

IQBAL HASSAN STAMP VENDOR Lic. No. 272, Seat No. 4

1.1 MAR 2009

aty Court, Karachi.

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Sub-Registrar-III
Gelishas-elqbal Topu, Karrist

TRUST DEED

OF

# VISION TRUST

THIS INSTRUMENT OF TRUST is made at Karachi, this 12<sup>th</sup> day of March 2009, by the authors of the Trust Dr. Muhamman Mazhar Awan here mafter called author of the TRUST and;

- 1. Dr. Muhammad Mazhar Awai, sp Late Muhammad Lafar, holding CNIC # 42201-7429644-1, Muslim adult resident of 201, Fawad Garden Apartments, Commercial 29, Block 8, Gulshal Calphal, Karachi, 7500.
- Justice (D) Mushir Alam, s/o Late Muhammad Alam holding CNIC # CNIC #42201-6006179-9, Muslim, adult, resident of 56 Depot Lines, Soldier Bazaar Karachi

Air Commodore Ghulam Mujaddid Butt, s/o Muhammad Tufail CNIC # 61101-1977486-5 Muslim, adult, resident of C-51, PAF Complex Sector E-9, Islamabad. Shekih Talat Mahmud s/o Late Sheikh Mahmud Hussain, holding CNIC # 42201-4967905-7 Muslim, adult, resident of 49-H, Block 6, PECHS, Karachi.

Syed Humayun Kalam s/o Syed Abul Kalam, CNIC # 42201-1133037-3, Muslim Adult, resident of A-338, Block 2, Gulshan-e-Iqbal, Karachi-75300.

6. Syed Shariq Kalam s/o Syed Humayun Kalam, CNIC # 42201-1038132-3, Muslim Adult, resident of A-338, Block 2, Gulshan-e-Iqbal, Karachi-75300.

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All Muslim adults, being the Authors/ Donors of the Trust (hereinafter referred to as the "FOUNDER TRUSTEES").

## PREAMBLE

- A). WHEREAS, despite tremendous developments in ophthalmology, access of the poor, to Quality Eye Care and Cure remains a far cry in this day and age. This situation is highly exploited, to the mutual advantage and benefit of private healthcare facilities and upper strata of the society.
- B). AND WHEREAS, people in general and at large stand denied and deprived of decent health care facilities in general and decent eye care and cure in particular. Situation for the urban middle class constituting a large chuck of urban population is even worse. Their pride, education and quality conscious prevents them to stand in long hallway queues, they lack employer support or health insurance and worst of all cannot afford to go to so called decent health care facilities of the city.
- C). AND WHEREAS the government with its limited resources, burdened with defense and debt servicing expenditures, is left with little will or means to address this primary issue. What is done and iclaimed is grossly inadequate to meet requirements of masses in transfer quality health care and its delivery,
- D). AND WHEREAS it was fell by the authors of this trust, to try and help bridge this gap, on the basis of self help, with a primary focus on woes of middle class with reference to quality eye Care. It was felt that white dollar middle class people of the metropolis suffers silectly as almost all the local and international NGO's are focused for the impoverished, which therefore get relief somewhere and somehow
- focused for the impoverished which therefore get relief somewhere and somehow.

  E). AND WHEREAS for the ABBHORS/ DONORS/ FOUNDER TRUSTEES have decided to put together their limited resources for the purpose of creating the irrevocable trust to be called "VISION TRUST", hereinafter referred to as the TRUST.
- F). AND WHEREAS, to further the aims and objectives of the TRUST, a purpose built, state of the art comprehensive ophthalmic care, cure and treatment solution and total eye care facility will be founded initially in the metropolis of Karachi and at such places as may be decided by the Board of Trustee. For the said purpose, a fund and resource raising appeals will be made for support of philanthropists/ Donors/ Zakat givers etc.
- G). AND WHEREAS the TRUST, to begin with, aims to assess the incidence and magnitude of eye problems, ailments and disorder, set priorities, and thereby develops, establish, run projects of quality eye care and cure delivery programs. It would strive to make quality eye care and cure solutions accessible to all sections of the society, starting from middle class of urban populace extending down to the less fortunate.
- H). AND WHEREAS the task is gigantic, and resources limited, yet we feel our direction is right and we ask Allah SWT for guidance and help in our mission

NOW THEREFORE this Trust Deed witnesses as under:-

That the Authors / Donors / Founder Trustees do hereby declare and create a
Trust to be known as "VISION TRUST" (Hereinafter referred to as the
"TRUST")

That the Authors / Donors / Founder Trustees shall be trustees for life, and may
not be removed by any person, except under this Deed. The Authors / Donors /
Founder Trustees shall hereafter be referred to as the LIFE TRUSTEES.

