

THIS DEED OF TRUST executed on this the Seventeenth day of December, one thousand Nine hundred and Ninety eight (17/12/1998) By the Diocese of Kothamangalam a religious and charitable institution represented by its present Bishop Mar George Punnakottil, Bishop of Kothamangalam, aged 62, residing at Bishop's House, Kothamangalam, Ernakulam District, Kerala State, hereinafter referred to as the SETTLER.

IN FAVOUR OF Rev. Fr Jose Karivelickal, aged 39, Son of Sri. George Karivelickal, priest residing at Nirmala High School, Muvattupuzha, Rmangalam kara, Marady village, Muvattupuzha Taluk, Ernakulam District, Kerala State, hereinafter referred to as the TRUSTEE OF THE TRUST.

WHEREAS the Settler Institution was established as a new Diocese in 1957, to undertake the religious and charitable activities envisaged by the diocese, in a more effective manner, in the geographical area allotted to it from time to time.

Mar George Punnakottil
(SETTLER)

George Punnakottil



No: 3078

Rev. Fr. Jose Kariavelickal, s/o. Sri. George
Kariavelickal, residing at Nirmala High School,
Muvattupuzha.

Rs. 1000

14-12-98.

228 IV / 1998

മുഖവരപ്പുഴ വെണ്ടർ
കെ. എ. ശോപകുമാർ

Presented in the office of the Nirmala High school
in Muvattupuzha - his temporary residence - in Muvattupuzha
village, Muvattupuzha Kara at 5.10 p.m on the 17th day of December
1998 and paid a fee of Rs 100/- by

Mar George Punnakottal
+ Joseph Punnakottal

Bishop of Kothamangalam, residing at Bishop's house, Kothamangalam
17th December 1998 Alia Augustina Sub Registrar
Execution admitted by at his residence

Mar George Punnakottal
+ Joseph Punnakottal

residing at Bishop's house, Kothamangalam s/o Joseph
Bishop of Kothamangalam.
Mar George Punnakottal s/o Joseph is personally

known to me.
17th December 1998 Alia Augustina Sub Registrar Muvattupuzha



22.8.1998
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AND WHEREAS as a part of its Educational Apostolate, they had decided to establish and conduct an educational institution at Muvattupuzha in Ernakulam District.

AND WHEREAS settler now feels it better to have a Charitable Trust to render the educational service in a systematic manner, and for that purpose, the Bishop decided to execute the Trust Deed, with the following terms and conditions, in favour of Rev.Fr. Jose Karivelickal and to get it registered at Moovattupuzha.

NOW THIS DEED WITNESSETH:-

1. The name of the Trust shall be Kothamangalam Diocese Educational and charitable Trust.
2. The Registered office of the Trust Shall be at Muvattupuzha. The settler is at liberty to shift the Registered Office to any other place within its ecclesiastical Jurisdiction.

3. TRUST PROPERTY :-

In order to effectuate the above referred decision the settler has made over to the Trustees Rs. 1,000/- (Rupees one thousand only) to hold the same together with all additions and accretions there to and all other properties that may be acquired out of the same or otherwise and may hereinafter be the subject of the Trust hereinafter expressed with powers and on the terms and conditions herein contained, concerning the same.

4. OBJECTIVES OF THE TRUST:-

The objectives of this Trust is to render educational services solely for philanthropic purposes and not for purposes of profit and that too with special attention to the christian minority Community irrespective of Caste, creed, but as long as the Constitution of India permits to do so.

The Trust is also authorised to undertake any religious or charitable work or to incur any such expenses to the limited extent, it will be beneficial to the student community to get enriched their knowledge through practical experience.

Mar. George Punnakottil
(Settler)

+ George Punnakottil

5. BOARD OF TRUSTEES:-

- a) For the time being the second party to this Deed Fr. Jose Karivelickal, shall be the Sole Trustee.
- b) Within one month of Registration of the Deed of the Trust the Board of Trust, shall be constituted with the Fr. Jose Karivelickal, as the MANAGING TRUSTEE who will also be the president of the trust with the members as follows;
 1. Sr. Provincial of Clarist Congregation, Vimala Province, Kothamangalam, Ex-officio as the vice president of the board of trustees.
 2. The Vicar General, Manager of Colleges, Diocese of Kothamangalam.
 3. The Educational Secretary, Diocese of Kothamangalam.
 4. Headmistress, Nirmala Junior School, Muvattupuzha.
 5. Treasurer, Vimala Province of Franciscan Congregation, Kothamangalam.
 6. Other members as found necessary by the Settler from time to time. One among them shall be designated by the Settler as the SECRETARY.
- c) The Settler, is at liberty to withdraw, any of its nominees to the board of Trustees, and to nominate new member/members, as and when found necessary.

