

**INDIAN EPILEPSY ASSOCIATION-
18th INTERNATIONAL EPILEPSY CONGRESS TRUST**



TRUST DEED & BYELAWS

B-7/2, Vasant Vihar, New Delhi-110 057
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Registration No. 1492(IV) dated 09 - 04 - 1992 with the Sub-Registrar under Indian Registration Act.

Registration No. 569/92 under section 12A (a) of the Income Tax Act, 1961.

Recognized under Section 80-G of I.T. Act, 1961 Circular No. 7/2010 dated 27 October, 2010 Income Tax PAN AATPI0286Q.

TRUST DEED

This Deed of Trust is made on the 9th April 1992 between the Indian Epilepsy Association hereinafter called as the 'Settlor' of the First Part through Dr. F.N. Kohiyar erstwhile Treasurer of IEA and

- I) Dr. K.S. Mani
- ii) Dr. A. Das Gupta
- iii) Dr. M.C. Maheshwari
- iv) Dr. P.K. Sethi
- v) Dr. V.S. Saxena
- vi) President of IEA Ex-officio
- vii) Secretary-General of IEA ditto
- viii) Dr. T.K. Ghosh
- ix) Dr. E.P. Bharucha

of the Second Part, hereinafter jointly referred to as the Trustees.

WHEREAS the Settlor is desirous of setting up a Trust for promoting better management, care, research, welfare and rehabilitation of persons suffering from Epilepsy.

AND WHEREAS the Trustees have consented to carry out the Trust herein created under the name "Indian Epilepsy Association and 18th International Epilepsy Congress Trust", abbreviated to "IEA/18th IEC Trust".

NOW THEREFORE, it is hereby agreed as follow:

- a) The aims and objects for which the Trust is established

are to help in amelioration of human distress in those afflicted with Epilepsy.

- b) Promoting rural Epilepsy studies and health care.
- c) Collecting, compiling, advertising and disseminating knowledge concerning Epilepsy in every field.
- d) Promoting, guiding, co-ordinating research and experimental work in all aspects of Epilepsy considered to be of benefit to those afflicted with Epilepsy.
- e) Promoting social services to ameliorate the social injustice suffered by those afflicted with Epilepsy in all walks of their daily lives.
- f) Providing fellowships to Indian Epileptologists to go abroad for obtaining expertise in specific areas.
- g) Providing fellowships to Indian Epileptologists to visit Indian centres, local workshops/symposia, etc. in India in furtherance of the objectives of the IEA and 18th IEC Trust.
- h) Holding workshops/symposia, etc. in India in furtherance of the objectives of the IEA and 18th IEC Trust.
- j) Obtaining expertise for training local Epileptologists from the international arena for which travel and local expenditure will be paid out of the resources of the fund to experts from foreign countries.
- k) Obtaining neuroscientists and Epileptologists of international repute as participating faculty in the continuing medical education programme, symposia, workshops, organized by the IEA and 18th IEC Trust for which travel and local hospitality

will be paid from resources of the Trust for the experts from foreign countries and from India.

- l) Providing funds for publication of the scientific material for neuroscientists and for promotion of research in neurosciences.
- m) Purchase of books, journals on Epileptology for loaning to neuro-centres in India of the post graduate trainees in Epilepsy or allied subjects but through their respective institutions.
- n) Providing financial help to members of the IEA to go abroad to attend international Epilepsy congresses.
- o) Providing fellowship to members of the IEA to go abroad for obtaining expertise in specific field in Epilepsy research.
- p) To keep the unspent funds of the 18th IEC for the above said purposes.

The Settlor being the absolute owner of Rs. 1000/- hereby conveys the said money of Rs. 1000/- (Rupees one thousand) only cash to the Trustees, receipt of which sum of Rupees one thousand is acknowledged to hold the same for purposes of the Trust under the subject to the powers and provisions hereinafter contained.