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- 3. That if need be felt, to further the aims and objectives of the TRUST and upon satisfaction with mutual consultation and unanimous consent among Life Trustees, TRUSTEES may be appointed. TRUSTEE shall be such persons as are appointed in the manner as provided by these present.
- The LIFE TRUSTEES and TRUSTEES shall constitute BOARD OF TRUSTEES.
- The BOARD OF TRUSTEES shall choose from among them, one to be the PRESIDENT OF THE BOARD OF TRUSTEES.
- As and when felt necessary, to run the affairs of the trust, the BOARD OF TRUSTEES may appoint a committee, called EXECUTIVE COMMITTEE.
- The size, constitution, its office bearers, manner of their appointment/ removal, responsibilities, and functions of EXECUTIVE COMMITTEE, shall be determined by the BOARD OF TRUSTEES by 3/4<sup>th</sup> majority.
- 8. That the office of the Trus shall be at Karechis in the Province of Sindh, at Plot No.23, First Floor, Snow white Chambers, Bahadurabad, Karachi, or at any other place or places as may be determined by the BOARD OF TRUSTEES at any time or from time to time.
- 9. The TRUST shall be tun on a treath humanitation non-religious, non-political and non commercial basis, focused primarily on promoting Quality Total Eye Care solution to general public its beneficiaries regardless of color, cast or creed, and without any kind of discrimination whatsoever.

## IT IS FURTHER DECLARED BY THE AUTHORS / DONORS / FOUNDER TRUSTEES as follows;

The Authors / Donors / Founder Trustees hereby create a trust in Pakistan, under the name and style of VISION TRUST, by initially contributing a sum of Rupees 10,000/- (Rupees Ten Thousand only) to TRUST, to have and hold in Trust for the following aims and objectives under the above referred purpose of the Trust, as described hereinafter, it be used and appropriated by the TRUST, in order to carry out and fulfill its objectives, in accordance with the directions of the Founder Life Trustees so far as the same shall extend, and the AUTHORS / FOUNDER TRUSTEES hereby relinquish for all time, any claim to or interest in the said sum of 10,000/- (Rupees Ten Thousand only) or such other moneys as they or any other person or persons may contribute from time to time unto the TRUST.

### 11. AIMS AND OBJECTIVES

a. Primary aim of the TRUST is to establish and run an eye hospital with as many relevant sub specialties and departments as resources may permit. A hospital where comprehensive, state of art and decent total eye cure and care facility would be made available to the middle income and low income group of people at affordable costs. Those who can not afford at all or who cannot afford total cost will be provided the same service at free or subsidized cost respectively, without discrimination as to color, cast or creed.

b. To develop, establish, takeover, manage, monitor, administer and/or operate any other such health care facility (ies), pertaining to and relating to above to general public on welfare/non commercial/non political basis.

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c. To collaborate with such national, regional, International organizations, institutions, universities or bodies which, are pursuing similar objectives, or which may desire collaboration with TRUST or institutions or bodies formed by the TRUST.

# d. RESEARCH AND DEVELOPMENT

- i. To maintain data base and review all available data of research on the prevalence of eye diseases and or disorder in the region and make estimates about the prevalence and pattern of eye diseases in Karachi its suburbs, in places as may be necessitated and deemed appropriate by the Board of Trustees.
- ii. To assess a takable eve culicand care facilities in public, private and welfare vectors in Kawadii, against the backdrop of prevalence of diseases, and deduce discrepancies if any.
- iii. To car Dut/continising research projects, if needed in terms of prevailing very livered available eye care facilities, socio-economic conditions of the society in the Metropolis and such other parkas may be conducive.
- iv. In the light of above, to prepare comprehensive short term, medium term and long term plans/feasibilities/strategies for the delivery of affordable and quality eye care for the white collared class and for all those who cannot afford private eye care/treatment.