6. MEETINGS OF THE BOARD:-

- a. The Board of Trustees shall meet as often as required and shall meet at least once in a calendar year and approve the annual accounts and forward it to the Settler.
- b. The meeting of the Board of Trustees shall be presided over by the Managing Trustee (The President of the Trust) and in his absence by the Vice-President and in the absence of both, by any of the Trustees nominated by the Managing Trustee.
- c. There shall be seven days notice to the meeting of the Board of Trustees unless it is waived by all the members eligible to get the notice.
- d. Decision shall be taken on the basis of votes of members attending the meeting in person and exercised by them individually either by show of hands or by Secret ballot as decided by the Chair Person and in case of tug, the chair person can exercise a casting vote additionally.

Mar. George Punnakottil
(Settler)

George Punnakottil

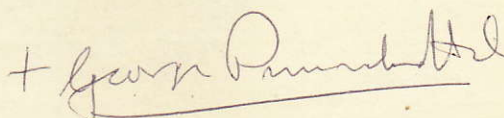
- e. Decisions may also be taken by circulation, provided all the members agree to it
- f. The quorum for the meeting shall be one third of total members or three whichever is greater.
- g. The SECRETARY shall serve the notice for the meeting in consultation with the Managing Trustee and he shall be responsible for the maintenance of the minutes book and other records of the meeting.

7. POWERS AND DUTIES OF THE BOARD OF TRUSTEES:-

All the properties of the trust shall vest with the Board of Trustees and in the name of the Managing Trustee. The Board of Trustees shall have the following powers and duties:-

- a. To apply, get sanction, erect, conduct and administer, educational institutions, and establishments connected with the same or take over and manage any such institution to diffuse knowledge of moral, cultural, academic, or of any humanitarian value to the people of any age and sex.
- b. To request and receive donations towards corpus or otherwise either in cash or kind or subsidies or grants or other financial assistance of any kind whether returnable or not from individuals, institutions, Central and State Governments, Universities or other government agencies, voluntary organisations within India or from abroad.
- c. To demand, and receive, to the extent, the laws of the State permit fees, deposits, contributions, fines, capital donations etc. to meet the capital or revenue cost of education, from the students, or from their parents.
- d. To invest the funds of the Trust in any manner they deem fit consistent with the objects of the Trust and in the interest of the Trust, provided such investment in immovable properties shall be subject to the approval of Settler.
- e. To borrow any amount either on pledging the assets of the Trust or otherwise, from individuals, banks, financial institutions or other institutions, with or without interest, for any objects of the Trust with the approval of Settler.
- f. To acquire, alter extend, demolish any of its assets, movable or immovable and to dispose off the same when ever found necessary in the best interest of the objects of the Trust.

Mar. George Punnakottil
(Settler)



- g. Start new units of the present activities at other places or to take up new activities whenever necessary or take over and manage any institution or activity now carried on by others, as long as it is found to be advantageous to achieve the objects of the Trust.
- h. Subjects to the approval of the Settler to join, co-operate, or amalgamate this Trust, with other Trust, or fund or institutions or other Trust or institution with this Trust as the Trustees think fit.
- i. The board of trustees may from time to time , draft and adopt rules/byelaws for the smooth functioning of the Trust. The first set of rules/byelaws may be adopted within a period of 90 days from the date of registration of the Trust.

8. POWERS AND DUTIES OF THE MANAGING TRUSTEE

Subjects to the General Control of the Board of Trustees, the MANAGING TRUSTEE shall have specific powers and duties mentioned below:-

- a. To work, manage, control and supervise the affairs/management of the properties now or hereinafter belonging to the institutions under the Trust and develop them.
- b. To enter into any contract or agreement for and on behalf of the Trust for any of the purpose concerning the routine activities/affairs of the institutions under the Trust, which are beneficial to the interest of the Trust.
- c. To appear and act for on behalf of the Trust in all legal proceedings before any competent authority.
- d. To appoint and constitute advocate or other attorneys, whenever necessary and to remove them whenever they feel such removal is necessary.
- e. To take loans or borrow money, as decided by the Board of Trustees and to execute promissory notes, bonds or the like for the same and to discharge the same by repayments.
- f. To gather funds towards corpus or otherwise, for the Trust by way of donations or fees or otherwise, from any person or institution, either in cash or in kind for the purpose of the Trust.
- g. To spend the income earned or the income of the future for any or all of the objects of the Trust, either directly or by contributing to other genuine institutions to be spent for the purpose of the Trust.