THE POWERS AND DUTIES of the Trustees are as follows

1. The Trustees shall use the money of the Trust for the purposes herein above mentioned.
2. The Trustees may employ such staff, including medical practitioners and others in an honorary capacity or on such remuneration as they consider appropriate to run the office of the Honorary Secretary, also clerical and

class IV staff on appropriate remuneration to run the office efficiently.

3. The Trustees may accept donations to the Trust from well wishers either in cash or kind, including equipment, furniture, appliances, etc., so that these are added to the Trust fund and used only for the purposes of the Trust herein above mentioned.
4. The income of the Trust shall be used to defray the expenses of the Trust. Where such income is insufficient to meet the expenses, the Trustees may use such portion of the corpus of the Trust fund for the purpose, as may be found necessary.
5. Where the income of the Trust exceeds the expenditure of the Trust, such excess may be added to the Trust fund.
6. The Trustees have the power to borrow money on security of the Trust property for necessary purpose.
7. The Trustees shall invest the Trust funds in the forms and modes specified under the provisions of Sections 13(1)(d) read with Section 11(5) of the Income Tax Act 1961, viz in Government securities, deposits with scheduled banks, post offices, Government companies, etc. They shall not, however, invest the Trust funds in shares or in business of any private individuals or organizations.
8. The Trustees may meet as often as considered necessary and expedient and in any case not less than once every six months to discuss matters concerning the Trust. Fares, accommodation and incidental

expenses as per limits for such meetings may be allowed from the Trust funds provided there are not more than two meeting a year. Wherever possible, matters may be dealt with by correspondence.

9. In case of differences of opinion among the Trustees in respect of any matter relating to the Trust, the view of the majority of Trustees shall prevail.

10. The Trustees shall be

	NAME	DESIGNATION	TERMS
i.	Dr. K.S. Mani	President	till aged 70
ii.	Dr. A. Dasgupta	Vice President	ditto
iii.	Dr. V.S. Saxena	Secretary	ditto
iv.	Dr. P.K. Sethi	Treasurer	ditto
v.	Dr M.C. Maheshwari	Trustee	ditto
vi.	President of IEA	Trustee	ex-officio
vii.	Secretary-General of IEA	Trustee	ditto
viii.	Dr. T.K. Ghosh	Trustee	3 years
ix.	Dr. E.P. Bharucha	Trustee	3 years

If a Trustee retires, resigns or dies, or is incapacitated or becomes bankrupt or is declared insolvent or leaves India for a period exceeding one year, whenever a vacancy arises, the remaining Trustees and the G.C. of the IEA will jointly nominate another Trustee, who in their opinion can devote his/her time for the said services with full dedication under the said Trust.

11. The Trustees shall always be form members of the IEA. The number of Trustees shall be not less than six and not more than nine.
12. No part of the Trust fund, either corpus or the income thereof shall be utilized for any object other than those of the Trust hereby created.
13. No Trustee shall be personally liable for any expenditure or liability of the Trust or loss to the Trust estate unless he is guilty of fraud.
14. The Trustees shall have power and authority for the purposes of the Trust office, to rent accommodation, to appoint or engage and at their discretion to remove or suspend one or more of its employees, eg. Secretarial staff, class IV staff, in permanent or temporary or special service in connection with the work of the Trust, Trust estate, Trust funds and Trust property, from time to time as they think fit and to determine their powers and duties and fix their remuneration, salaries, bonus or emoluments and to require security in such instance and such amounts as the Trustees may think fit. The Trustees may found and maintain provident funds and gratuity funds for any employee and make rules and regulations regarding the same.
15. No amendment to the Trust Deed or Rules and Regulations and Bye-Laws shall be made which may prove repugnant to the provisions of Section 2 (15), 11, 12, 13 and 80G of Income Tax Act, 1961 and further no amendment shall be carried out without the approval of the Commissioner of Income Tax.
16. In the event of dissolution or winding up of the Trust, the assets remaining as on the date of dissolution shall under no

circumstances be distributed among the Trustees, members of the Trust, but the same shall be transferred to another Trust, Society, Association, etc. whose objects are similar to those of this Trust, and which enjoys recognition under Section 80G or the Income Tax Act, 1961.

