



### Deed of Trust

This Deed of Trust made on this the 6<sup>th</sup> day of March Two thousand Eight by the Councillor for Education of The Congregation of Sisters of Adoration of Blessed Sacrament Sr. Mercy Manthuruthil, also known as Mariamma, D/o. M.J. Joseph, Manthuruthil House, Puthukkary P.O., Alappuzha Dist, aged Sixty Two Years, nun, residing at Rita Bhavan, Koothrappally P.O., Koothrappally muri, Karukachal Village, Changanacherry Taluk, Kottayam Dist. Kerala State (hereinafter referred to as the "Settler") on one part

Sr. Rose Kunnathupurayidam also known as Rosamma K.P., Daughter of Mr. Philip, Kunnathupurayidam, Chettuthodu P.O., meenachal Taluk, Kottayam District, Aged Fifty six Years nun residing at Rita Bhavan, Koothrappally P.O., Karukachal Village, Changanacherry Taluk, Kottayam (District), Kerala State (herein after referred to as the trustee number one).

3. Sr. Rosy Puthiyath, D/o. P.J. Mathew, Puthiyath House, Keerampara P.O., Kothamangalam Aged 52 Years, nun residing at Adoration Convent, Pacha, Edathuva, Alappy Dist, Kerala State. (hereinafter referred as the trustee number two)

(Contd.....2)

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|---------------------------|-------------------------|-------------------------------|----------------------------|
| 1. Sr. Mercy Manthuruthil | <u>Sr. Mercy</u>        | 2. Sr. Rose Kunnathupurayidam | <u>Sr. Rose</u>            |
| 3. Sr. Rosy Puthiyath     | <u>Sr. Rosy</u>         | 4. Sr. Rose Kanacherry        | <u>Sr. Rose Kanacherry</u> |
| 5. Sr. Gracelin Jose      | <u>Sr. Gracelin</u>     | 6. Sr. Therese                | <u>Sr. Therese</u>         |
| 7. Sr. Anns Miranda       | <u>Sr. Anns Miranda</u> |                               |                            |



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4. Sister Rose Kanacherry also known of Rosamma Thomas D/o. Mr. Thomas K.C., Kanacherry House, Pulinkunnu P.O., Kuttanadu Taluk Aged 56 Years, nun residing at Rita Bhavan, Kothrappally P.O., Karukachal Village, Changanacherry Taluk, Kottayam (Dist), Kerala State (hereinafter referred to as trustee number three).
5. Sister Gracelin Jose, Aged 61 Years, also Known as Mary Joseph, Daughter of V.T. Joseph Vengalloor House, Ayarkunnam P.O., Kottayam (Dist), nun, residing at S.H. Convent, Vazhappally P.O., Changanachery, Taluk, Kottayam (Dist), Kerala State, (hereinafter referred to as the trustee number four).
6. Sister Therese aged 58 years. also Known as Mary L.A, daughter of Augustine, Ezharathu, Kozha P.O., Kuravilangadu, Kottayam (Dist) nun, residing at Holy Family Adoration Covent, Prasanth Nagar, Alayamon P.O., Pathanapuram Taluk, Kollam (Dist), Kerala State (hereinafter referred to as the trustee number Five)
7. Sister Anns Miranda, aged 65 years, also known as Aniamma, D/o. Paul Mullankuzhy, Malakunnam P.O., Changanachery Taluk, Kottayam (Dist), nun, residing at Holy family Adoration Covent, Prasanth Nagar, Alayamon P.O., Pathanapuram Taluk, Kollam (Dist), Kerala State, Ex Officio trustee (hereinafter referred as trustee number six).

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|---|---|
| 1. Sr. Mercy Manthuruthil <u>Sr. Mercy</u>  | 2. Sr. Rose Kunnathupurayidam <u>Sr. Rose</u>     |
| 3. Sr. Rosy Puthiyath <u>Sr. Rosy</u>       | 4. Sr. Rose Kanacherry <u>Sr. Rose Kanacherry</u> |
| 5. Sr. Gracelin Jose <u>Sr. Gracelin</u>    | 6. Sr. Therese <u>Sr. Therese</u>                 |
| 7. Sr. Anns Miranda <u>Sr. Anns Miranda</u> |   |

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The trustee described in numbers two to seven will hereinafter collectively be referred to as the 'Board of Trustees'.