#### e. FUND RAISING

To develop fund-raising strategies and plans to further the aims and objectives of the TRUST both at local, regional and international levels.

## f. FUNDING FREE TREATMENTS

**Funding** of free treatments to poor and needy, at other hospitals/ Clinics providing such facilities, subject to the availability of funds, discretion, satisfaction and approval of the TRUST.

## g. EDUCATION AND TRAINING

- When appropriate, to institute training programs for the paramedics, nurses, under and post graduate training of ophthalmologists.
- ii. To carry out preventive eye care awareness rising campaign, workshop, and seminars, at community level and for the school children from time to time.
- iii. To seek collaboration, recognition, accreditation by the National, regional and International bodies for its teaching, training and awareness courses, programs and events.

iv. To produce/ translate and publish literature, with the help of scholars in the relevant fields for the education of general masses to increase health awareness generally and eye care and protection specially.

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R. No. To disseminate general health awareness through all means of Galaxies Communication i.e. Internet, TV, Radio, Newspaper, Magazines, Journal handbills etc.

- vi. To hold seminars, conferences, workshops, meetings for imparting up-to-date knowledge in the said field.
- vii. To develop state of the art Learning Resource Center and Library, for the under and post graduate in the specialty.
- viii. To provide stipends, scholarships, prizes, books, and/ or any other educational material for education purposes, subject to the satisfaction of the TRUST.

# 12. OPERATING PRINCIPLES AND GUIDELINES

- a. To maintain highest level of physical band excellence in terms of expertise and equipment at all levels of eye care courts.
- b. To engage, hire, confloy professionals, veryons, doctors, and other support staff in the will as fallity to guarance quality to service.
- c. To develop and maintain hearth working conditions for those working with the TRUST.
- d. When and where possible and as determined by the Board of Trustees, to invest in human resource development.
- To provide service to all without prejudice to religion, sect, ethnicity, color, cast or creed and social status.

# 13. TRUSTEES

a. Number of Trustees

There is no bar as to the number of Trustees at any given time.

- b. Procedure for Appointment of Trustees.
  - i) Legal heirs of Life Trustee and their successive descendents on attainment of age of majority may subject to their consent, shall be appointed as trustee.
  - ii) A Trustee shall be appointed only if a person considered for the same, satisfies the Board of Trustees, that he/ she is willing to contribute time, resources or expertise to further aims and objectives of the Trust.
  - iii). He /she is considered unanimously by existing Trustees to be worthy for the cause or may be deemed worthy for the cause, by existing Trustees, and offer is made in black and white.
  - iv). A nominee thus, shall become TRUSTEE only upon signed acceptance of the signed offer, both documents duly kept on record in office files.

c. Duties of the Trustees

A trustee in general is required;

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- i. To acquain Thirselfherself wall the aims and objective of the trust.
- To acquaint himself/ herself with the nature and state of the trust property and its safety and ensuring its proper utilization.
- iii. To discharge such care, prudence and diligence as an ordinary person would exercise in the management of his own affairs, to protect and preserve the trust property.
- iv. Not to assert, set up or aid in setting up any adverse title to the trust property, in favor of himself or any other person.
- v. To be impartial to all beneficiaries, and not to execute the trust for the advantage of one at the expense of another.
- vi. To prevent waste of trust property and any act destructive or permanently injurity, therefore
- d. Liabilities, of the trustee are those that are envisaged in the Trust Act or any other law for the time being in force
- e. Rights of the trus ee are as follows;
  - i. Right to have in his possession the instrument of trust.
  - ii. Right to claim reinflursement out to the trust property for all expenses properly incurred in or about the execution or the trust, or the realization, preservation or benefit of the trust property as per pre-agreed terms and conditions.
  - iii. That if any of the Life Trustees, Trustee, being a Lawyer, Doctor, Accountant, Architect, Engineer, or any other professional provides services in relations to the execution, management or administration of the Trust, he shall be entitled to be paid fees for the services so rendered as per pre-agreed terms and conditions.
  - iv. Right to be recouped for erroneous over payment out of the beneficiary's interest or to recover personally from beneficiary.
  - v. Right to be indemnified by a person who has gained an advantage from a breach of trust.
  - vi. Right to apply to the court for its opinion, advice or direction in respect of the management or administration of the trust property.
  - vii. Right to have the accounts examined and settled by the beneficiaries, and to obtain a discharge from them in writing, upon the determination of the trust.