Mar. George Punnakottil
(Settler)

George Punnakottil

- h. To accumulate the income, if necessary, for attaining the objectives of the Trust in future and to set apart the whole or part of the income for the corpus of the Trust Fund for any of the objectives of the trust, with the approval of the Board of Trustees.
- i) The Managing Trustee shall be sued for and on behalf of the Trust, provided that the Board of Trustees shall have the power to authorise any one of its other members to represent the Board of Trustees in any legal or other proceeding, under special circumstances.
- j) The Managing trustee shall exercise and perform such powers and duties as the Board of Trustees may from time to time determine or assign or authorise them to do.
- k) To do any and all acts deeds and things necessary for the efficient management and administration of the Trust and other properties of the Trust.
- l) The Managing Trustee shall have the power to delegate temporarily his duties and functions to any other members of the Board of Trustees with the consent of the Board of Trustees.
- m) All acts, deeds and things lawfully done by the Managing trustee by virtue of these present shall be binding on the Trust.

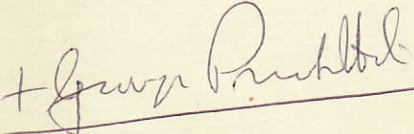
9. ACCOUNTS :-

- a) The secretary shall cause to keep proper accounts and records for all the receipts and disbursement of the concerned institution and activities under the Trust.
- b) The accounts shall be closed on 31st March every year and it shall be audited by a Chartered Accountant appointed by the Settler.
- c) The audited statement of accounts along with the report of the Board shall be submitted to the Settler before 30th September every year or within the time extended by them.

10. EXECUTIVE COMMITTEE & ADVISORY COMMITTEE :-

- a) The Board of Trustees shall, form an Executive Committee and an Advisory Committee to take care of the academic side of the Trust in the best useful manner, by nominating the members of the Board and others including the teaching staff, parents, laymen etc. as found necessary from time to time.

Mar. George Punnakottil
(Settler)



- b) The Board shall from time to time fix the powers and duties of the two committees, and the manner of conducting the committee meetings.
- c) Both the committees are to assist the Local Manager and the secretary in achieving the objectives of the Trust.

11. POWERS OF THE SETTLER :-

The council of the Settlers shall have the power to depute any person to inspect the accounts and the affairs of the Trust and the institutions under the Trust in the best interest of the beneficiaries and to issue any direction what soever necessary to the Board of Trustees and/ or to the Managers/Secretary/Board of Trustees and they shall be bound to accept and act upon such directions.

12. BANK ACCOUNTS :-

The Managing Trustee along with the secretary or with a nominee of the Board from time shall open and operate jointly as many bank accounts with any bank, as and when necessary in the name of the Trust, or in the name of the institutions under it.

SECRETARY

- a) The Secretary shall be responsible to carry out the decisions of the Board, in consultation with the trustee.
- b) He/She shall co-ordinate the various activities under the Trust, in different places, and shall report about them to the Board from time to time.

13. AMENDMENT & CLARIFICATIONS:-

- a) Any provision in this Deed except this clause and the object clause (clause No.4) may be amended, annulled or substituted by the Settler, at any time provided that such amendments shall come into effect only after getting the approval of the Commissioner of Income Tax, in case the Trust has been given any recognition or registration under the Income Tax Act, 1960.
- b) In case there is any doubt or ambiguity regarding any of the provisions of this Deed of Trust, it shall be referred by the Board of Trustees to the Settler and his direction or decision shall be final.

Mar George Punnakottil
(Settler)

George Punnakottil

DISSOLUTION :-

In the event of the Trust becoming impossible to function in accordance with the provisions of the trust Deed, the Board shall refer the matter to the Settler and necessary steps may be taken according to its directions. In case the Council, decide to wind up the trust, the excess assets if any, after closing the liabilities on winding up, shall be transferred to another charitable educational institution as decided by the Board, and if not it will vest with the Government.

15 SAVING CLAUSE :-

It is expressly declared that this is an Educational charitable Trust and no part of the Trust property or its income shall be applied for any purpose, other than educational, charitable, purposes as provided in clause (4) of this Deed.

16 The value of the Trust Fund is Rs. 1,000/- (Rupees one thousand only).

In WITNESS WHERE OF Mar. George Punnakottil the settler have signed this Deed of trust at Moovattupuzha on the day, month and year first above written in the presence of the following witnesses and wish to get it registered in the Registry office at Moovattupuzha.

Mar. George Punnakottil
(Settler)

George Punnakottil

Witnesses :

1. P.V. JOSEPH , S/O VARKEY PICHAPPILLY, KAVAKAD.

P. V. Joseph

2. GEORGE CYRIAC, S/O P.U. KURIAKOSE , PEECHAT, OONNUKAL

George Cyriac

Prepared by: N. Ramadasan Nair , Ushas, Kadathy, L No. EDA 127

This document is typewritten.

Corrections: NIL

Mar. George Punnakottil

George Punnakottil

(Settler)