



CARMEL EDUCATIONAL & CHARITABLE TRUST

TRUST DEED

This Deed of Trust is executed on this FIRST day of JANUARY Ninteen Nintynine (01.01.1999) between the CONGREGATION OF MOTHER OF CARMEL (CMC) Province having its House at Kolazhy, Thrissur, Pin 680 010, Kerala, hereinafter called "the Province" on the ONE PART, represented by its Provincial, the present Provincial being Rev.Mother Felicita, aged 61, Nun, daughter of Late : Kadampattuparambil Ittimathu, residing at CMC Provincial House, Kolazhy, Thrissur and shall include its successors and assigns whenever the context or meaning shall so require or permit

1. Rev.Mother Felicita
2. Rev.Sister Felician
3. Rev.Sister Elmo
4. Rev.Sister Nirmala
5. Rev.Sister Rincy
6. Rev.Sister Lucia
7. Rev.Sister Mercy

Sr. Felicita

Sr. Felician

Sr. Elmo

Sr. Nirmala
For CARMEL CENTRAL SCHOOL
VALAPAD - 680 567

Sr. Rincy

Sr. Lucia

Sr. Mercy

For CARMEL CENTRAL SCHOOL
VALAPAD - 680 567

[Signature]
Principal

Manager Rosy - P.O

and

1. The Asst. Provincial, CMC Province, Kolazhy, the present Asst. Provincial being Rev. Sr. Lucia, aged 61, Nun, daughter of Late : Melitt Palathingal Kuriaku, residing at CMC Provincial House, Kolazhy, Thrissur.
2. The Councillor for Education, CMC Province, Kolazhy, the present Councillor for Education being Rev. Sr. Felician, aged 58, Nun, daughter of Late : Kanady Antony, residing at CMC Province House, Kolazhy, Thrissur.
3. The Manager of the Carmel Central School, Valapad, Thrissur District, the present Manager being Rev. Sr. Elmo, aged 58, Nun, daughter of Late : Kollannur Tharayil Porinchunny, residing at Carmel Convent, Valapad.
4. The Principal of the Carmel Central School, Valapad, Thrissur District, the present Principal being Rev. Sr. Nirmala, aged 55, Nun, daughter of Late : Kanjiraparambil Kochappu, residing at Carmel Convent, Valapad.

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|-------------------------|---------------------|
| 1. Rev. Mother Felicita | <u>Sr. Felicita</u> |
| 2. Rev. Sister Felician | <u>Sr. Felician</u> |
| 3. Rev. Sister Elmo | <u>Sr. Elmo</u> |
| 4. Rev. Sister Nirmala | <u>Sr. Nirmala</u> |
| 5. Rev. Sister Rincy | <u>Sr. Rincy</u> |
| 6. Rev. Sister Luciya | <u>Sr. Luciya</u> |
| 7. Rev. Sister Mercy | <u>Sr. Mercy</u> |

5. The Vice-Principal of the Carmel Central School, Valapad, Thrissur District, the present Vice-Principal being Rev. Sr. Rincy aged 31, Nun, daughter of Late : Kanjirathingal Ouseph residing at Carmel Convent, Valapad.

6. One person shall be nominated by the Manager, Carmel Central School, Valapad, Thrissur, the present nominee being Rev. Sr. Mercy, aged 53, Nun, daughter of Late : Maprani Chacko now residing at Carmel Convent Valapad.

Hereinafter called "the TRUSTEES" (Which expression shall where the context so admits or requires, include the Survivor or Survivors of the Trustees) on the OTHER PART.

WHEREAS:

All the members of this Trust belong to Christian/Catholic Minority religious community and all of them are women.

NOW THIS DEED OF TRUST WITNESSETH:

1. NAME OF THE TRUST :

The name of the Trust shall be "CARMEL EDUCATIONAL & CHARITABLE TRUST" (herein after called the Trust)

1. *Rev. Mother Felicita

Sr. Felicita

2. Rev. Sister Felician

Sr. Felician

3. Rev. Sister Elmo

Sr. Elmo

4. Rev. Sister Nirmala

Sr. Nirmala

5. Rev. Sister Rincy

Sr. Rincy

6. Rev. Sister Lucia

Sr. Lucia

7. Rev. Sister Mercy

Sr. Mercy

The Vice-President of the Central Council, Japan, and the Vice-President of the Japanese League of Women, Tokyo, are invited to attend the meeting of the Council of the League of Women, Tokyo, on the 15th of the month of June, 1949.