### f. Powers and Functions of a trustee.

Following are the powers and Functions generally vested in a trustee;

i. To accept any donation, contribution, grant or subscription in cash or in kind, from any person(s), body of persons, entity or trust, with or without conditions, and to issue receipt on behalf of the trust on Trust stationary.

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ii. To acquire, obtain or receive by construction, purchase lease, exchange, hire, gift, donation, endowment, bequest, devise or otherwise, either absolutely or in trust, any moveable and/or immoveable property with or without limitation as to the amount or value and any other rights and privileges which the TRUST may think necessary or convenient for its objectives.

- iii. To apply the whole or any part of the income of the trust, or the trust fund or accumulations thereto, to any one or more of the objects of the trust, as the BOARD OF TRUSTEE may, deem fit from time to time.
- iv. To sell, dispose off, alienate or otherwise deal with any property comprising the Trust Fund.
- v. To let out, demise any immovable property comprised in the TRUST fund for such period and at such terms and conditions as the Board of Trustees in may deem fit.
- vi. To open account of the name of the TRUST, Trustees and/or Institutions run/conjucted by the TRUST with a Scheduled Bank or Banks, to open such accounts and open give instructions to the Bank and to provide for opening and opening of such account by one or more of the Trustees, on by an agent appointed by the trustees.
- vii. To adjust, settle, compromise, compound, refer to arbitration, all actions, suits, claims, demands and proceedings regarding the TRUST fund.
- viii. To appoint constituted attorneys or agents and to delegate to such attorneys or agents all or any of TRUST powers vested on them under these presents and from time to time remove such attorneys or agents and to appoint other or others in his or their place.
  - ix. To appoint or make provisions for the appointment of any person (including all or any of the Trustees and committees or administrators or Managing Trustees or otherwise) for the purpose of the administration of the Trust in such manner and subject to such rules and regulations as the Board of Trustees may prescribe and also to appoint or provide for the appointment of separate Trustees to hold any fund or investment subject to the provisions of this Deed in such manner and subject to such rules and regulations as the Trustees may from time to time think fit.
  - x. In consultation with and approval of the Board of Trustees, to make, vary, alter or modify schemes, rules and regulations for carrying out the objects of the Trust and for the management of the affairs thereof and/or running any institution in furtherance of the objects of the TRUST and otherwise for giving effect to the objects of the trust.
  - xi. In consultation with and approval of the Board of Trustees, to establish any business for the furtherance of the objects of this deed and to run it for the benefit of TRUST, purchase, take on lease, hire or otherwise acquire make or provide and maintain any lands, buildings, rights privileges, furniture, implements, equipment, apparatus, books stationery and other property, effects and things which may be required for the purpose of or may be ()

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conveniently used in connection with the aims and objects of TRUST.

- xii. In consultation and approval of the Board of Trustees, to attain any object of the TRUST establish, create and dissolve endowment fund and frame rules and regulation to manage and operate such endowment fund.
- xiii. In consultation and approval of the Board of Trustees, to set apart and or allocate the whole or a part of the income or the corpus of the Trust Fund or part thereof for any of the objects of the TRUST.
- xiv. In consultation and approval of the Board of Trustees, to start, abolish, discontinue and restart any institutions for the benefit of general public in pursuance of the objectives of the TRUST and to impose any conditions to any subscription or donations made by them.
- xv. To join, co-operate or amalgamate this trust with other trust, society, associations institutions of entities kindred or allied objects upon such trois and conditions its the Board of Trustees may think fit, partically having regards (or and in conformity with the objects and natural of this TRIST.

