



Edwin Samuel Mohanty



TRUST DEED

I. 1) Name and additions of the Author of the Trust: - Mr. Edwin Samuel Mohanty aged about 74 years son of late Haro Mohan Mohanty, Christian by caste Chief Electrical Engineer (Retired) by Profession residing at Hill-Patna Street, Berhampur town P.O: Berhampur, Ganjam district herein after called the 'Founder Trustee' and 'Author of the Trust'.

2) Name and additions of the Beneficiary: - "HAROBINO VIDYA BHAVAN" (English Medium) an educational institution functioning at Hill-Patna, Berhampur, Ganjam district P.O: and P.S: as above represented by its founder trustee the above Mr. Edwin Samuel Mohanty to be succeeded by his own family members as per his Last WILL.

Edwin Samuel Mohanty

Dr. H. K. Patra

- 3) Nature of the document:- Trust Deed.
- 4) Date of the document:- 11th May 2004 the Eleventh May Two Thousand Four.
- 5) Brief description of the Property:- valued as Rs.50,000.

- i) The house site situated in Baidyanathpur Agraharam, in Kamapalli (Extant Ac. 0.404) out of the total extent of AC. 0.538 decimals on which the residential building of the founder is situated which is known as 'Harobino Villa'.
- ii) All the school building constructed on this house site.
- iii) A total extent of AC. 2.453 decimals of wet land situated in Dassapur - village (Mouza).
- iv) An extent of AC. 2.015 decimals of wet land situated in Ambapur village (Mauza).

- II. 1) As it is seen from the Trust Deed No.2984 dated 18 September 1984 of the founder and author of the Trust, the intention of the founder is to run the existing Nursery School styled as "HAROBINO VIDYA BHAVAN" effectively on a permanent basis along with higher classes separately in a new building to be constructed on the vacant site available to the West of the residential building and to run the school in his residential building temporarily till the new building is constructed.

In the mean time the said Building was erected adjacent to the residential Building of the author of this Trust and the classes are now going on in the said new building.

This is also shown as the object of the Trust in the deed. As in 1984 only the residential house of the founder where he is living with his family is available, the Nursery school is being initially housed in that residential building where the family members were residing and managing the school remaining in different administrative posts. It was never intended by the Founder nor mentioned so in the 1984 Trust Deed that the members of the family would vacate the house and the house would be permanently used by the school.

- 2) The Schedule in which the properties of the founder are mentioned consists of 3 (Three) parts.
- (a) The residential house of the founder along with the portion which was remodeled to temporarily accommodate previously the Nursery School.

- (b) The 2nd property given in the schedule was the vacant piece of land adjoining to the residential building to the East.
 - (c) The third portion being the cultivatable wet land which fetch an income for the Trust.
- 3) There is also a direction in the 1984 Trust Deed that in future the school building is to be constructed in the backyard as described in 2 (b) above of the residential building to which the Nursery School will be shifted. Now as per the direction of the Trust Deed the founder has already constructed the school building and shifted the existing Nursery School and other classrooms from the residential portion of the building to the new building constructed on the backside vacant space for "Harobino Vidya Bhavan". The founder met a part of the expenditures in getting the said school building constructed for Harobino Vidya Bhavan and furnished it fully at a cost of about Rs. 14 Lakhs.

Thus the residential building of the founder and Harobino Vidya Bhavan school buildings now have thus become separate. Now there is no disturbance to the family of the founder residing peacefully in his existing building and the students who are studying in the new building of Harobino Vidya Bhavan which is having its separate location on the site of the Trust.

The residential house which was in the name of the founder in Municipal & Revenue records before 1984 was allowed to continue as such and the founder was paying all taxes and cost for the said residential building out of his own personal funds till today without getting the residential house Mutated in the name of the Trust. This also clarifies the intention of the donor not to declare the residential house as Trust property but he has only allowed temporarily using it for the school till the permanent school building is constructed.

- 4) The Trust Deed of 1984 at different places mentions about the 'WILL' of the founder Dt. 5th July 1984 as that was his last will by the date of the Trust Deed. The founder wants to change and alter the terms of the said 'WILL'. So it is necessary to read the words "WILL Dt. 5th July 1984" where ever it appears in 1984 Trust deed as the "LAST WILL of the founder and author of the Trust".

5) So, there is a necessity now for making a clarification relating to the exclusive ownership and possessions of the residential house property of the founder which he is all along using as such till today with that of the Trust's exclusive property that is "Harobino Vidya Bhavan" in which the beneficial interest of the students rest and the other agricultural lands.

6) By executing this Trust deed which forms an addenda of the Trust deed No. 2984 of 1984 the founder does not disturb the objects of the trust for which the trust deed was executed. This Trust Deed shall be treated as a part and parcel of the First Trust Deed No. 2984 dated 18th September 1984 recorded in Book-1 at the District Registrars Office at Chaterpur, District Ganjam, Orissa.

