



THIS DEED OF TRUST executed on this the Thirtieth day of August, One Thousand Nine Hundred and Ninety Four (30-8-1994) BETWEEN The CARMEL PROVINCE of the religious CONGREGATION OF THE CARMELITES OF MARY IMMACULATE with its office at Muvattupuzha represented by its present Finance Secretary Rev.Fr.JOHN GALLUS C.M.I., aged 64 (Sixty four) years, Priest, Son of Joseph Cheruparambil, now residing at CARMEL PROVINCIAL HOUSE, Muvattupuzha Village, Moovattupuzha Taluk, Ernakulam District, Kerala, as the SETTLOR, on the first part, AND Rev.Fr.PETER AKKAPPADY, aged 48 (Forty eight) years, Priest, Son of Varghese, he being the present Councillor for Education and Mass Media of the province now residing at Chavara Centre, Chettupara Village,

*John Gallus CMI*

Rev.Fr.John Gallus CMI  
(SETTLER)

*Peter Akkappady*

Rev.Fr.Peter Akkappady  
TRUSTEE)

NO 32449 (100)-  
2)-8-94

Rev. Fr. John Gallus C.M.I.  
Carmel Provincial House,  
Muvattupuzha

14/507/94

P.A. GOURI  
E.R.O. VENDOR

Presented in the office of the Sub Registrar  
of Ernakulam and fee of Rs. 2.2  
paid at 2 on the 30 day of August 1994

Rev. Fr. John Gallus C.M.I.

Provincial Carmel Provincial House

30... th day of ..... 1994  
H. Sub Registrar, T. K. SOMAN

Execution Admitted to

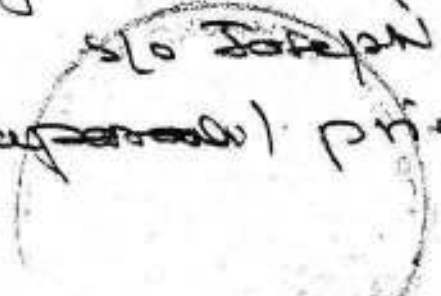
For The General provisions of his religious  
obligation of the Carmelites of Mary Immaculate  
instituted by the present Finance Secretary

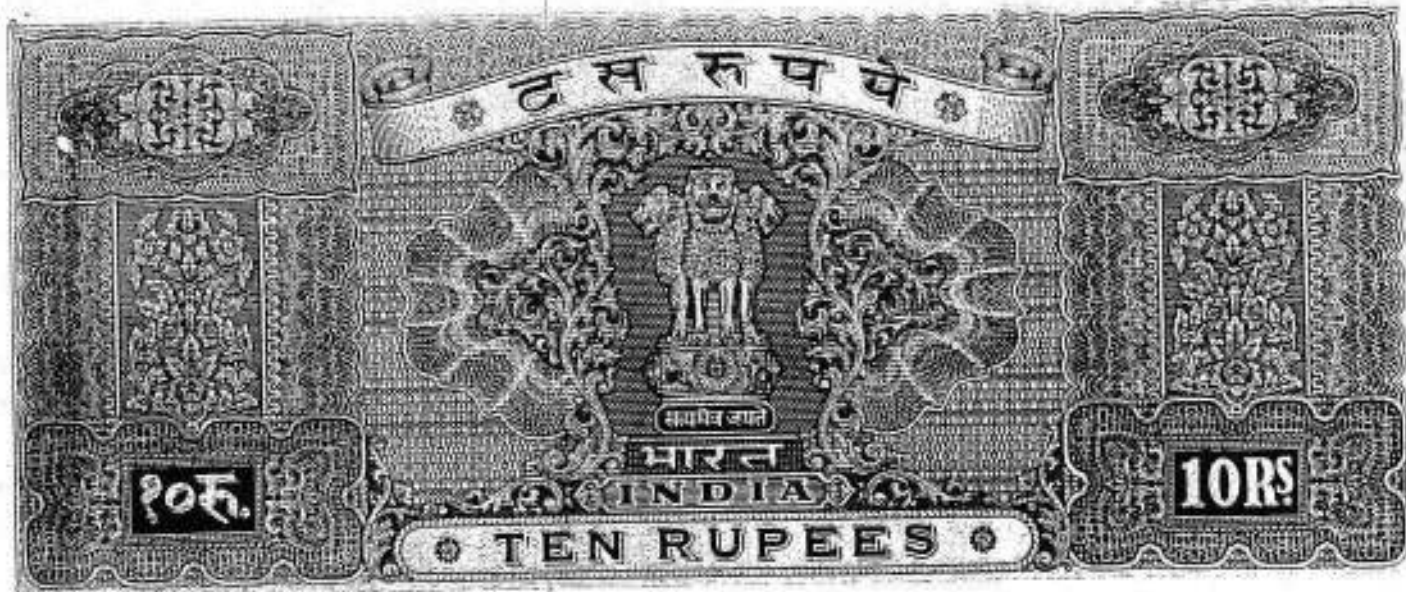
Rev. Fr. John Gallus C.M.I.

