

No. 39/14/03 KERALA

1000Rs.



DEED OF DECLARATION OF TRUST

THIS DEED OF DECLARATION OF TRUST executed on the Seventh day of April Two thousand and three (7.4.2003) by **MICHAEL. A. KALLIVAYALIL**, Son of Abraham, aged Seventyeight (78) years, Planter, residing at International House, Kutikkanam Kara, Peermade Village, Peermade Taluk, hereinafter referred to as the settler.

WHEREAS the settler was desirous of creating a public Charitable Trust by the name **KALLIVAYALIL EDUCATIONAL AND CHARITABLE TRUST** for promoting education among the people in areas predominantly inhabited by the farmers and agricultural labourers.

AND WHEREAS he has made an oral declaration to this effect on 1st January 2001

AND WHEREAS the settler has made available a sum of Rs.10,000 (Rupees Ten thousand Only) on 1st January 2001, and settled on himself the said amount on trust as trustee to constitute the trust fund.

AND WHEREAS the trust has so far established two schools by the names:

1. **KALLIVAYALIL PAPPAN MEMORIAL PUBLIC SCHOOL**, at Peruvanthanam Idukki District;

MICHAEL. A. KALLIVAYALIL: *[Signature]*

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[Signature]



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2 J.J.MURPHY MEMORIAL PUBLIC SCHOOL, at Yendayar, Idukki District.

AND WHEREAS the settler has now decided to reduce to writing the terms and conditions of the above declaration of trust made on 01.01.2001 and to register the same. NOW THEREFORE THIS DEED OF DECLARATION OF TRUST WITNESS'S ASFOLLOWS.

NAME:-

1 The Name of the Trust shall be KALLIVAYALIL EDUCATIONAL AND CHARITABLE TRUST

OBJECTS:

2. (a) The main object of the Trust shall be to impart quality education to the public by establishing and/or running schools.
- (b) The Objects incidental or ancillary to the main object shall be:
 - i. To Award scholarships and provide financial support to needy person for educational purpose.
 - ii. To provide facilities and financial assistance for research work and allied matters

MICHAEL. A. KALLIVAYALIL: *main*

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No. 46 Rs. 1000 Michael A. Kallivayalil, Son of Abraham residing at
International House, Kuttikkanam Kara Aermade Village

[Signature]
KANTIRAPPALLY VENDOR
M. C. SARDJINI

No. 39/IV/2003

Presented in the office of the Sub Registrar
Received on this the 5th day of April 2003
at 10.30 AM and a fee of Rs. two hundred and eleven
paid by Michael A. Kallivayalil

5th day of April 2003.
O. U. Sankaranarayanan
Sub Registrar

Execution admitted by

Michael A. Kallivayalil

Son of Abraham, Plaintiff, residing at
International House, Kuttikkanam
Identified by

M. K. SANKARANARAYANAN
Residing at Akkadath House, Peraravantharam

O. U. SANKARANARAYANAN
Residing at Chempayal House, Kuttikkanam

5th day of April 2003
O. U. Sankaranarayanan, Sub Registrar

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[Signature]



100Rs



(3)

in various fields.

- iii. To run boarding houses and hostels for the benefit of students.
 - iv. To establish and provide facilities for promoting sports, games, arts and athletics among students and public.
 - v. To conduct Courses and coaching classes for preparing candidates seeking admission to various courses, disciplines and jobs in India or Abroad.
 - vi. To undertake/do placement services for jobseekers and sponsor them to organization in India or abroad.
 - vii. To print or publish or distribute books and literature.
- (c) For the purpose of achieving the above objects the trust may enter into tieups, reciprocal arrangements and other agreements with institutions and organization in India or Abroad.
- (d) In addition to the institutions presently run by the trust, the trust may establish and/or run institutions in such other places as may be decided by the trustees in course of time.
- (e) For Attainment of the above object the trust shall

MICHAEL. A. KALLIVAYALIL:

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1. Provide the necessary guidance and support to the schools and institutions run by it to enable them to fulfill their aims and objects to the fullest extent possible and to enable their staff provide quality education and training in curricular and co-curricular activities to the students and to develop those institution(s) into centres of excellence.
2. Ensure that each of the schools and institutions under it get recognition/affiliation from government or the prescribed boards or councils wherever necessary and each of these institutions functions as per the provisions of the applicable statutes/affiliation norms and other conditions prescribed by the government, educational boards, councils and other authorities or agencies.
3. Ensure that the institutions under it get/acquire proper land, building, equipments, furniture and qualified staff and other infrastructural facilities for the curricular and co-curricular activities on by them.
4. Take active interest in the running of the institutions under it and shall exercise adequate control over.
 - a. The selection of various categories of staff, prescribing their qualification, laying down their conditions of service, pay scales and special rewards/incentives for better performance within the framework of the prescribed norms.
 - b. Approving the budget, fixation of fee structure, incurring of capital expenditure, expansion programmes and funds generation.
5. Ensure that adequate autonomy and independence is given to the heads of each of the institutions run by it to develop them into centres of excellence while at the same time ensuring that those institutions run within the framework and the spirit of this declaration of Trust and other prescribed norms and structure.

(f) The other object of the trust shall be to establish and/or run Colleges and institutions for providing education and training in arts, science, technical, engineering, medical, management, Information Technology related and other professional fields.

3. The Trust shall exist solely for education purposes and for purposes incidental to it and not for the purpose of profit

BENEFIT RESERVATION:-

4. This Trust shall be a public Educational and charitable trust. The benefit of the trust shall be available to all needy persons irrespective of caste, creed, religion and social status.

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BOARD OF TRUSTEES:-

5. The Trust shall be managed and administered by a Board of Trustees, consisting of a minimum number of three trustees and maximum seven trustees. The person mentioned here under shall constitute the first Board of Trustees.