7) The author of the Trust to create more benefit to the Trust has further donated today another 2 acres of land, which will enhance the assets of the Trust creating an annual income for the Trust.

8) Thus, the schedule of the Trust Deed of 1984 is amended clarifying the ownership of the residential portion of the founder and adding the newly constructed school building along with another about 2 acres of land enhancing the assets of the Trust.

9) The property of the Trust mentioned in Para I (5) and Para III of the 1984 Trust deed is thus hereby replaced by the schedule of this Trust Deed which is to be read, understood and treated as the property of the Trust "Harobino Vidya Bhavan" for all purposes henceforth.

With this clarification other terms and conditions of the 1984 Trust Deed No. 2984 remains as it is.

III. Schedule of Properties belonging to the Trust:-

1.] (a) The house site situated in Baidyanathpur Agraharam alias Kamapally Village in Baidyanathpur Mauza within Berhampur Municipality in

(A) new Khatiyan No. 1030/278 Plot No. 1258/2659 (Total Extent AC. 0.538) out of which the extent belonging to the Trust is AC. 0.358.

(B) same Khatiyan No. Plot No. 1231 with an extent is AC. 0.046 thus making a total extent of AC. 0.404 decimals.

Khatiyan No.	Plot No.	Extent donated
1030 / 278	1258 / 2659	AC. 0.358 decimals
1030 / 278	1231	AC. 0.046 decimals.
Total extent =		AC. 0.404 decimals

S. S. Chatterjee

Details of land demarcation is given below:-

- North to South ~ 15 feet wide at the Western End up to 117 feet Eastward thereafter 72 feet wide gradually enlarging up to 85 feet at the Eastern End.
- East to West ~ Length 324 feet on both the sides.

The above site and building are bounded as follows:-

- EAST ~ House site and approach Road.
- WEST~ Municipal Road and "Harobino Villa" the Residential House of the founder.
- NORTH ~ House site of Mr. David Emanuel Mohanty on which 'Upahar Residency' apartment building is constructed and "Harobino Villa" the residential house of Mr. Edwin Samuel Mohanty.
- SOUTH ~ Municipal service Lane.

A sketch showing the site and building situated within the above boundary is attached to this deed and is to be treated as a part of this document.

(b) All the school building constructed on this house site.

- 2.] Wet land in Dasapur village (Mouza), Thana - Berhampur in Kanasi Tehsil with in the Registration Sub-district of Berhampur Ganjam as follows:-
As per new consolidation records of Consolidation No.188 of Khatiyani No. 928 is in the name of Harobino Vidya Bhavan.

<u>Khatiyani No.</u>	<u>Plot No.</u>	<u>Extent</u>
928	196	AC. 1.705 decimals
	197	AC. 0.748 decimals.

Total AC. 2.453 decimals Hectors - 06627 with effect from 01-04-1992.

Two acres four hundred fifty-three decimals bounded by to the East: Land of Bijaya Nahako, West & South: Land of Bhikari Dolei, North: Land of Godei Patro and Beauty Mohanty.

- 3] Wet land situated in Ambapur village, Thana - Berhampur in Kanasi Tehsil within the Registration Sub-district of Berhampur, Ganjam as detailed below:-
As per Khatiyani No. 412 is in the name of Harobino Vidya Bhavan, Trustee Edwin Samuel Mohanty with effect from 01-04-1992 details of land extent.

Pratibha
Principal
Harobino Vidyabhavan
Hillpatna, Berhampur
(Ganjam)

TRUE COPY
H. K. Mohanty

<u>Khatiyan No.</u>	<u>Plot Nos.</u>	<u>Extent</u>
412	288	AC. 0.488 decimals.
	328	AC. 0.147 decimals.
	333	AC. 0.150 decimals.
	650	AC. 0.415 decimals.
	657	AC. 0.345 decimals.
	658	AC. 0.150 decimals.
	708	AC. 0.060 decimals.
	720	AC. 0.260 decimals.

Total 8 plots =	AC. 2.015 decimals
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A sketch of the house site of the Trust and the School building there on as described in Schedule III (1) above is attached herewith which will form part of this deed.



Signature of the Author of the Trust
and executant of this Trust Deed
(Mr. Edwin Samuel Mohanty)

Witness:-

1. Neelamadhava mahapatra
(Adhikari)
S/o Sri Simancheta mahapatra
At/PO - Sidhartha Nagar, 1st lane,
Berhampur, Dist - Ganjam.

2. Chiny Chhanty
MONOJ MOHANTY, S/o Edwin Samuel Mohanty
"HARBOR VILLA"
Hill padua
Berhampur Orissa.

Drafted and typed by me

Neelamadhava mahapatra

Neelamadhava mahapatra

TRUE COPY

