

N-132/10/08



കേരളം കേരल KERALA


Presentant



Fr. George Kizhakkemuri

THIS DEED OF TRUST, executed on this Twenty seventh day of June Two thousand and eight, (27/06/2008) by the Religious Order, MISSIONARY CONGREGATION OF THE BLESSED SACREMENT (referred in short as MCBS Congregation), a minority institution of Christian denomination, the office of which situated at Aluva, Ernakulam, represented by its present Supreme Authority, the Superior General Fr. George Kizhakkemuri, aged 60 (sixty) years, priest, son of Mr. Varkey formerly at Ceon Provincial House, Devagiri,


Fr. George Kizhakkemuri


Fr. John Puthenpurayil



No. 17731 VALUE Rs 1000/-
25.6.08

Sold to Fr. George Kizhakkemuri
M.C.B.S. Generalate
Chungavally, Erumathur
Aluva.

Rs. 132/14/24



K.B. JAYADEV
E.M.O. VENDOR

Presented in the office of The Sub Registrar of
Aluva with the photographs and
finger prints of the buyer/s, seller/s and the
presentant affixed under section 32A and a fee
of Rs. 12/- Paid at 2.55 hours minute
27/6/2008 on the day of 20/08/2008 by

Fr. George Kizhakkemuri
residing at M.C.B.S. Generalate
27/6/2008

S.S. DINESH
SUB REGISTRAR

Execution admitted by

Fr. George Kizhakkemuri
S/o Varkay
Priest residing at
M.C.B.S. Generalate
Chungavally

Fr. John Pulickal
S/o George Kurian
Priest, residing at
M.C.B.S. Generalate
Chungavally



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केरल KERALA

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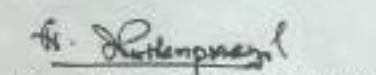
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Kozhikode and presently residing at MCBS Generalate, Chunangamvely Kara, Erumathala Village, Aluva Taluk in Ernakulam District herein after referred to as the SETTLER, settling on Fr. John Puthenpurayil aged 55 (Fifty five) years, Priest, son of Mr. George Kurian, formerly at Catholic Church Seminary, 10 Malamelkadavu, Panachikadu and presently residing at MCBS Generalate, Chunangamvely Kara, Erumathala Village, Aluva Taluk in Ernakulam District hereinafter referred to as the TRUSTEE.

WHEREAS a new religious community was originated at Changanacherry on the thinking of Rev. Fr. Mathew Alakalam and Rev. Fr. Joseph Paredom with the blessing and permission of Mar James Kalasserry, the late Bishop of Changanacherry, and finally the MCBS Congregation was founded on 7th May, 1933.

AND WHEREAS more and more young members of the Catholic community joined the Congregation after undergoing rigorous training and education and after taking the perpetual vows of Poverty, Chastity and Obedience.


Fr. George Kizhakkemuri


Fr. John Puthenpurayil



No. 17732 VALUE Rs/cd/
25.6.08

Sold to Fr. George Kizhakkemuri
M. L. S. Crenolate
Chinnamgammvely, Erumthi
Aluva.

K.B. JAYADEV
E.R.O. VENDOR

Identified by

Vasanthan T. V. V. s/o M.R. Iyengar Pillai
Clerk, Thiruvananthapuram House, Chinnamgammvely.
H. Jayachandran Jayachandran Street Vileram
Son of P. M. Natchiar, W. D. H. Clerk, P. G. Chinnamgammvely
27/6 Jun 2008

S.S. DINESH
SUB REGISTRAR

Registered as Member 132 of 2008
Volume 258 on pages 107 to 11
H. Jayachandran - Director

27/6 Jun 2008

S.S. DINESH
SUB REGISTRAR

4/7/08



AND WHEREAS, when the MCBS Congregation attained its massive growth the Holy See raised it to Pontifical Status and approved the Constitution of the Congregation on 2nd December 1989.

AND WHEREAS, as part of their Educational Apostolate, the Congregation intends to establish/ takeover an educational institution known as Jyothi Public School at Chunangumvely, Aluva.