Whereas the settler of the trust is desirous of forming a public charitable and educational trust and wants to settle upon trust on the Board of Trustees a sum of rupees five thousand only for the objects and purpose and on the terms and conditions hereafter mentioned. The trustee named above as two to seven are hereby agreeing to act as trustees for this settlement and for the objects of the trust with all future prospectives on the terms and conditions herein mentioned.

**THIS DEED OF TRUST NOW WITNESSES AS UNDER:**

**I. NAME AND REGISTERED OFFICE CLAUSE:**

1. The name of the trust herein established shall be HOLY FAMILY EDUCATIONAL AND CHARITABLE TRUST (herinafter referred to as 'the Trust')

(Contd.....4)

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|--|---|
| 1. Sr. Mercy Manthuruthil <u>Sr. Mercy</u>     | 2. Sr. Rose Kunnathupurayidam <u>Sr. Rose</u>       |
| 3. Sr. Rosy Puthiyath <u>Sr. Rosy</u>          | 4. Sr. Rose Kanacherry & Rose Kanna <u>Sr. Rose</u> |
| 5. Sr. Gracelin Jose <u>Sr. Gracelin</u>       | 6. Sr. Therese <u>Sr. Therese</u>                   |
| 7. Sr. Anns Miranda<br><u>Sr. Anns Miranda</u> |   |





2. The principal office of the trust shall be situated at Prasanth Nagar, Alayamon Village, Alayamon P.O., Alayamon Panchayathu, Pathanapuram Taluk, Kollam District, Kerala. The board of trustees may resolve to effect any change in the principal office of the trust and may open new offices or sub offices or places of activities or change the place of the principal office or change or close any other offices or places of activities as and when decided by the board of trustees.

II. OBJECTIVE CLAUSE:

The objectives to be achieved by the establishment of the trust are stated below and the board of trustees shall strive for the achievement of these objectives with utmost good faith. This objective clauses also contain all the incidental acts connected thereto even through not specifically described herein.

1. The general and prime object of the trust is to develop the human resources of the community by developing the intellectual and psychic calibre of the people, irrespective of the consideration as to caste, creed, community or any such denomination or consideration and carry on the activities in that connection.

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|---------------------------|-------------------------|-------------------------------|----------------------------|
| 1. Sr. Mercy Manthuruthil | <u>Sr. Mercy</u>        | 2. Sr. Rose Kunnathupurayidam | <u>Sr. Rose</u>            |
| 3. Sr. Rosy Puthiyath     | <u>Sr. Rosy</u>         | 4. Sr. Rose Kanacherry        | <u>Sr. Rose Kanacherry</u> |
| 5. Sr. Gracelin Jose      | <u>Sr. Gracelin</u>     | 6. Sr. Therese                | <u>Sr. Therese</u>         |
| 7. Sr. Anns Miranda       | <u>Sr. Anns Miranda</u> |                               |                            |

2. To impart education both formal and informal at all levels, basic and higher education including professional education, affording equal opportunity to all the members of the community without regard to any of the denominations or age or sex.
3. To establish, commence and administer educational institutions at various levels inclusive of pre-primary, primary, high school and professional institution so as to achieve the objectives herein before mentioned and to cater to the needs of the community as a whole.
4. To establish commence and administer any sort of training centres or vocational establishment, open to all to impart training and coaching in developing all round skills and talents of children, youth and aged and to conduct common deliberations on the matters affecting the community in general.
5. To render any sort of helps or aid, both financial and otherwise to the weaker sections of the community for their educational upliftment and development and to render any act of charitable nature.
6. To do all such other acts as may be considered to be incidental or conducive to the attainment of the objects of the trust or any of them.
7. To accept gifts, donations, subscriptions, grant or fees in any manner from any person or institutions, government or quasi government institutions or from any local bodies. To take over the ownership, possession or administration of any kind of land or building or any other assets by adopting any mode of acquisition of ownership or possession as the law permits.
8. To takeover the management and administration of any of the existing school or school or any other like institutions subject to the proceeding clauses.

### III. TRUST PROPERTIES AND ITS CAPITAL:-

An amount of Rs. 5,000/- (Rupees Five thousand only) which is contributed by the settler will be the capital of the trust at present, with the liberty to enhance it in accordance with the increase of activities and needs of the trust. All the assets of the trust will be vested on the board of trustees in the name of the managing trustee. The board of trustees can resolve to effect increase in capital of the trust by donations, gifts, subsidies, borrowals or by the investments of all the additions or surpluses if any arising out of the trust activities. All such assets subsequently acquired by the trust will be formed as the part of the capital of the trust.