The meeting will be held at the Hotel, Tokyo, on the 15th of the month of June, 1949, at 10:00 A.M. The meeting will be held in the Japanese language.

The meeting will be held in the Japanese language. The meeting will be held in the Japanese language.

All the members of the League of Women, Tokyo, are invited to attend the meeting of the Council of the League of Women, Tokyo, on the 15th of the month of June, 1949.

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Sub Registrar



2. OFFICE AND ADDRESS :

The Registered office of the Trust shall be located at present at the following Postal Address : "Carmel Educational & Charitable Trust", Carmel Central School, Valapad - 680 567, Thrissur District, Kerala.

3. AREA OF OPERATION :

The area of operation of the Trust shall extend to the whole district of Thrissur.

4. JURISDICTION :

In case of any dispute, the court jurisdiction shall be where the registered office of the Trust is situated.

5. AIMS AND OBJECTS :

- (01) to spread the message of love, non-violence, education and universal brotherhood.
- (02) to organise and conduct lectures, seminars, symposiums on education.
- (03) to create harmony among all people and to eliminate from their minds differences and discriminations on the ground

- 1. Rev.Mother Felicita
- 2. Rev.Sister Felician
- 3. Rev.Sister Elmo
- 4. Rev.Sister Nirmala
- 5. Rev.Sister Rincy
- 6. Rev.Sister Lucia

Sr. Felicia

Sr. Felician

Sr. Elmo

Sr. Nirmala

Sr. Rincy

Sr. Lucia

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Sr. Nirmala

5. Rev.Sister Rincy

Sr. Rincy

6. Rev.Sister Lucia

Sr. Lucia

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Registrar



of caste, creed, colour, language or any other negative factor.

- (04) to establish, conduct and manage libraries, reading rooms, training centres, schools, colleges and such other institutions and to institute awards for the promotion of education.
- (05) to construct and administer education centres, schools/ colleges, and hostels for the promotion of education.
- (06) to support the needy and the poor students without any discrimination whatsoever.
- (07) 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 decided by the Trustees from time to time.

6. TRUST PROPERTY :

The CMC Province, Kolazhy, Thrissur, has handed over to the Trustees a sum of Rs.1000.00 (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

1. Rev.Mother Felicita
2. Rev.Sister Felician
3. Rev.Sister Elmo
4. Rev.Sister Nirmala
5. Rev.Sister Rincy
6. Rev.Sister Lucia

Dr. Felician

Dr. Felician

Dr. Elmo

Dr. Nirmala

Dr. Rincy

Dr. Lucia

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or otherwise and shall hereinafter 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.

7. INCOME AND PROPERTY :

The Income and property of the Trust shall be used solely towards 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 of remuneration or bonus to any officer or employee of the Trust or to any Trustee thereof or other person, in return of services rendered to the Trust.

- (a) All expenses incurred by the Trustees to discharge their duties as Trustees shall be met from the Trust's fund.
- (b) Investments shall be made in accordance with provision of Sec.11(5) of Income Tax Act 1961.

8. BOARD OF TRUSTEES:

- (A) The Management of the Trust shall be entrusted to a Board of

1. Rev.Mother Felicita

Dr. Felicita

2. Rev.Sister Felician

Dr. Felician

3. Rev.Sister Elmo

Dr. Elmo

4. Rev.Sister Nirmala

Dr. Nirmala

5. Rev.Sister Rincy

Dr. Rincy

6. Rev.Sister Lucia

Dr. Lucia

7. Rev.Sister Mercy

Dr. Mercy

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Trustees (hereinafter called "the Board")

(B) The total number of members of the Board shall be SEVEN and its constitution shall be as follows:

- (01) PRESIDENT : The Provincial, CMC Province, Kolazhy, Thrissur.
- (02) VICE-PRESIDENT : The Councillor for Education, CMC Province, Kolazhy.
- (03) CHAIRPERSON : The Manager, Carmel Central School, Valapad.
- (04) SECRETARY : The Principal, Carmel Central School, Valapad.
- (05) TREASURER : The Vice-Principal, Carmel Central School, Valapad.
- (06) MEMBER : The Asst. Provincial, CMC Province, Kolazhy, Thrissur.
- (07) MEMBER : Nominee of the Manager, Carmel Central School, Valapad.

