsible:

1. ... for the supervision and control of the funds and the accounts of the Trust. Treasure will jointly operate the accounts of the Trust together with the Chairman and Executive Director.

2. ... for getting the accounts of the Trust audited annually by an auditor appointed by the Trust.

3. ... for the operation and the presentation of the Annual accounts and the budget of the Board of Trustees which is duly approved by the Trustees.

4. ... for the management of the properties, assets, funds and investments of the Trust.

5. ... for advising the Executive Director and Board in regard to financial policies of the Trust.

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6. ... for the proper custody of all assets, funds, movables and immovable properties, subscriptions, donations and investments of the Trust.

7. ... any other duties that the Board may desire the Treasurer to perform.

11. MEETING OF THE TRUST AND ITS FUNCTIONS:

(a) Functions:

- The business and affairs of the will be managed by the meetings of the. However the day to day affairs of the Trust will be managed by the Executive Director under the guidelines framed by the Board of Trustees (Board).
- The Trust will have a Chairman who will also chair the meetings of the Board of Trustees. He will be elected by the other members of the Board of Trustees. The Executive Director of the Trust will be an ex-officio member of the board of Trustees without any right to vote and will function as the Secretary and shall be keeping the record for all the meetings of the Board of Trustees. A treasurer will also be appointed within the Board of Trusted. Any vacancy of the office of the Chairman of the trust shall be filled up form the remaining members of the trust with $\frac{3}{4}$ (three-fourth) majorities.
- The Executive Director will circulate to all members the minutes of the Trust of every meeting within 15 days of the meeting.
- Various committees may be appointed in the meetings to deal with specific matters and to exercise specific power of the Trust.

(b) Notices:

- The first annual meeting of the Trust shall be held within 6 (six) month from the date of the registration of the Trust in accordance with the law at its office or at any other place to be determined by the Chairman of the Trust.
- The Board of Trustees meetings shall be held at least 4 times a year. The notice for such meetings shall be sent to the members of the Board prior to the meetings.
- At the business meetings of the trust any matter can be discussed, but at the Annual Meeting the following matters must be on the agenda.
 - Accounts: The Treasurer of the Board shall be responsible for presenting the financial report.
 - The Annual Report will include detailed activities of the Trust, by the Executive Director of the Trust.

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(c) Procedures at meetings and minutes:

At any meeting of the Trust:

- a) The executive Director shall prepare the agenda of the Board of Trustees with the consent of the Chairman and it shall be circulated at least 30 days prior to such meetings.
- b) Every question shall be decided by a majority of the members present. The Chairman of the meetings shall have a second casting of vote in case of a tie.
- c) If the Chairman is not present at the appointed time of the meeting, the General Secretary shall be taking the part of the Chairman of the said meeting.
- d) No business shall be transacted unless the quorum is present (5 members). If at any meeting a quorum cannot be formed, it shall stand adjourned to a time, not earlier than two weeks. The meeting can be reconvened at a place to be fixed by the Chairman in consultation with the members present at the adjourned meeting. Again in such meeting if quorum cannot be formed, the members present shall form a quorum provided a permanent donor representative is present.

(d) Minutes:

Minutes of the proceedings of all meetings of all meetings shall be recorded in books to be kept for the purpose, and shall be signed by the Chairman of the meetings after having been confirmed in the next meeting and every such minute purporting to be signed shall be a prime evidence of the facts stated therein.

12. FUND COLLECTION RULES:

To seek and receive subscriptions, donations and other support from persons, institutions and/or other organizations and use the same for the purpose of the trust. However for receiving and utilizing any foreign fund/donations or contributions the trust shall abide by all provisions laid down in the foreign donation voluntary Activities Regulation Ordinance 1978, and Rules contained in mentioned Regulation.

Fund of the organization will be collected in the following way:

- a. Form major donor based on Annual Budget application.
- b. Funds received from other international/national voluntary organizations
- c. Grants form local Churches and Christian missions
 - i. Government help
 - ii. Public voluntary donations
 - iii. Income from the projects of the organization

13. THE SEAL:

The Trust shall have a common Seal, which shall only be affixed to documents in the Chairman or the Executive Director who shall sign every document to which the Seal is affixed. No person dealing with the Trust shall be bound or concerned to see or inquire as to the authority under which any instrument is sealed or in whose presence save and except as per decision of the Board of Trustees for this purpose.