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|---|---|
| 1. Sr. Mercy Manthuruthil <u>Sr. Mercy</u>  | 2. Sr. Rose Kunnathupurayidam <u>Sr. Rose</u>     |
| 3. Sr. Rosy Puthiyath <u>Sr. Rosy</u>       | 4. Sr. Rose Kanacherry <u>Sr. Rose Kanacherry</u> |
| 5. Sr. Gracelin Jose <u>Sr. Gracelin</u>    | 6. Sr. Therese <u>Sr. Therese</u>                 |
| 7. Sr. Anns Miranda <u>Sr. Anns Miranda</u> |   |

The trust can acquire and possess any property both movable and immovable in the name of the trust, represented by the managing trustee by purchase, gift, exchange or by any transfer of such nature and by lease, mortgage etc... Any of the activities of the trust can be carried on in any part of the properties which are in the possession of the trust.

The board of trustees (subject to quorum hereinafter mentioned) can pass a unanimous decision in the interest of the trust to dispose off any of the assets belonging to the trust and the proceeds of such disposal shall be contributed towards the capital of the trust.

There shall be a 'register of assets' to record the details of all the assets, both movable and immovable belonging to the trust and the additions and deductions in the assets shall be recorded therein.

The trust can construct building for trust activities in the properties acquired by the trust either absolutely or by way of lease or mortgage.

#### IV. BENEFICIARIES OF THE TRUST:

All persons who are the citizens of India will be the beneficiaries of this trust, irrespective of any considerations as the caste, creed, colour, origin, or place of birth. Any of the beneficiaries can be appointed or elected as a trustee with his express consent. All the trust activities shall be administered as far as practicable in such a manner as to derive maximum benefits to the beneficiaries.

#### V. ADMINISTRATION OF THE TRUST:

The administration and management of the trust shall be vested on the board of trustees and the board of trustees will be responsible for all the activities of the trust. Councillor for Education of The Congregation of the Sisters of Adoration of the Blessed Sacrament will be an ex officio trustee of the trust by virtue of her office.

#### VI. MANAGING TRUSTEE:

The Councillor for Educational of The Congregation of the Sisters of the Adoration of the Blessed Sacrament will be the managing Trustee of the trust by virtue of her office. Whenever the office of the Educational Councillor happens to be vacant, such other person holding the office in charge, will be managing trustee for the period. Such person will be empowered to exercise the powers of managing trustee.

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|---|---|
| 1. Sr. Mercy Manthuruthil <u>Sr. Mercy</u>    | 2. Sr. Rose Kunnathupurayidam <u>Sr. Rose</u>     |
| 3. Sr. Rosy Puthiyath <u>Sr. Rosy</u>         | 4. Sr. Rose Kanacherry <u>Sr. Rose Kanacherry</u> |
| 5. Sr. Gracelin Jose <u>Sr. Gracelin Jose</u> | 6. Sr. Therese <u>Sr. Therese</u>                 |
| 7. Sr. Anns Miranda <u>Sr. Anns Miranda</u>   |   |

**POWER AND DUTIES OF THE MANAGING TRUSTEE:**

- i. The managing trustee will be the chief executive of the trust empowered to represent the trust and to sign on behalf of the trust.
- ii. The managing trustee will be the person empowered to execute the decisions of the board of trustees.
- iii. The managing trustee will be the person empowered for the execution of any deeds and documents for and on behalf of the trust.
- iv. The managing trustee can appoint or nominate any number of trustees for the efficient operation of the trust.
- v. The managing trustee can fill any vacancy of trustees arising out of death, illhealth, resignation absence etc. of any of the trustees by appointment or nomination.
- vi. The managing trustee is empowered to open and operate the bank accounts and avail any type of loans or financial aids from any financial institutions.
- vii. The managing trustee will be the person empowered to represent the estate of the trust.
- viii. The managing trustee will be entitled to get honorarium for her service, an amount not exceeding Rs. 3000/- (Rupees Three thousand only) per month, if there remains any surplus amount.
- ix. The managing trustee is responsible for the proper upkeep and maintenance of the books of accounts of the trust activities and its assets.
- x. The managing trustee shall commence the meeting of the board of trustees as and when occasion arises or at least once in six months.
- xi. The meeting of the board of trustees shall be presided by the managing trustee or any of the trustees in the absence of the managing trustee.
- xii. The managing trustee will be the person designated to represent the trust in all legal matter including suits and contracts.
- xiii. The managing trustee can take any decision in case of contingency in the interest of the objectives of the trust subject to the ratification of the board of trustees.