In Witness where of the parties hereto have set their hands in the presence of Witnesses.

BYE – LAWS

1. The members of the Trust shall always be from members of the IEA.

The total number of Trustees shall be not less than six and not more than nine.

The president and Secretary General of IEA shall be Trustee for the duration of their terms of office in IEA (ex-officio) as President and Secretary-General respectively.

The G.C. of the IEA shall also nominate two members of IEA for a fixed term of three years.

All shall have voting rights.

2. No part of the Trust fund, either the corpus or income thereof, shall be utilized for any object other than that of the Trust hereby created.
3. No Trustee shall be liable personally for the expenditure or liability of the Trust or loss to the Trust unless he is guilty of fraud.

4. This is a registered Public Charitable Trust. The property of the Trust shall in no event revert to the Settlor, his descendants or any other person.
5. The office of the Trust shall be located at the place where the Secretary resides.
6. The Trust shall have president, Vice-President, Secretary and Treasurer.

They shall be selected by the Trustees from amongst themselves..

The President shall be entitled to chair at all at all annual/general/extraordinary meetings of the Trustees and all sub-committees. In case of equality of votes, the President may exercise casting vote. The Vice-President shall have powers and duties of the President in the absence of the President. The Vice-President shall also perform such duties as from time to time may be assigned by the President. The Secretary shall perform such functions as shall be assigned to him by the President. He shall keep minutes of every meeting, be responsible for convening and correspondence. He shall have overall powers of superintending the affairs of the Trust and carry out the objects of the Trust.

The Treasurer shall perform such functions as shall be assigned to him by the Board of Trustees. He shall be in charge of the funds of the Trust and shall keep or cause to be kept proper accounts of the income and expenditure of the Trust.

7. The names of the Trustees, their designations and terms shall be:

	NAME	DESIGNATION	TERMS
I.	Dr. K.S. Mani	President	till aged 70
II.	Dr. A. Dasgupta	Vice President	ditto
III.	Dr. V.S. Saxena	Secretary	ditto
IV.	Dr. P.K. Sethi	Treasurer	ditto
V.	Dr M.C. Maheshwari	Trustee	ditto
VI.	President of IEA	Trustee	ex-officio
VII.	Secretary-General of IEA	Trustee	ditto
VIII.	Dr. T.K. Ghosh	Trustee	3 years
IX.	Dr. E.P. Bharucha	Trustee	3 years

When a vacancy arises the remaining Trustees and G.C. of IEA will jointly nominate another Trustee.

8. The Board of Trustees may meet as often as considered necessary and expedient and in any case not less than once every six months to dispose of matters concerned with the Trust.
9. Expenses for such meetings may be allowed from the Trust funds provided there are not more than two meetings a year. Whenever possible matters may be dealt with by correspondence. Following rules for expenses will be observed for the Board of Trustees in case of meetings or urgent meetings which are approved by the Trustees.
 - a) Trustees will be paid return economy/excursion air fare (whichever is lower) from the place of their residence to the venue of the meeting. 1 st class AC rail fare or AC

bus fare is permissible. Travel by taxi will be permissible in exceptional cases with prior intimation to Secretary.

b) Claim for actual taxi from residence/airport/residence will be allowed.

c) Trustees may be paid upto Rs. 500 per night for stay in hotel and incidental expenses whenever necessary. Production of actual receipts from the hotel will be necessary.

10. Bank Account shall be operated by three Trustees, two of whom must be Treasurer and the Secretary.
11. **Budget Account:** The Treasurer shall keep a proper account of the income and expenditure of the Trust and shall submit at each annual meeting of the Trustees a report and audited financial statement and balance sheet for the previous year. He shall also submit a budget giving the estimated income and expenditure of the Trust for the following year. This shall be passed at the annual meeting of the Trustees.
12. **Auditor:** There shall be an auditor of the Trust. The auditor shall be proposed by the Treasurer and the appointment confirmed at the annual meeting of the Trustees. Only registered auditors shall be eligible for appointment. They shall audit all accounts.
13. **Notices:** A notice shall be served on any Trustee, either personally or through the post, in a prepaid letter addressed to such Trustee at his address registered with the Trust. Non-receipt of any notice of a meeting shall not invalidate the proceedings of a meeting.