Provincial Carmel Provincial House

s/o Joseph

Provincial Carmel Provincial House



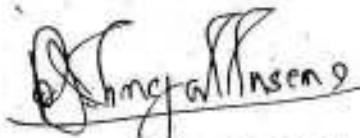


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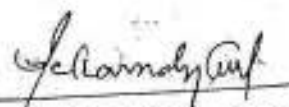
Adimali Taluk, Idukki District as the Trustee on the Second Part.

WHEREAS the religious order known as the Congregation of the Carmelites of Mary Immaculate (in short referred as CMI CONGREGATION) was started in its rude form as a religious institution at Mannanam in 1831 for the realisation of a long cherished desire in the Church in India to implant the ideals of Christian religious life in the religious traditions of our land, with a view to do good to the people irrespective of caste, creed and community.

AND WHEREAS, by the Grace of God, as and when the number of members joining the congregation increased, the congregation established more institutions at various places in India and



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(SETTLER)

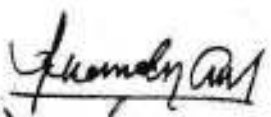


Rev. Fr. Peter Akkappady  
(TRUSTEE)

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Rev. Fr. John Gallus. C.M.I. -  
Carmel Provincial House,  
Muvattupuzha.

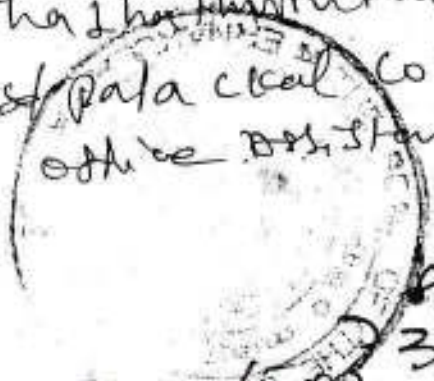
  
P.A. GOU  
E.R.O. VENDOR

2) Rev. Fr. Peter Alkappady 

~~Now as T. Justice of Kerala High Court~~  
~~Admission~~

rakkat Groundan Kutty Menon K. G. Menon son of  
Kshmi Kutty Amma, Clerk, Karithala Desom.

Tha. Jha. Thammathil Kunj. Pillai Vaidyanthar Thammathil  
of Pala Chel count, M. U. Road Cochin - 35 -  
office Assistant.



30th day of ... 1994  
Sub Registrar, T. K. SOMAN

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abroad to render the religious and charitable services in a systematic and organised manner, by starting and maintaining orphanages, old age homes, hospitals, dispensaries, home for handicapped and mentally retarded, schools, colleges and other educational institutions of various types and also by undertaking parishes, hospitals and prison ministries and the like.

AND WHEREAS the General Chapter of the Congregation for administrative convenience bifurcated the Sacred Heart Province, Kalamasserry in 1990 and created the new province called Carmel Province, whose headquarters is now situated in Muvattupuzha.

AND WHEREAS now the present office bearers of the Carmel Province found it better to register a deed of Trust to co-ordinate the administration of all the educational institutions of the province, and in future to establish more and more institutions to conduct the same in a more systematic manner according to the norms of the various statutes of the Congregation and according to the statutory protection given under the Constitution of India for the minority community.

AND WHEREAS with the above aim, the Settlers have decided in its Council to register the Deed of Trust in favour of the Second Party to start an educational Trust with the following terms and conditions.