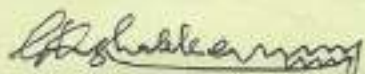
AND WHEREAS, the settlers now feel it better to register an Educational and Charitable Trust for establishment and governing the educational institution in a systematic and effective manner, and for the purpose, the Council of the Settler Congregation in its meeting held on 25.06.2008 authorized Rev. Fr. George Kizakkemuri, the Superior General to execute a Deed of Trust, with the following terms and conditions in favour of Rev. Fr. John Puthenpurayil.

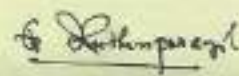
NOW THIS DEED WITNESSETH :-

- 1) **NAME OF THE TRUST** :- The Name of the Trust shall be

JYOTHI EDUCATIONAL AND CHARITABLE TRUST

- 2) **REGISTERED OFFICE** :- The Registered Office of the Trust shall be at Chunangamveli, Erumathala Post, Aluva, Pin - 683 112. The Trustees are at liberty to change the registered office to any where else in India with the approval of the Settlers.
- 3) **TRUST PROPERTY** :- In order to effectuate the above referred decision, the Settlor has made over to the Trustee a sum of Rs.1,000/- (Rupees One Thousand only) to hold the same together with all additions and accretions thereto and all other property that may be acquired by purchase, lease, gift or otherwise and may herein after be the subject matter of the Trust (hereinafter called the Trust Fund) for the objects and on the terms and conditions herein contained concerning the same for the objects of the Trust.


Fr. George Kizhakkemuri


Fr. John Puthenpurayil

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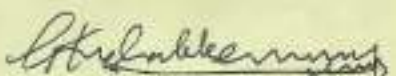
4) OBJECTS OF THE TRUST :-

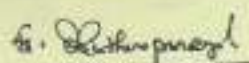
The main object of the Trust is to render educational service to the children of the Public at large irrespective of caste, creed and community and that too solely for philanthropic purposes and not for purposes of profit and such object shall inter-alia include:-

- a) To give opportunity for the children and youth, for proper education on academic side from nursery stage to professional stage.
- b) To start, establish and administer educational Institutions or Institutions of all categories and grades to impart knowledge and to teach boys and girls to develop the skill and talent inherent in them by proper training and coaching.
- c) To establish Hostels and Boarding Houses to accommodate the students of the educational Institutions.
- d) To establish research and development Institutions.
- e) To establish prizes, awards, scholarships, etc to recognize the brilliant students and to encourage other students to develop themselves through hard work.
- f) To conduct cultural competitions, sports meet, etc. to bring out the students talented in those fields to the lime light.
- g) To establish foundations, Loan Scholarships, or free Scholarships, etc. or to extend financial aid returnable or not, to the financially weak students to pursue their studies, as they wish.
- h) 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.

5) TO ATTAIN THE ABOVE SAID OBJECTS THE TRUSTEES ARE AUTHORIZED TO:-

- a) To take over and manage any Institutions with their assets and liabilities including the present Jyothi Public School.
- b) To depute the necessary personnel to take care of the various activities of the Trust as found necessary from time to time.


Fr. George Kizhakkemuri


Fr. John Puthenpurayil

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- c) To establish and manage Nursery, Primary and High Schools, Professional institutions, Technical Institutes, Boarding Houses, Hostels, etc. solely for the purpose of education and not for the purpose of profit.
- d) To incur necessary expenditure for the purchase and development of land, purchase/ construct/demolish building, acquire or dispose off capital assets of any description.
- e) To receive from the students or parents fees or contributions or reimbursement of expenses or donations for the sole purpose of meeting the capital and revenue expenditures of the past, present or future of the activities of the Trust.


6) **BOARD OF TRUSTEES :-**

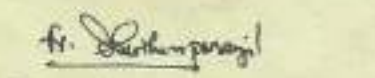
The first members to the Board of Trustees shall be:-

- 1) Fr. George Kizhakkemuri - Chairman (Superior General of the Settler Congregation)
- 2) Fr. John Puthenpurayil - Executive Trustee - cum - Manager (Education Councillor of the Settler Congregation)
- 3) Sr. Grace Maria - Secretary (Principal of Jyothi Public School)
- 4) Fr. Antony Vandanath - Member - Councillor for Finance of the Settler Congregation
- 5) Fr. Jose Thundathil - Member

The term of office of the members of the board shall be normally three years and future members to the board shall be :-

- (i) The Superior General of the Settlers, ex-officio as the Chairman of the Board of Trustees.
- (ii) The Councilor for Education of the Settlers, ex-officio as the Executive Trustee - cum - Manager.
- (iii) The Principal of Jyothi Public School ex-officio as the Secretary.
- (iv) The Councilor for Finance of the Settler, ex-officio as the member.
- (v) Another Member as nominated by the settlers.