14. All acts and proceedings of the Trust shall be taken and conducted under the name of the Trust.
15. The Board of Trustees shall have the right and powers to do all things necessary or expeditious for the conduct of affairs of the Trust, not herein otherwise provided for and for the benefits of the Trust.
16. The Board may make and from time to time repeal, alter regulations as to the management of the Trust and the affairs thereof, provided that the same shall not be inconsistent with the provisions of the IT Act (1961) then in force.
17. The Board of Trustees empowers the Treasurer of the Trust to represent or act for the Trust in any matter concerning the property, funds, investment, borrowings and the making or cancellation of any instrument for any instrument for any of these purposes.
18. The Trustees shall not be entitled to any remuneration and shall work in an honorary capacity. They shall, however, be entitled to receive out of pocket expenses incurred by them in the course of discharging the objects of the Trust.
19. The Trustees shall not be entitled to reimburse themselves out of the Trust estate all expenses incurred in or about the execution of the Trust or powers herein or incurring out of the Trust its objects and affairs or the realization, preservation or benefits of the Trust property.

The Trustees shall be entitled to be indemnified by the Trust properties, against the consequences of all lawful acts done by the Trustees in the course of discharge of their duties as the Trustees of the Trust and all costs, changes and expenses thereof.

20. The ordinary meeting shall be held every year or so soon thereafter as possible at such place and at such time as may be determined by the Board of Trustees. The quorum of the Board of Trustees will be one third the total number at any time and the decision taken by majority vote.
21. **Special Meetings:** The Board of Trustees may at any time and shall on a requisition signed by not less than two thirds of the number of the number of Trustees of the Trust stating the objects of such requisition summon a special meeting of the Trust to be held in not less than fifteen days notice and not later than four weeks after the receipt of such notice. The notice concerning the meeting shall specify the particular matter or matters to be discussed.
22. **Conduct of business at meetings:** At any meeting in which both President and Vice-President are not present, the meeting shall appoint its own Chairman.
23. Subject to the powers of the Board of Trustees, the Trust and the property and office shall be under the control and management of the Trust.
24. The disposal, condemnation of any material of equipment of the Trust, will be done at the meeting of the Board of Trustees.
25. Matters requiring urgent consideration and where the meeting of the Members is not possible, may be decided by correspondence with the Trustees. Decision of the majority of the Trustees will be considered valid.
26. The Secretary is empowered to appoint staff to the minimum for running of the office of Trust.

27. The Secretary is empowered for day expenditure for running of the office of the Trust.
28. The Board of Trustees may create such Committees of the IEA and 18th IEC Trust, from amongst the full active members of the IEA, to fulfil the aims and objectives of the Trust. These sub-committees shall be advisory committees. Their recommendations shall be considered by the Board of Trustees for final approval and execution. The members of the sub-committee shall discharge their duties by postal correspondence.

No expenses shall be paid to the members of the subcommittees unless a member is requested to attend the meeting of the Board of Trustees.

29. The benefit of the Trust should be to any person without distinction of nationality, religion, caste, creed or sex.
30. The funds of the Trust shall be invested in the modes and forms specified under provision of Sections 13(1)(d) read with Section 11(5) of the Income Tax Act 1961.
31. In the event of dissolution or winding up of the Trust the assets remaining as on the day of dissolution shall under no circumstances be distributed among the Trustees, Members of the Trust, but the same shall be transferred to another Trust, Society, Association, etc. whose objects are similar to those of this Trust, and which enjoys recognition under Section 80G of the Income Tax Act 1961.
32. No amendment to this Trust Deed or Rules and Regulations shall be made which may prove to be repugnant to the provisions of Section 2(15), 11, 12, 13 and 80G of the Income Tax Act, 1961.