I approval of the Board of Trustees, to give xv. In consultation and approval of the Board of Trustees, to give aid by way of doublings out of the income or the corpus of the Trust Fund or offerwise to different charitable institutions societies organizations of trusts in Pakistan which may have been established or which may hereinafter be established for the like charitable purposes mentioned in these presents or any of them to enable such institutions societies, organizations or trustees to start maintain or carry out such charitable objects. However The Trust shall not make donation or grants to affiliate with any other charitable institution/fund/trust association/society or entity, which is not approved under the Income Tax Ordinance\_2001 and Income Tax Rule 2001 or any amendments thereof.

- xvi. To apply to the Government, Public bodies, urban, local, municipal, district and other bodies, corporations, companies, entities, or persons locally, regionally or internationally for and to accept grant of money and of aid, donations, gifts, subscriptions, and other assistance with a view of promoting the objects of the TRUST.
- xvii. In consultation and approval of the Board of Trustees, to take over or amalgamate with any other charitable trust, society, association or institution with similar objects.
- In consultation and approval of the Board of Trustees, to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagement of any or more of the trust, societies, institutions or associations with which this TRUST is authorized to amalgamate.
- In consultation and approval of the Board of Trustees, to transfer all or any part of the property, assets, liabilities and engagements of this TRUST to any one or more of the trusts, societies, institutions or associations with which trust is authorized to amalgamate.

Limitations/ Restrictions to the Powers of Truste

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A Trustee has the following Limitations/ Restrictions over their powers conferred upon him.

- Not to contravene in any of the Limitations/ Restrictions contained herein.
- Not to lease out trust property without Board of Trustees, approval and express permission.
- iii. Not to execute the trust alone, without consulting the other trustees. The Trustee must exercise their powers jointly, except when the trust deed enables them to do otherwise. One Trustee alone, or several trustees, does not have power to execute a deed in respect of a property even though he may be the de facto trustee, and entitled to act as such in an emergency.
- iv. Not to renunctive or resign from the office, after having accepted trusteeship, except with the permission of court or the consent of the benefit times all the surviving trustees or under legal disability of the consent of the trust deed.
- v. Not to delegate his duties to another person, whether to a stranger or to rustee.
- vi. Not to exercise a disordionary power otherwise than reasonably and in good faith.
- vii. Not to charge for the services rendered or for the trouble, skill and loss of time, in executing the trust, except on a pre-agreed contract of terms and conditions of the delivery of professional services.

# h. Death, Retirement and Removal of Trustees.

- The office of a Life Trustee shall fall vacant on his/ her death. The Life Trusteeship shall revert to the legal heirs of the authors of the trust.
- ii. The office of a Trustee shall fall vacant on his/her death. The Trusteeship in non-transferable and may be filled by the appointment of new Trustee, according to the procedure mentioned in this deed earlier.
- iii. A trustee generally retires from his office in following circumstances:
  - 1. On extinction of the Trust;
  - 2. On completion of his duties under the trust;
  - 3. By resignation or relinquishment of his office.
- iv. A trustee may be removed from his office on following grounds.
  - If the trustee becomes physically/ mentally unfit or personally incapable to act in the trust;
  - If found guilty of misconduct or abuse of office, acting dishonestly or fraudulently, misappropriation of trust funds, moral turpitude and application of trust property for private use etc.

3. A trustee can be removed by the Author or his beirs thereof 0 as the case may be.

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# 14. AMENDMENTS

a. No change may be made in the aims and object of the Trust or any rules and regulation made there under without the special approval of the Board of Trustee to amend and passed by at least 3/4<sup>th</sup> majority of the Trustees present and voting at a general meeting. Any amendment shall got approved by the Commissioner of Income Tax under Rule 213(1)(h) of the Income Tax Rules, 2002 or any other law/s for the time being in force.

