

KERALA

100Rs.



DEED OF TRUST

Dated 06.03.1999. This the sixth day of March, one thousand nine hundred and ninety nine.

This Deed of Trust is executed by 1) Roman Catholic Archdiocese of Trichur having its principal place of administration at Archbishop's palace Chembukkavu, Trichur Taluk and District, Kerala State,

1) Represented by

I) Rev. Fr. Joseph Kakkassery

II) Rev. Fr. Lawrence Olakkengil

Handwritten signatures for Joseph Kakkassery and Lawrence Olakkengil.

2) Represented by

I) Rev. Fr. George Chiramel

II) Shri P.L Joseph

III) Shri V.J. James

IV) Shri E.K. Pappachan

Handwritten signatures for George Chiramel, P.L Joseph, V.J. James, and E.K. Pappachan.

3) Represented by

Rev. Fr. Augustine Akkara

Handwritten signature for Augustine Akkara.

4) Represented by

Shri P.I. Lazar Master

Handwritten signature for P.I. Lazar Master.

5) Represented by

Rev. Fr. Francis Neelankavil

Handwritten signature for Francis Neelankavil and a circular stamp with the number 3-399.

Handwritten notes: 'Trust', '500', 'Dec 18', 'RS-33', '21'.

represented by its (I) Vicar-General Mgr. Rev. Fr. Joseph Kakkassery, aged 70 seventy years, priest, s/o Thoma, Kakkassery House, now residing at Archbishop's Palace, Chembukkavu Village, Trichur 680005, Trichur Taluk and District, Kerala State, and its (II) Procurator Rev. Fr. Lawrence Olakkengil, aged 56 fifty-six years, priest, s/o Ittiachen, now residing at Archbishop's Palace, Chembukkavu Village, Trichur Taluk and District, Kerala State, 2) Holy Cross Church, Arthat, Arthat Village, Thalappilly Taluk, Trichur District, Kerala State, represented by its (I) Vicar Rev. Fr. George Chiramel, aged 59 fifty-nine years, priest, s/o Antony Chiramel House, now residing at Holy Cross Church, Arthat Village, Arthat 680521, Thalappilly Taluk, Trichur District, Kerala State, and the "Kaikkar's (trustees) (II) P.L. Joseph, aged 69 sixty-nine years, business, s/o P.M. Lazar, Peramangalam House, Arthat Village, Arthat 680521, Thalappilly Taluk, Trichur District, Kerala State, (III) V.J. James, aged 58 fifty-eight years, Retd. Teacher, s/o Joseph Vallara, Vallara House, Arthat

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II) Rev. Fr. Lawrence Olakkengil

Kakkassery
Fr. Lawrence Olakkengil

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II) Shri P.L Joseph

III) Shri V.J. James

IV) Shri E.K. Pappachan

Chiramel
P.L. Joseph
V.J. James
E.K. Pappachan

3) Represented by

Rev. Fr. Augustine Akkara

Augustine Akkara

4) Represented by

Shri P.I. Lazar Master

P.I. Lazar

5) Represented by

Rev. Fr. Francis Neelankavil

Francis Neelankavil

Village, Arthat 680521, Thalappilly Taluk, Trichur District, Kerala State, and the nominated member (IV) E.K. Pappachan, aged 56 fifty-six years, retired employee, s/o Kuriakku, Eluvathingal House, Arthat Village, Arthat 680521, Thalappilly Taluk, Trichur District, Kerala State, (3) St. Thomas Forane Church Palayoor, Palayoor Village, Chavakkad Taluk, Trichur District, Kerala State, represented by its Vicar Rev. Fr. Augustine Akkara, aged 55 fifty-five years, priest, s/o Antony, Akkara House, now residing at St. Thomas Forane Church, Palayoor, Chavakkad 680506, Chavakkad Taluk, Trichur District, Kerala State, (4) Pastoral Council, Trichur Archdiocese Trichur, having its office at Archbishop's Palace, Chembukkavu, Trichur Taluk and District, Kerala State, represented by its Secretary P.I. Lazar Master, aged 45 forty-five years, Teacher, s/o P.C. Ittoop, Puthur House, Thiruvankittam Village, Guruvayoor 680101, Chavakkad Taluk, Trichur District, Kerala State, and (5) Corporate Education Agency