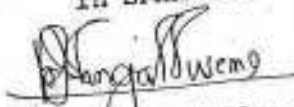
NOW THIS DEED WITNESSETH:-

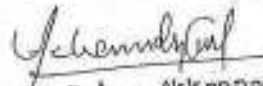
1. NAME:-

The name of the Trust shall be CARMEL EDUCATION TRUST.

2. REGISTERED OFFICE:-

The registered office of the Trust shall be at Muvattupuzha in Ernakulam District. The Trustees are at liberty to

  
Rev. Fr. John Gallus CMI  
(SETTLER)

  
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(TRUSTEE)

change the registered office to anywhere else in India within its ecclesiastical jurisdiction allotted to it by the CMI Congregation.


3. TRUST PROPERTY :-

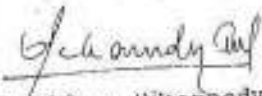
In order to effectuate the above referred decision, the Settlers, has made over to the Trustees the sum of Rs.1000/- (Rupees One Thousand only) to hold the same together with all additions and accretions thereto and all other properties that may be acquired by purchase, lease, gift or otherwise and may hereinafter be the subject matter of the Trust (hereinafter referred to as the Trust Fund) for the objects and on the terms and conditions herein contained, concerning the same for the objects of the Trust.

4. OBJECTS OF THE TRUST :-

The objects for which the trust is established are as follows:-

- 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 for 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 or to help them to find suitable job opportunities.
- c) To establish Hostels and Boarding Houses to accommodate the students of the educational Institutions.

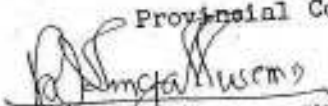
  
Rev. Fr. John Gallus CMI  
(SETTLER)

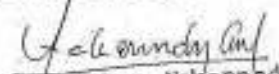
  
Rev. Fr. Peter Akkappady  
(TRUSTEE)

- d) To give vocational training to the students and to conduct programmes to conscientise them on their social responsibilities such as to work against menaces of drugs, drinks and smoking.
- e) To establish research and development institutions.
- f) To extend help by cash or in kind to the deserving students or to educational institution of charitable nature.

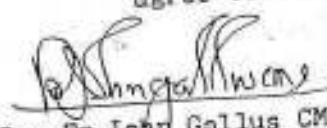
5. BOARD OF TRUSTEES:-

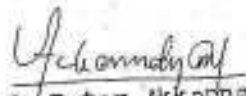
- a) For the time being the second party to this Deed, Rev.Fr.Peter Akkappady shall himself be the SOLE TRUSTEE.
- b) Within three months from the date of registration of the Trust Deed, the Provincial Council of the Settlers, shall form a Board of Trustees with the Provincial Ex-Officio as the Chairman and nominating other necessary members as found proper from time to time either from themselves or from other members of the province specifying one among them as the DIRECTOR who shall be the Chief Executive of the Trust.
- c) The Settlers are free to change their nominees on the Board of Trustees from time to time, including the DIRECTOR.
- d) The members of the Board of Trustees except DIRECTOR are not entitled for, any remuneration but all expenses met by them for the Trust shall be re-imbursed to them. The Director is entitled for remuneration fixed by the Provincial Council of the Settlers from time to time.

  
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- e) The Board of Trustees shall meet as often as required and shall meet at least once in a Calendar year to consider the annual audited accounts every year and forward a copy of the same, to the Settlers.
- f) The Director shall serve the notice for meeting in consultation with or at the direction of the Chairman.
- g) The Director shall maintain the minutes of the meeting duly signed by the Chairman or the person presiding over the meeting.
- h) The meeting of the Board of Trustees shall be presided over by the CHAIRMAN, and in his absence by a member of the Board nominated by the CHAIRMAN.
- i) There shall be 5 days notice for a Board Meeting unless waived by all the parties eligible to get the notice.
- j) The quorum for the Board Meeting shall be 1/3 of total members or 3 whichever is greater.
- k) All the questions at any meeting of the Board of Trustees shall be decided by the majority of members present and voting at the meeting and in the case of equality of vote, the member presiding over the meeting shall have a casting vote.
- l) Decisions may also be taken by the Board over phone or through correspondence provided all the members agree to it.