### 15. FINANCIAL MANAGEMENT

- a. That the TRUST Fund may be augmented by the income from the initial fund and also by donations, Zakats and other contributions from time to time.
- b. Every effort will be made to keep the accounts in conformity with the relevant Taxation Laws so as a blant income Tax exemption.
- c. All funds of the Trust put otherwise employed or invested shall be deposited from time to time, to the credit of the Trust in such schedule Bank or banks as the Board of Eurstee may from time to time designate and for the purposes of such deposit all cheques, drafts and other orders for payment of the money, which are payable to the order of the Trust or in any other manner as heavy from time to time determined by the Board of Trustee.
- d. All cheque, drafts or other instruments or other evidence of indebtedness issued in the name of the Trust shall be signed or endorsed by such officers or trustees as shall be determined by the Board of Trustees. If required, each of such officer, employee or trustee shall give such bond as the Board may require. That the TRUST funds shall be maintained in office safe
- e. The Trust shall utilize its income and donations received by it during the preceding year for achieving its aims and object and any money set part or not utilized shall not exceed twenty five percent (25%) of its income, including donations made to it, or Rupees 10,000, which ever is less. Any excess amount will be invested in Government securities or in NIT units under intimation to CBR
- f. That as and when felt necessary professional accountants may/ shall be appointed to maintain accounts. That all transactions be recorded in proper accounts as per relevant accounting standards, and the account books shall be maintained and kept in the office premises.

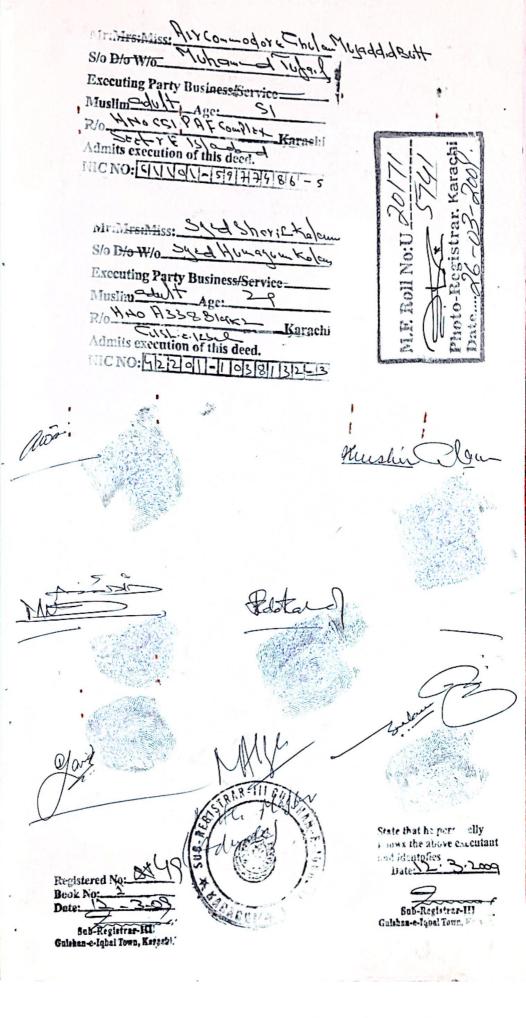
Board of Trustee shall cause to be kept complete and proper books of accounts in accordance with requirement of law. The first accounting year (financial year of the Trust shall be closed on 31<sup>st</sup> December. Thereafter every financial year of the Trust will begin on 1<sup>st</sup> of January and close on 31<sup>st</sup> December. The Board of Trustee may change the financial year as permitted by law. That all transactions be recorded in proper accounts as per relevant accounting standards, and the account books shall be maintained and kept in the office premises

h. The accounts of the Trust shall be audited every year.

The Board of Trustee shall appoint a Chartered Accountant as the auditor of the Trust who will audit the books of account every year. The remuneration of the auditor shall be fixed by the Board of Trustee

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- j. The money, property Gullet How P M SIGN TRUST howsoever, derived shall be applied solely towards the promotion of the facilities in accordance with the aims and objectives of VISION TRUST.
- k. No money, property or income of VISION TRUST or any part thereof shall be paid or transferred directly or indirectly by way of dividend bonus or profit to any of its founders or members, his/ her relatives or relative of Founders/ Life or Trustees of VISION TRUST.
- The power to execute a transaction whose value is less than Rs.100,000
   ( Rupees One Hundred Thousand only) can be delegated to Executive Committee Members by the BOARD OF TRUSTEES or and individual TRUSTEE.
- m. Any expense/ sale transaction whose value exceeds or equals to Rs.100,000 ( Rupees One Hundred Thousand only) but less than Rs.499,000 ( Rupees Four Hundred and Ninety Nine Thousand only) shall have to be approved by at least Two Trustees before hand.
- Any expense/ sale transaction whose value exceeds or equals to Rs.500,000 (Rupees Five Hundred Thousands only )or more shall have to be approved by the consensus of the BOARD OF TRUSTEES.