9. MEETING OF THE BOARD :

(1) The Board shall meet as often as may be necessary but not less than once in six months, at such place and hour, on a particular day, notified by the Secretary, in consultation with the President. Other than emergency meeting, atleast three

1. Rev.Mother Felicita

Sr. Felicia

2. Rev.Sister Felician

Sr. Felician

3. Rev.Sister Elmo

Sr. Elmo

4. Rev.Sister Nirmala

Sr. Nirmala

5. Rev.Sister Rincy

Sr. Rincy

6. Rev.Sister Lucia

Sr. Lucia

7. Rev.Sister Mercy

Sr. Mercy

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days' notice shall be given for such meetings.

(2) For all meetings of the Board, the quorum shall be three.

10. POWERS AND FUNCTIONS OF THE BOARD OF TRUSTEES:

The Board of Trustees shall exercise the following Powers and functions:

(01) to organise all activities, programmes required to raise funds, by donation and other ways for financing the promotion of the aims and objects of the Trust.

(02) to invest monies of the Trust and to vary such investments.

(03) 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 off or mortgage any of the properties of the Trust at such price and on such terms and conditions as the Board thinks fit, in the best interest of the Trust. The President, Secretary and Treasurer shall jointly sign such documents. All properties of the Trust shall be purchased in the name of the President.

1. Rev.Mother Felicita

St. Felicia

2. Rev.Sister Felician

S. Felician

3. Rev.Sister Elmo

Sr. Elmo

4. Rev.Sister Nirmala

S. Nirmala

5. Rev.Sister Rincy

S. Rincy

6. Rev.Sister Lucia

Lucia

7. Rev.Sister Mercy

Sr. Mercy

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- (04) 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.
- (05) to borrow funds from any source, and on such terms and conditions as approved by the Board for the implementation of the aims and objects of the Trust. The President, Secretary and Treasurer shall jointly sign such documents on behalf of the Trust.
- (06) to appoint or employ such staff as may be necessary for the efficient management and conduct of the affairs of the Trust, and to prescribe duties of and to take, where necessary, disciplinary action against any of the employees of the Trust.
- (07) to institute, conduct, defend, compound and abandon any legal proceedings by or against the Trust.
- (08) The Board shall have power to rent out/lease out the properties of the Trust and also to take on rent or

1. Rev.Mother Felicita

Dr. Felicitas

2. Rev.Sister Felician

Sr. Felician

3. Rev.Sister Elmo

Sr. Elmo

4. Rev.Sister Nirmala

Sr. Nirmala

5. Rev.Sister Rincy

Sr. Rincy

6. Rev.Sister Lucia

Sr. Lucia

7. Rev.Sister Mercy

Sr. Mercy

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lease including on the basis of hire purchase, any items required by the Trust on such terms and conditions as decided by the Board. The President, Secretary and Treasurer shall jointly sign such documents, on behalf of the Trust.

- (09) It is the Board's power to give permission to apply for all service connections such as telecommunication equipments including wireless set, electricity, gas and transport & goods vehicles. The Secretary, on behalf of the Trust alone need sign the documents for their applications and procurement or permits.
- (10) The Board also shall sanction fund for the expansion programmes of the Trust including purchase of land, construction of buildings and purchase of equipments and all other necessary things and also for providing amenities, maintenance and up keep the properties of the Trust and generally.
- (11) to superintend, control and manage properly all affairs of the Trust and to do all such other things as may be deemed by the Board to be incidental, necessary or conducive to the attainment of all or any of the objects of the Trust.