Fr. George Kizhakkemuri


Fr. John Puthenpurayil

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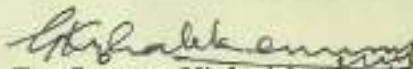
The Settlers are at liberty to withdraw, any of its nominees to the Board of Trustees, and to nominate new member/members, as and when found necessary or to change the Secretary.

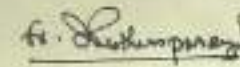
7) MEETINGS OF THE BOARD :-

- a) The Board of Trustees shall meet as often as required and shall meet atleast once in a calendar year and approve the annual accounts and forward it to the Council of the Settlers.
- b) The meeting of the Board of Trustees shall be presided over by the Chairman of the Board of Trustees and in his absence by the Executive Trustee and in the absence of both, by any one of the Trustees nominated by the Chiarmen.
- c) There shall be three days notice for the meeting of the Board of Trustees unless it is waived by all the members eligible to get the notice.
- d) Decisions 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 Chairman and in case of tie, the Chairman can exercise a casting vote additionally.
- 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 Chairman and he/she shall be responsible for the maintenance of the minutes book and other records of the meeting.

8) 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 Executive Trustee. The Board of Trustees shall have the following powers and duties.

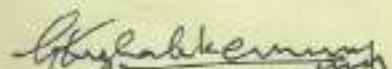

Fr. George Kizhakkemuri

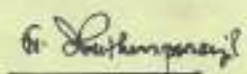

Fr. John Puthenpurayil

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- a) To apply, get sanction, erect, conduct and administer educational institutions and establishments connected with the same or to take over and manage any such institutions to diffuse knowledge of moral, cultural, academic, or of any of humanitarian value to the people of any age and sex. The Executive Trustee of the Board of Trustees specifically empowered to apply for getting sanction, from appropriate authority for the educational institutions where ever needed.
- b) To request for and receive donations towards corpus or otherwise either in cash or in 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 organizations 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 the Council of the Settlers. The deposits or investments of funds of the Trust shall be made only in the modes specified in section 11 (5) read with section 13 (1)(d) of the Income Tax Act, 1961.
- e) To borrow any amount either on pledging the assets of the Trust or otherwise from individuals, banks, financial institutions or other institutions, with the approval of the Council of the Settlers.
- f) To acquire, alter, extend, demolish any of its assets, movable or immovable and to dispose of the same whenever found necessary in the best interest of the objects of the Trust.
- g) To start new units of the present activities at other places or to take up new activities whenever necessary or to 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) To spend the income earned 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.


Fr. George Kizhakkemuri


Fr. John Puthenpurayil

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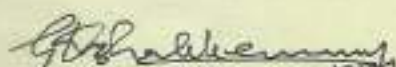


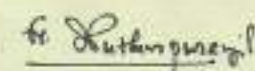
- i) To accumulate the income, if necessary, for attaining the objects of the Trust in future and to set apart the whole or part of the income for the corpus of the Trust Fund for any of the objects of the Trust.

9) POWERS AND DUTIES OF THE EXECUTIVE TRUSTEE :-

Subject to the general control of the Board of Trustees, and the Chairman, the Executive Trustee-cum-Manager shall have specific powers and duties mentioned below, over the properties and affairs of the institutions under their management.

- a) To work, manage, control and supervise the affairs/management of the properties now or hereinafter 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 to act for and 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 he feels 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 Institutions under 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) The Executive Trustee shall be the person to sue or be sued for and on behalf of the Institutions under the Trust, provided that the Board of Trustees shall have the power to authorize any one of its other members to represent the Board of Trustees in any legal or other proceeding, under special circumstances.
- h) The Executive Trustee shall exercise and perform such powers and duties as the Board of Trustees may from time to time determine or assign or authorize him to do.


Fr. George Kizhakkemuri


Fr. John Puthenpurayil

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- i) All acts, deeds and things lawfully done by the Executive Trustee by virtue of these presents shall be binding on the Trust.