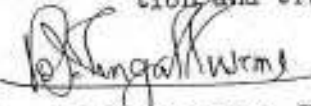
  
Rev. Fr. John Gallus CMI  
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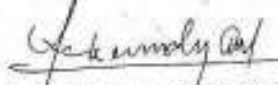
  
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(TRUSTEE)

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

All assets and properties of the Trust shall vest with the Board of Trustees and in the name of the CHAIRMAN. The Board of Trustees shall have the following powers and duties.


- a) To administer and control the affairs of the Trust, the Trust properties, the institutions, and establishments belonging to the Trust, or under their management.
- b) To solicit funds, receive donations, grants subsidies, scholarships etc. of any kind, towards Corpus or otherwise, with permanent obligations or otherwise, whether in cash or in kind, or to get re-imbursed the capital and running expenses of the institutions by collecting fees or other contributions from the students or their parents who are capable of paying the same.
- c) 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 investments in immovable properties shall be subject to the approval of the Provincial Council of the Settlers of the Trust.
- d) To incur all kinds of capital and revenue expenditure which will help in attaining any or all of the objects of the Trust, such as acquiring land, constructing building and equipping it giving education and training to the personnels etc. provided

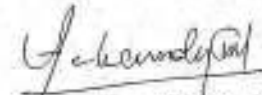
  
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(SETTLER)

  
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(TRUSTEE)

any capital investment in land and building shall be subjects to the approval of the Settlers.

- 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 attaining any of the objects of the Trust, subject to the approval of the Settlers.
- f) To, acquire, alter extend demolish any of its assets, movable or immovable and to dispose off the same whenever found necessary in the best interest of the objects of the trust.
- g) To start institutions at any other place or to takeover 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 main objects of the Trust.
- h) To take over and manage as and when found proper, all the existing assets and liabilities of the educational institutions of the Carmel Region.
- i) To depute the necessary personnel to take care of the various activities of the Trust as found necessary from time to time.
- j) To establish and manage Nursery, Primary and High Schools, Seminaries, Professional institutions, Technical institutes, Boarding Houses, Hostels etc. solely for the purpose of education and not for the purpose of profit.

  
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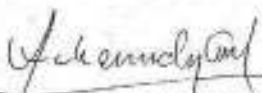
- k) To spend the income earned or the income of the future for any or all of the objects of the Trust, either directly or by contributing to other genuine institutions to be spent for the purposes of the Trust.
- l) To accumulate the income if necessary for attaining the objects of the Trust in future or 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.
- m) Subject to the approval of the Settlers, to join co-operate or amalgamate this Trust, with other similar Trust, or fund or institutions as the Trustees think fit.

7. POWERS AND DUTIES OF THE DIRECTOR:-

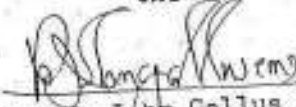
Subject to the general control of the Board of Trustees, the Director shall have special powers and duties mentioned below:-

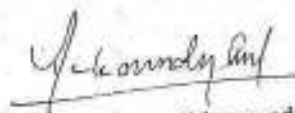
- a) To work manage, control and supervise the affairs/ management of the properties now or hereinafter belonging to the Trust and develop them.
- b) To enter into any contract or agreement for and on behalf of Trust for any of the purpose concerning the routine activities affairs of the Trust, which are beneficial to the interest of the Trust.
- c) To appear and act for and on behalf of the Trust in all legal proceedings before any competent authority.

  
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(TRUSTEE)

- d) To appoint and constitute advocates or other attorneys, whenever necessary and to remove them whenever he feels such removal is necessary.
- e) To appoint the necessary personnels in the service of the Trust and fix their remuneration and service conditions and give them training if necessary, and if circumstances warrants, to take disciplinary actions on them, including suspension or dismissal.
- f) 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.
- g) To gather funds towards corpus or otherwise, for the Trust by way of donations or otherwise, from any persons or institutions either in cash or in kind for the purpose of the Trust.
- h) The Director shall sue and be sued for and on behalf of the Trust, provided that the Board of Trustees shall have the power to authorise any of its other members to represent the Board of Trustees in any legal or other proceedings, under special circumstances.
- i) The Director shall exercise and perform such powers and duties as the Board of Trustees may from time to time determine or assign or authorise him to do.
- j) The Director shall do any/all acts and deeds and things necessary for the efficient management and administration of the Trust and the properties of the Trust.