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|------------------------|--------------------|
| 1. Rev.Mother Felicita | <u>S. Felicita</u> |
| 2. Rev.Sister Felician | <u>S. Felician</u> |
| 3. Rev.Sister Elmo | <u>S. Elmo</u> |
| 4. Rev.Sister Nirmala | <u>S. Nirmala</u> |
| 5. Rev.Sister Rincy | <u>S. Rincy</u> |
| 6. Rev.Sister Lucia | <u>S. Lucia</u> |

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11. PRESIDING AT THE MEETING :

The President shall preside at the meetings of the Board. In the absence of the President, the Chairperson shall preside at the meeting of the Board.

12. ADMINISTRATION :

- (1) The Secretary shall conduct the day-to-day affairs of the Trust.
- (2) The Secretary shall supervise the work of the employees of the Trust, assisted where necessary by the Treasurer and ensure the satisfactory maintenance of the accounts, records and the correspondence of the Trust.

13. EXPENDITURE :

- (1) The Board shall lay down a policy regarding all expenditure from the funds of the Trust.
- (2) The Secretary shall carry out such policy and shall sanction each individual items of expenditure, provided that the Secretary shall have the power to incur in her own initiative, contingent items of expenditure within a maximum limit for an imprest amount, laid down by the Board.

1. Rev.Mother Felicita

Sr. Felicia

2. Rev.Sister Felician

Sr. Felician

3. Rev.Sister Elmo

Sr. Elmo

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Sr. Nirmala

5. Rev.Sister Rincy

Sr. Rincy

6. Rev.Sister Lucia

Sr. Lucia

14. MAINTENANCE OF BANK ACCOUNT:

The Trust shall maintain an account in a bank or banks approved by the Board and such accounts shall be operated jointly by the Treasurer and the Secretary.

15. OFFICIAL YEAR AND AUDITORS:

(a) The official year and the financial year of the Trust shall be 1st April to 31st March of the succeeding year.

(b) Registered Auditors shall be appointed by the Trust on an honorarium, to examine all the accounts of the Trust and to make a report to the Board.

(c) An Annual General Meeting of the Trustees shall be held in the month of JUNE every year.

(1) The President shall place before the Board a report of the management of the affairs of the Trust during the previous official year and

(2) Audited statements of accounts for the said year, along with the report of the auditors.

16. SUITS BY OR AGAINST THE TRUST :

The Trust may sue or be sued in the name of the Secretary.

The Secretary of the Trust shall have power to file any suits or other proceedings and defend any suits or other proceedings

1. Rev. Mother Felicita

Re. Felicita

2. Rev. Sister Felician

Sr. Felician

3. Rev. Sister Elmo

Sr. Elmo

4. Rev. Sister Nirmala

Sr. Nirmala

5. Rev. Sister Rincy

S. Rincy

6. Rev. Sister Lucia

Lucia

The Board shall consist of not more than ten members, to be elected by the members of the Association at the annual meeting. The Board shall have the honor and authority of the Association.

SECTION 1. OFFICERS AND DUTIES

(a) The officers of the Association shall be a President, a Vice President, a Secretary and a Treasurer, who shall hold office for one year or until their successors are elected.

(b) The President shall preside at all meetings of the Association and shall see that the resolutions of the Association are carried into effect. He shall also see that the Association complies with the laws of the State.

(c) The Secretary shall keep a record of all the proceedings of the Association and shall see that the same are correctly transcribed. He shall also see that the Association complies with the laws of the State.

(d) The Treasurer shall keep a record of all the financial transactions of the Association and shall see that the same are correctly recorded. He shall also see that the Association complies with the laws of the State.

(e) The Board shall have the honor and authority of the Association and shall see that the same is carried into effect.

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in the name and on behalf of the Trust and for such purpose to sign and verify the complaints and make written statements on oath binding on the Trust in such proceedings and engage or appoint pleader on behalf of the Trust in any course of action. She shall be entitled to prosecute all actions and defend all proceedings upto the highest court or office in the realm.