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- a) The Executive Director and the Treasurer will arrange audit of the accounts of the organization by Government approved chartered accounts or by any registered organization appointed and approved by the registration authorities.
- b) A joint account will be operated in a reputed bank in the name of **"THE YAHWEH MISSION OF BANGLADESH"**. The Chairman must be and the other Treasurer and General Secretary will be the signatories. The account may be operated and all financial transactions undertaken with the signature of any two of these three persons.
- c) The Board may open Bank accounts and appoint other members of the staff of **"THE YAHWEH MISSION OF BANGLADESH"** as and when such need arises for managing the funds of the organization.
- d) The banking accounts shall be kept in the name of the Trust at such bank of banks, as the Trust shall from time to time appoint. Cheque shall be drawn, signed and endorsed in such a manner and by such persons, as the Trust shall decide. No payment shall be made from the Trust fund without the authorization from the Trust. All money payable/receivable to the officers of the Trust as the Trust may direct, who shall forthwith pay them into banking accounts of the Trust. The receipt of the Executive Director or such officers shall be sufficient discharge.
- e) The accounts shall be kept of all receipts, credits, payments and liabilities of the Trust, and of each object or purpose in the management of administration whereof the Trust shall for the time being act, and of all other matters necessary for showing the state and condition of the belonging to the Trust, shall be kept at such places as the Trust shall direct and shall be under the control of the Chairman (subject to any reasonable restrictions as to time and manner of inspecting the same as may be imposed by the Trust) shall be opened to the inspection of the Board of the Trustees.
- f) The Chairman shall submit a balance sheet to the annual meeting of the Trust, together with a statement made up to the 31st of December, of such other day as the Trust shall from time to time decide, of the income and expenditure of the Trust and since the last preceding statement and a report on the state and progress of the Trust. The balance sheet, statement and report including full details of all properly shall be signed by the Chairman or in such other manner as the Trust shall from time to time direct. A copy thereof shall thirty days prior to the annual meeting be sent to each member of the Board of Trustees.
- g) Every balance sheet and statement, when audited and approved by the annual meeting, shall be conclusive except as regards any error discovered therein within two months after such approval, which shall forthwith be corrected.

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AUDIT:

One or more qualified auditor (-s) (Chartered Accountant) shall be appointed by the Board of Trustees. The auditor(s) shall have access to all the books of account and documents of the Trust, and shall receive such information and assistance from the Executive Director and

other Officers of the Trust as they may responsible aquifer. The Treasurer shall be responsible for reporting the Audit to the Board of Trustees.

AMENDMENT:

These Rules/Regulations except the objects of this Deed of Trust may be altered of amended by the agreement of at least 2/3 (two thirds) of all voting members of the Trust present and voting in a meeting to which 60 days written notice of such motion has been given to all members of the Board of Trustees and with the consent of 2 (two) permanent donor representatives.

INDEMNITY:

Every Officer for the time being of the trust or any of its staff members, shall be indemnified out of the fund of the Trust against all losses and expenses incurred in the discharge of his/her duties, except such as shall happen through his/her own willful act or fault, and each shall be chargeable only for so much money and property as he/she shall himself/herself actually receive, or in this discharge of the business of the Trust.

DISSOLUTION:

In the event the Trust is unable to function for reasons beyond control of the members of the Board of Trustees, all its remaining assets, after the payment of liabilities, shall be distributed to one or more Organization(s) in Bangladesh, have similar objectives as desired by the permanent Donor Representatives in the Board of Trustees. Schedule of the Trust Fund Tk: 50,000.00 (Taka Fifty Thousand Only) lying in a Bank.

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IN WITNESS WHEREOF the parties here sign and seal in presence of the witnesses, on the day, month and year mentioned in the beginning of this Deed-of-Trust.

This Deed of Trust is completed in 11 (eleven) typed pages and by 3 (three) witnesses.

Signature of the Board of Trustees:

1. Mr. Joy Sarker
2. Mr. Niranjana Sarkar
3. Mrs. Eti Das
4. Mr. Simon Sarkar
5. Mr. Sudeb Sarkar



অবিকল নকল
জিলা ম্যাজিস্ট্রেট ইসলামপুর
রেকর্ড বিভাগ
জেলা রেকর্ড কম
জেলা রেজিস্ট্রারের কার্যালয়
খুলনা।

Signature of the settler and
Founder of the Trust

WITNESSES:

- 1.
- 2.
- 3.

নাম

শ্রী রবীন্দ্র

ঠিকানা

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