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P.I. Lazar Master

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Francis Neelankavil
Neelankavil

Trichur, having its office at Archbishop's Palace, Chembukkavu, Trichur Taluk and District, Kerala State, represented by its Manager Rev. Fr. Francis Neelankavil, aged 38 thirty-eight years, priest, s/o George, Neelankavil House, now residing at Archbishop's Palace, Chembukkavu Village, Trichur 680005, Trichur District, Kerala State (hereinafter called the Settlers);

Whereas the Settlers are indulged and are striving for dissemination mission aimed at removing the ignorance of people and providing them with right knowledge of God whereby they could assess and understand the true tenets of human life and the message of God belief, mutual love and sacrifice among the human beings and the immortality of human beings enunciated by Jesus Christ;

Whereas all Christ's faithful have the obligation and the right to strive so that the divine message of love, peace and knowledge may more and more reach all people of all times and all places;

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Whereas by the grace of God, the Settlers forming the trust have intention to start an educational Institution to achieve the above intention according to the various Codes of Canon Law of the Church;

Whereas the Archbishop of Trichur, being the Apostolic head of The Archdiocese of Trichur, has approved the intention of the Settlers on their request;

Whereas the Settlers have agreed upon to execute this Trust Deed; and Now this Deed presents and witnesses:

1. Name of the Trust

The name of the Trust shall be "HOLY CROSS EDUCATIONAL AND CHARITABLE TRUST".

2. Registered Office

The registered office of the Trust shall be at Arthat, Arthat Village in Trichur District.

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3. Area of Operation

The area of operation of the Trust shall be the District of Trichur.

4. Aims and Objects:

- a) to spread the message of love, non-violence, education and universal brotherhood;
- b) to create harmony among all people and to eliminate from their minds differences and discriminations on the ground of caste, creed, colour, language or any other negative factor;
- c) to make people, especially the younger Generation, aware of the menace of the narcotics, alcohol and drugs and train them to be detached from the evil clutches of the narcotics, alcohol and drugs.

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P.I. Lazar Master

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Francis Neelankavil
Francis Neelankavil

- d) to construct and administer educational centres, schools/colleges and hostels for the promotion of education;
- e) to establish and manage, libraries, reading rooms, training centres, schools, colleges and such other institutions and to institute scholarships and awards for the promotion of education without any discrimination of religion, caste or creed;
- f) to support the needy and the poor students without any discrimination;
- g) to provide medical relief to all sections of the society without discrimination by establishing and running hospitals, dispensaries and such other relief centres;
- h) to function as a non-political, secular and non-profit making organisation and to take all such steps in the furtherance of the aims and objects of the Trust as may be

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decided by the Trustees and approved by the Patron from time to time;

- 1) to do all such other lawful acts, deeds or things as the Trust may consider incidental or conducive to the attainment of any of the objects of the Trust.

3. Ways and Means

In order to attain the above said aims and objects, the Trust shall be at liberty to:

- a) accept contributions and donations, whether in cash or in kind by way of any movable and immovable property;
- b) establish and manage Nursery, Primary and High Schools, Colleges, Professional institutions, Technical institutions, Boarding Houses, Hostels, etc., for the purpose of spreading education;

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III) Shri V.J. James

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- c) establish and manage hospitals, dispensaries and other medical relief centres and to conduct seminars, camps, etc. for generating awareness among the public in the field of health care, especially among women and children.
- d) incur necessary expenditure for the purchase and development of land, buildings and for the acquisition or disposal of any immovable properties;
- e) to receive from the students or parents fees or contributions or reimbursement of expenses for the purpose of meeting the expenditure of the activities of the Trust;

6. Patron

The Patron of the Trust shall be the Apostolic Head of the Roman Catholic Archdiocese of Trichur, namely the Archbishop of the Archdiocese of Trichur, the present Archbishop being Mar Jacob Thoomkuzhy.