17. INDEMNITY :

Every member of the Board shall be indemnified out of the funds of the Trust against all expenses and losses incurred by her in the discharge of her duties except such expenses and losses incurred through her own wilful neglect or default and every such member shall be responsible to the Trust, chargeable only for such moneys as she shall herself actually receive on behalf of the Trust and shall be answerable only for her own acts, neglects and defaults and not for those of any other person, nor for insufficiency of any securities upon which any of the money belonging to the Trust may have been duly invested nor for any loss or damage which may happen in the discharge of her duties, unless the same have been incurred through her own wilful neglect or default.

18. AMMENDMENTS TO THE RULES OF THE TRUST:

(a) The Trust shall have in consistency with the aims and

- 1. Rev.Mother Felicita
- 2. Rev.Sister Felician
- 3. Rev.Sister Elmo
- 4. Rev.Sister Nirmala
- 5. Rev.Sister Rincy
- 6. Rev.Sister Lucia
- 7. Rev.Sister Mercy

S. Felician
Sr. Felician
Sr. Elmo
Sr Nirmala
Sr. Rincy
Sr Lucia

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objects of the Trust as herein before set out, the power to add, amend, repeal, or modify any of these rules, by a majority of a minimum Five Trustees present for the voting at a meeting of the Board, and with the concurrence of the Mother Provincial, CMC Province, Kolazhy, Thrissur.

(b) Amendments to the Memorandum, Objects, Rules and Regulations shall be made with the prior approval of the Commissioner of Income Tax, Kochi.

19. DISSOLUTION :

The Trust may be dissolved by a decision by a majority of a minimum Five Trustees and with the concurrence of the Mother Provincial of CMC Province, Kolazhy, Thrissur. If upon dissolution there shall remain, after the satisfactory payment of all the liabilities of the Trust, any property movable or immovable, of the Trust, the same shall not be distributed among the Trustees, but shall be transferred to some other Registered Trust/Charitable Societies with similar or nearly similar aims and objectives, or to the Government of Kerala/India, as decided by the votes of majority of the members present at the time of dissolution.

- 1. Rev.Mother Felicita Sr. Felicita
- 2. Rev.Sister Felician Sr. Felician
- 3. Rev.Sister Elmo Sr. Elmo
- 4. Rev.Sister Nirmala Sr. Nirmala
- 5. Rev.Sister Rincy Sr. Rincy
- 6. Rev.Sister Lucia Sr. Lucia
- 7. Rev.Sister Mercy Sr. Mercy

20. APPLICABILITY OF THE ACT :

All the Rules and Provisions of the Indian Trusts Act 1982 are applicable to this Trust.

In witness where of the parties have signed this Deed of Trust at Thrissur, Thrissur Village, Thrissur District, on the First day of January Nineteen Nintynine, with the intention to register the same at the Sub-Registrar Office, Thrissur.

- | | | |
|------------------------|----------------|---------------------|
| 1. Rev.Mother Felicita | President | <u>S. Felicita</u> |
| 2. Rev.Sister Felician | Vice-President | <u>Sr. Felician</u> |
| 3. Rev.Sister Elmo | Chairperson | <u>Sr. Elmo</u> |
| 4. Rev.Sister Nirmala | Secretary | <u>Sr. Nirmala</u> |
| 5. Rev.Sister Rincy | Treasurer | <u>Sr. Rincy</u> |
| 6. Rev.Sister Lucia | Trustee | <u>Sr. Lucia</u> |
| 7. Rev.Sister Mercy | Trustee | <u>Sr. Mercy</u> |

WITNESSES:

1. Sri.Mathew George,
No.XXVI - 1037, Rice Bazar,
Thrissur - 680 001.
2. Mrs.Elamma Mathew,
Chalissery House,
51-Nehru Nagar,
Thrissur - 680 006.

Document is typewritten.

Prepared by Sri.P.D.Thomas, B.Com., LL.B.,
Advocate, Pudukkadans,
No.92 - Nehru Nagar, Thrissur - 680 006.

Corrections : Nil

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|------------------------|---------------------|
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| 2. Rev.Sister Felician | <u>Sr. Felician</u> |
| 3. Rev.Sister Elmo | <u>Sr. Elmo</u> |
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| 6. Rev.Sister Lucia | <u>Sr. Lucia</u> |

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