### 16. MEETINGS

- a. BOARD OF TRUSTEES and EXECUTIVE COMMITTEE shall meet in person or online as and when felt necessary and at least once a year, to review/approve annual reports, audit reports, budget and to review and oversee the execution of aims and objectives or to sanction or commissioning of any project or plan.
- b. The rules and regulation of meetings, quorum requirements and dates etc. shall be framed/ amended from time to time by the Boards and intimated to the concerned in good time.

In witness whereof the trustee of Vision Trust in presence of witnesses have set and subscribed their respective hand on this 12<sup>th</sup> day of March 2009 at Karachi

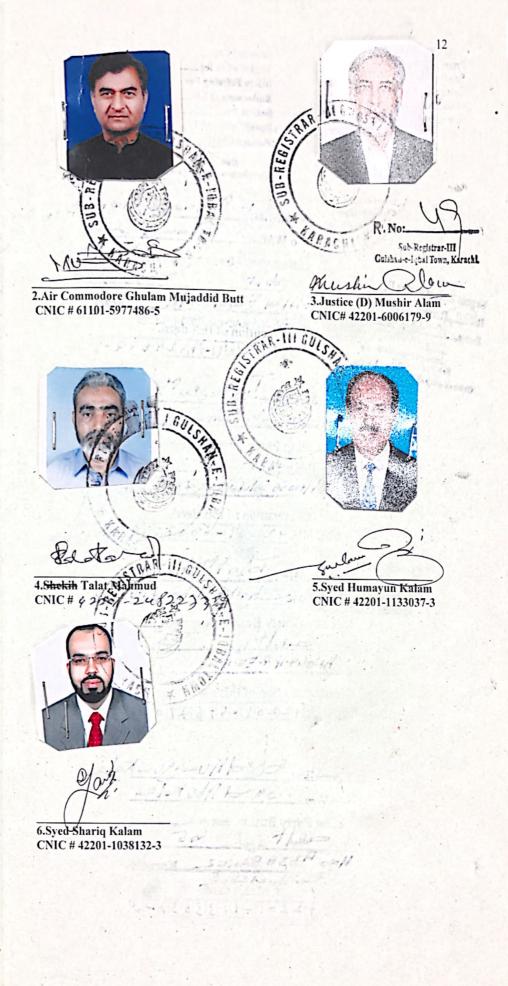
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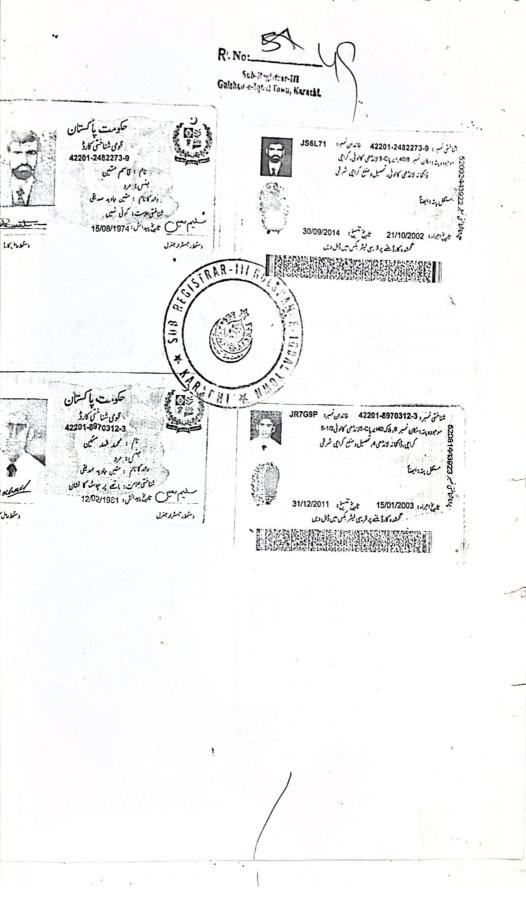
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1. Dr. Muhammad Mazhar Awan, CNIC # 42201-7429644-1



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