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Augustine Akkara

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Shri P.I. Lazar Mastor

P.I. Lazar Mastor

5) Represented by

Rev. Fr. Francis Noolankavil

Francis Noolankavil

7. Board of Trustees:

There shall be a Board of Trustees for the management of the Trust hereinafter called the "Board" the constitution of which shall be as follows:

- a) Ex-officio Chairman: The Archdiocese of Trichur, No.1 among the Settlers, the present Vicar-General being Mgr. Rev. Fr. Joseph Kakkassery;
- b) Executive Trustee and Manager: Holy Cross Catholic Parish, Arthat, No. 2 among the Settlers, the present Vicar being Rev. Fr. George Chiramel. It is open for the patron to appoint any other priest as executive trustee and manager to have independent charge, for the trust or separate undertakings.
- c) Ex-officio Corporate Manager, Corporate Educational Agency, the Archdiocese of Trichur, No.5 among the Settlers, the present Manager being Rev. Fr. Francis Neelankavil.

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- d) Two Kaikkars (Trustees) of Holy Cross Catholic Parish, Arthat, No.2 among the Settlers, the present Kaikkars being (II) Shri P.I. Joseph and (III) James V.J.
- e) A member nominated from the Holy Cross Catholic Parish, Arthat, by the Parish Priest for a period not exceeding three years at a time, the present nominee being (IV) Shri E.K. Pappachan.
- f) Three Ex-officio members nominated by the Patron. The present nominees being (1) Rev. Fr. Augustine Akkara, Vicar, St. Thomas Forane Church, Palayoor, No.3 among the Settlers, (2) Rev. Fr. Lawrence Olakkengil, Procurator, Catholic Archdiocese of Trichur, No.1 among the Settlers, (3) Shri P.I. Lazar Master, Secretary, Pastoral Council Archdiocese of Trichur, No.4 among the Settlers.

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8. Meetings of the Board:

- a) The Board shall meet as often as required, but shall meet at least twice in a calendar year, and arrive at the annual budget and financial statements.
- b) The meeting of the Board shall be presided over by the Vicar General of Trichur Archdiocese from time to time and in his absence by the Vicar representing Executive Trustee and Manager.
- c) There shall be at least 3 days' notice for the meeting of the Board.
- d) The quorum for the meeting shall be five.

9. Powers and duties of the Board:

The Board shall have the following powers and duties:

- a) To organise, administer and control the activities and programmes of the Trust, Trust properties, the institutions

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Augustine Akkara

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established by and belonging to the Trust or under their management.

- b) To chalk out ways and means to raise funds by donation or otherwise for financing the programmes in fulfillment of the objectives of the Trust and Executing them.
- c) To borrow any amount or to continue to avail of the amount already borrowed from individuals, banks, financial institutions or other institutions, with or without interest for any objects of the Trust.
- d) To purchase or otherwise acquire for the Trust, any property at such price and on such terms and conditions, as the Board thinks fit. The Board shall have power to sell or otherwise dispose of or mortgage any of the properties of the Trust at such price and such terms and conditions as the Board thinks fit, in the best interest of the Trust, subject to the approval of the Patron.

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- e) To sanction funds for meeting the expenses of the Trust and its activities and also to grant scholarships and to provide funds for the poor students.
- f) To appoint or employ such staff as may be necessary for efficient management of the institutions owned and run by the Trust, and to prescribe duties of, and to take, where necessary, disciplinary action against, any of the employees of the Trust. The appointment of the staff should be got approved in a meeting when the Ex-officio Chairman is present.
- g) To institute, conduct, defend, compound, and abandon any legal proceedings by or against the Trust.
- h) To appoint auditors for the scrutiny of accounts and to make reports thereon.