10) ACCOUNTS :-

- a) The Executive Trustee shall in consultation with the Chairman, appoint proper persons to keep the accounts and records of the institution for activities under it.
- b) The accounts shall be closed on 31st March every year and it shall be audited by a Chartered Accountant appointed by the Settlers.
- 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.

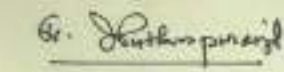
11) EXECUTIVE COMMITTEE & ADVISORY COMMITTEE :-

- a) The Board of Trustees shall form Executive Committees and Advisory Committees to take care of the academic side of the individual institutions or for the Trust as a whole, by nominating the members of the Board and others including the teaching staff, parents, laymen, etc. as found necessary from time to time.
- 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 Executive Trustee and the Secretary in achieving the objects of the Trust.

12) POWERS OF THE SETTLERS :-

The Settlers, shall 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 so ever necessary for achieving the objects of the Trust in a better way, to the Board of Trustees and/or to the Executive Trustee /Secretary and they shall be bound to accept and act upon such directions.


Fr. George Kizhakkemuri


Fr. John Puthenpurayil

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13) BANK ACCOUNTS :-

The Executive Trustee along with the Secretary or with nominees of the Board from time to 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.

14) SECRETARY :-

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

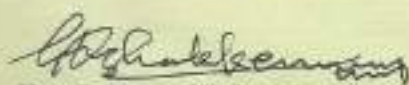
15) AMENDMENT & CLARIFICATIONS :-

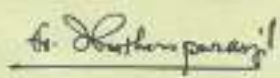
- a) Any provision in this Deed may be amended, annulled or substituted by the Council of the Settler Congregation, at any time provided that such amendments shall come into effect only after getting the approval of the Commissioner of Income Tax, in case the Department insist for the same while giving any recognition or registration under the Income Tax Act, 1961.
- 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 Council of the Settlers and their direction or decision shall be final.

16) 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 Council of the Settlers, and necessary steps may be taken according to its directions.

In case the Settlers, decide to wind up the Trust, the excess assets if any, after discharging the liabilities on winding up, shall be transferred to another charitable educational institution as decided by the Board, and if not, it shall vest with the Government.


Fr. George Kizhakkemuri


Fr. John Puthenpurayil

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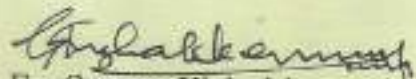


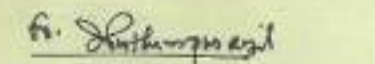
17) SAVING CLAUSE :-

- (a) It is expressly declared that this is a Trust for educational and charitable purposes and no part of the Trust Property or its income shall be applied for any purpose, other than educational and charitable purpose as provided in clause (4) of this Deed.
- (b) The activities of the Trust shall be carried out only in India and the Trust is irrevocable.
- (c) No portion of Income of the Trust shall be distributed to the trustees or settlers as dividend bonus, share of profit, etc. on any account.
- (d) The benefits of the Trust shall be open to all irrespective of caste, community, race or religion.

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

IN WITNESS WHEREOF the Settler and Trustee have signed this Deed of Trust on the day, month and year first above written in the presence of the following witnesses at the MCBS Generalate (Door No.529 - Ward - 1) Edathala Gramapanchayath within the Jurisdiction of Aluva Sub Registry Office, and intend to get it registered in the Sub Registry Office, Aluva.


Fr. George Kizhakkemuri
(Settler)

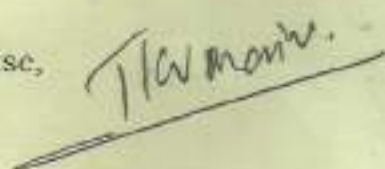

Fr. John Puthenpurayil
(Trustee)

Witnesses :

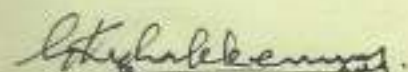
- 1. M. Jayachandran Madhavan Pillai,
Sreevilasam,
Padivattom Kara,
Edappally South Village.

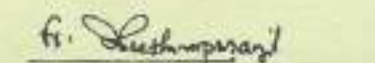


- 2. T. K. Vasukuttan,
Thazhathuruthil House,
Kumarakom P.O.,
Kottayam.



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Corrections: Nil.


Fr. George Kizhakkemuri


Fr. John Puthenpurayil

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