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| 1. Sr. Mercy Manthuruthil <u>Sr. Mercy</u>    | 2. Sr. Rose Kunnathupurayidam <u>Sr. Rose</u>     |
| 3. Sr. Rosy Puthiyath <u>Sr. Rosy</u>         | 4. Sr. Rose Kanacherry <u>Sr. Rose Kanacherry</u> |
| 5. Sr. Gracelin Jose <u>Sr. Gracelin Jose</u> | 6. Sr. Therese <u>Sr. Therese</u>                 |
| 7. Sr. Anns Miranda <u>Sr. Anns Miranda</u>   |   |

## MEETING AND DECISIONS

All the major decisions as to the affairs of the trust are to be taken by the board of trustees by resolutions. There shall be a meeting of trustees at the principal office of the trust at least once in six months. If situation warrants, the board of trustees can meet any time at the notice of the managing trustee. Every decisions of the board of trustees shall be taken by majority of the meeting of board of trustees and it shall be signed by the participating trustees.

The quorum for the meeting of the board of trustees will be four:-

The Board of trustees is empowered to take any decision touching upon the constitution and combination of the trust and amend the constitution of the trust (Trust deed) with 2/3 majority of the meeting of all the Board of trustees. Such decisions for amendment shall be made with the prior approval of commissioner of Income Tax concerned.

The board of trustees can take any decision to acquire any property both movable and immovable by purchase or by way of lease, gift, donations or anyother means which the law permits. It can also resolve to raise funds for the functioning of the affairs of the trust by donations, grants, subsidies or loans from any financial institutions or individuals by creating mortgage over the trust properties or otherwise. Any addition or accretions arising out of the trust operations and trust properties shall be invested for the objectives of the trust itself. The board of trustees can invest funds of the trust for any purpose consistant with the objects of the trust.

The board of trustees can take a unanimous decision in the interest of the trust, to dispose of any of the properties belonging to the trust and the proceeds of such disposal shall be contributed towards the capital of the trust.

The board of trustees can effect any change in the powers, duties and functions of the managing trustee by a resolution.

## VI. NATURE AND PERSONALITY OF THE TRUST:

The trust is to be treated as fictitious person. The trust is irrevocable. In any chance if the trust turns to be defunct, the assets of the trust will be merged into anyother functioning trust with similar objectives and if there is no such trust in function, assets of the trust will escheat to the government. Trustees will not have any sort or right over any of the trust properties. The trust is having its existence apart from its trustees.

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| 1. Sr. Mercy Manthuruthil <u>Sr. Mercy</u>  | 2. Sr. Rose Kunnathupurayidam <u>Sr. Rose</u>     |
| 3. Sr. Rosy Puthiyath <u>Sr. Rosy</u>       | 4. Sr. Rose Kanacherry <u>Sr. Rose Kanacherry</u> |
| 5. Sr. Gracelin Jose <u>Sr. Gracelin</u>    | 6. Sr. Therese <u>Sr. Therese</u>                 |
| 7. Sr. Anns Miranda <u>Sr. Anns Miranda</u> |   |



In witness whereof we the SETTLER and TRISTEES hereto set our hands on this the 6<sup>th</sup> day of March Two thousand and eight at Building No.364 of Ward No. II of Alayamon Panchayath, Alayamon Muri, Alayamon Village, Pathanapuram Taluk, Kollam District, and decided to register this deed at the sub Registry office, Anchal. This trust comes in to effect from the date of its registration.

In the presence of witness

1. M. Sainlabudeen,  
Ashar Marzil,  
Near B.Ed. Centre, Anchal.

M. Sainlabudeen

2. Prepared by: P.O.Kuriyakose  
Advocate (Roll No. K/474/1989)  
Kottarakkara.

P. O. Kuriyakose

This deed is fully type written Note of Correction :- Nil

- (Trustees) :
1. Sr. Mercy Manthuruthil (Settler) Sr. Mercy
  2. Sr. Rose Kunnathupurayidam Sr. Rose
  3. Sr. Rosy Puthiyath Sr. Rosy
  4. Sr. Rose Kanacherry Sr. Rose Kanacherry
  5. Sr. Gracelin Jose Sr. Gracelin
  6. Sr. Therese Sr. Therese
  7. Sr. Anns Miranda Sr. Anns Miranda