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P.I. Lazar Master

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Francis Neolankavil
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- i) The Board shall have the power to rent out/lease out the properties of the Trust and also to take on rent, lease or hire purchase, any items required for the satisfactory fulfilment of the object of the Trust on such terms and conditions as decided by the Board.
- j) In case of disputes or differences of opinion among the Trustees the decision of the patron shall be final and binding on all the Trustees.

10. Trust Fund:

The corpus fund of Rs.900 (Rupees Nine hundred only) is contributed by the settlers to the Board, on execution of these presents; to hold the same together with all additions and accretions thereto and all other properties that may hereinafter be vested with Board the subject matter of the Trust (hereinafter called the Trust Fund) for the objects and on the terms and conditions contained herein.

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11. Income derived out of Trust Fund:

The Income of the Trust shall be used solely for the promotion of the aims and objects of the Trust and no portion thereof shall be paid or transferred directly or indirectly, by dividend, bonus or otherwise by way of profit to the Trustees. Provided, however, that nothing herein contained shall prevent in good faith the payment of remuneration or bonus to any officer or employee of the Trust or to Trustees thereof or other person, in return of services rendered to the Trust. All expenses incurred by the Trustees to discharge their duties as Trustees shall be met from the Trust Fund.

12. Investments:

Investments of the Trust Fund shall be made only in accordance with the provisions contained in section 11(5) of the Income Tax Act, 1961.

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A. Akkara

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P.I. Lazar Master

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Rev. Fr. Francis Neelankavil

F. Neelankavil

13. Administration:

The Executive Trustee and Manager through its Vicar from time to time shall conduct and supervise the day to day affairs of the Trust, and shall be responsible for keeping up accounts and other records with the assistance of staff appointed for the purpose.

14. Bank Account:

The Trust shall maintain Bank account(s) approved by the Board and shall be operated jointly by the Executive Trustee and manager through its Vicar from time to time and the Treasurer selected by the board for a period of Three Years.

15. Financial year:

The financial year of the Trust shall be 1st April to March 31st of the succeeding year.

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16. Annual Meeting:

Annual meeting of the Board shall be convened not later than June every year. The Executive Trustee and Manager is responsible for getting the audit report and financial statements of the Trust sufficiently early and to place such reports before the Board's annual meeting convened by him.

17. Saving clause:

It is expressly declared that this is an educational and charitable Trust and that no part of the Trust Fund or its income shall be applied for any purpose other than educational or charitable in nature.

18. Indemnity:

Every constituent of the Board shall be indemnified out of the funds of the trust against all expenses and losses incurred by them in the discharge of their duties provided also such loss or damage has incurred not through their wilful neglect or default.

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19. Amendments:

The Board shall have, in consistency with the aims and objectives of the Trust, as herein before set out, the power to add, amend, repeal or modify any of these rules, by a 2/3 majority of board members, and with the approval of the patron and also subject to the prior approval of the Commissioner of Income Tax, Kochi.

20. Dissolution:

When the Board feel that in the best interest of the public it is better to wind up the Trust and the objects of the trust can better be achieved by some other manner, they shall submit the proposal to the Patron for his decision and action shall be taken according to the directions of the Patron. If the decision of the Patron is to wind up the Trust, the remains of the assets after satisfying the liabilities shall be transferred to a Trust/Charitable institution with similar or nearly similar aims

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and objectives of the Trust duly registered under the then prevailing laws and which function under the control of the Patron or in the absence, to the Government.

In witness whereof the parties have signed this Deed of Trust at Chembukkavu Village on the day, month and year first above written and present the same to the Sub Registrar, Trichur for registration.

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III) Shri V.J. James

V.J. James

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