  
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(TRUSTEE)

k) The Director shall have the power to delegate his duties and functions to any other members of the Board of Trustees or member of the staff of the Trust, with the consent of the Board of Trustees.

8. POWER OF THE SETTLERS OF THE TRUST:-

The Settlers of the Trust, viz. the provincial Council of the Carmel Province of CMI Congregation, or their successors shall have the power to depute any person to inspect the accounts and the affairs of the Trust and in the best interest of achieving the objects of the Trust, to issue any direction whatsoever necessary to the Board of Trustees, and/or to the Director and they shall be bound to accept and act upon such direction.

9. BANK ACCOUNTS:-

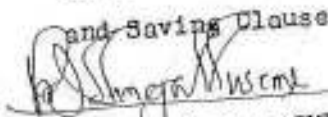
Bank Accounts shall be opened by the Director, in the name of the Trust, or in the name of any of its activities with any Bank, as and when found necessary by the Board and such accounts shall be operated in the manner as directed by the Board of Trustees from time to time.

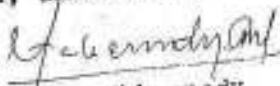
10. THE ACCOUNTS:-

The accounts of the Trust shall be closed on 31st March every year and it shall be audited by an auditor appointed by the SETTLERS. The audited statement with the explanations of the Board shall be submitted to the Settlers within 30th September every year or within the time extend by them.

11. AMENDMENT:-

Any provision in this deed except the object clause No.4 and Saving Clause No.13 may be amended, annulled or

  
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(TRUSTEE)

substituted by the Settlers if requested by the Board of Trustees and such amendments, alterations etc. shall come into force only if it is approved by the Commissioner of Income Tax.

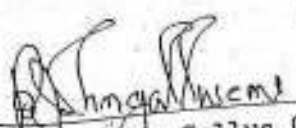
12. WINDING UP:-

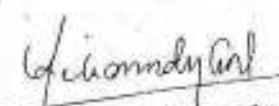
In the event of the Trust becoming impossible to function in accordance with the provisions of the Trust Deed, the assets of the Trust after discharging of all its debts and liabilities if any shall be transferred to another registered Charitable Institution as decided by the Board, with the approval of the Settlers and if not it shall vest with Government.

13. SAVING CLAUSE:-

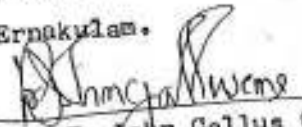
- a) This is a Charitable Trust and its activities shall be for the purpose of education and not for the purpose of earning profit.
- b) It is expressly declared that no part of the Trust property or its income shall be applied for any purpose, other than charitable purposes, and no part of the income or funds of the institution shall be divided among the members by way of profit.

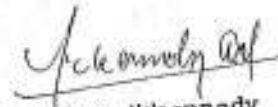
14. The value of the Trust Fund is Rs.1,000/- (Rupees One thousand only).

  
Rev. Fr. John Gallus CMI  
(SETTLER)

  
Rev. Fr. Peter Akkappady  
(TRUSTEE)

IN WITNESS WHEREOF the parties to this Deed have set their hands at Ernakulam on the day, month and year first above written in the presence of the following witnesses and wish to get it registered in the Sub Registry Office, Ernakulam.

  
Rev. Fr. John Gallus CMI  
(SETTLER)

  
Rev. Fr. Peter Akkappady  
(TRUSTEE)

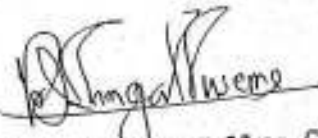
Witnesses:

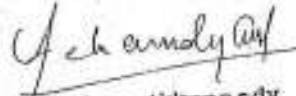
1. K. Govindankutty Menon  
Karakkat House,  
Chittoor Road,  
Ernakulam, Cochin-16.
2. T.K. Vasukutten,  
Palackal Court,  
M.G. Road, Ernakulam, Cochin-35.


This document is typewritten.

Corrections : Nil.

  
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(SETTLER)

  
Rev. Fr. Peter Akkappady  
(TRUSTEE)