(1) MICHAEL A. KALLIVAYALIL, the settler of this Trust.

(2) K.S.SKARIA (Jr.)
Pottankulam Gardens
Mundakayam.P.O. 686 513.

(3) AIR-VICE MARSHAL K.J.CHANDY PVSM (Retd.)
Konthiyamadom
Kokkayar P.O.
Kootickal

The Board of Trustees shall nominate further number of trustees to the Board.

6. The Board of Trustees shall elect one among them to be the Managing Trustee to hold office for such period as may be decided by them. The settler of this Trust shall be the first Managing Trustee.

7. Any Trustee may resign from office by giving one month's notice in writing to this effect to the Board.

8. The Trustees shall carry on the affairs of the Trust with due diligence and without violating the laws or the spirit of this declaration of trust.

9. The Board of Trustees by majority decision shall remove any person from the office, if his conduct is found to be inconsistent with the spirit and objects of the trust.

10. The Board of Trustees shall have the power to frame separate rules and bye-laws for the management and administration of each of the institutions established and/or run by the Trust.

11. Each of Institutions run by the trust shall have a separate committee of management formed by the respective institutions. Which shall function subject to the supervision and control of the Board of Trustees.

MICHAEL A. KALLIVAYALIL: *Michael*

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12. The Trust shall have three of their nominee nominated from the Board Trustees on the Committee of Management of each of the institutions run by the Trust. Each of the institutions run by the Trust shall function within the framework of this Deed of Declaration of Trust.

POWER OF MANAGING TRUSTEE:-

13. In Consultation with and subject to the supervision and control of the Board of Trustees, the Managing Trustee shall exercise the following powers:

(i) To appoint or terminate the services of or to determine the terms and conditions of service of the employees of the trust or of the institutions established or run by the Trust.

(ii) To purchase, take on lease, or in exchange, hire or otherwise acquire any property movable or immovable including land or building for the purposes of the Trust and make improvements thereon.

(iii) To sell, exchange, surrender, release, demise, lease or dispose of any property movable or immovable at such price and on such terms and conditions as the managing Trustee shall think fit in the best interest of the Trust.

(iv) To repair, develop and turn to account any building or other assets acquired by the Trust.

(v) To do all or any of the things to be done in pursuance of any of the purposes of the trust through agents, managers, technical or general staff and contractors as the managing Trustee may from time to time think fit.

(vi) To execute, sign, enter into, acknowledge, perfect and do all such contracts, Conveyances, leases or mortgages, transfers, instruments, acts, deeds and things as shall be necessary or may be deemed proper for or in relation to all or any purpose or matters, of the Trust.

(vii) To fix and sanction remuneration, salary, wage, honorarium, payments in any other manner to any person doing work for or employed by the trust or any institution run by the Trust.

(viii) To do all acts, deeds, matters and things and to undertake all such activities as would be necessary to carry on all or any of the objectives of the Trust.

FUNDS AND INVESTMENTS:-

14. The Trust may accept donations, grants, subsidy, bequeaths, fees for services, rendered.

MICHAEL A. KALLIVAYALIL: *main*

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legacies and other forms of contributions in cash or in kind from persons and organizations.

15. The funds of the Trust shall be invested as may decided by the Board of Trustee from time to time in any scheduled/nationalized/co-operative Banks or in securities permitted by the Indian trust Act, 1882 or in purchase of land or construction of building for the attainment of the objectives of the trust or such other modes of investments as may be decided by the trustees.

16. The Trustees shall have the power to borrow money for and on behalf of the Trust on such terms as they deem fit, for implementing the objects herein mentioned and provide for or secure the repayment of them by way of mortgage or otherwise on the assets of the Trust, present or future. The Trustees shall also advance money to the trust on such terms and conditions as may be agreed upon.

17. For the purpose of the utilization of the Trust Fund, the Trustees shall be entitled to open and maintain accounts with any scheduled or nationalized or co-operative banks. The Managing trustee individually or any other trustee/person authorised by the Board of Trustees shall operate the Bank Accounts. In addition to the Bank Accounts in the name of the Trust each of the institutions run by the Trust can open one or more bank accounts in their names. These accounts shall be operated by the Managing Trustee or by any persons authorized by the Board of Trustees.

ACCOUNTS AND AUDIT:-

18. The Trustees shall maintain proper books of accounts and supporting receipts, vouchers and records of the income and expenditure and assets and liabilities the trust.

19. The accounts of the trust shall be closed on the 31st day of March each year and statement of the financial position shall be drawn up as on that date and placed before the Board of Trustees. The annual accounts shall be got audited by a qualified person within six months of closure.

MEETINGS AND MINUTES:-

20. The Managing Trustee or any person authorized in this behalf shall convene half yearly or often if necessary, meeting of the trustees by giving intimation at least a week before the date fixed for the meeting. The person(s) present shall form the quorum for the meeting. The meeting shall ordinarily be presided over by the Managing Trustee or in his absence by any person chosen by the Trustees present at the meeting.

21. Proper minutes of the meeting shall be maintained by the managing Trustee.

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DISCONTINUANCE OF ACTIVITIES:-

22. At any time if the trustees are not able to carry on the activities of the trust on their own or even otherwise they think fit, they shall handover/transfer the trust properties to any organization or body of person with the object similar to that of this trust.

AMENDMENT:-

23. The Board of Trustees shall have power to amend this declaration of Trust. Such amendment shall have effect only with the prior approval of the Commissioner of Income Tax.

NON-PROFIT MOTIVE:-

24. The Trust shall not carry on any commercial activity with the ultimate motive of making profits. The income and assets of the Trust shall be applied only for education and charitable objectives of this Trust and for expansion of the institution(s) run by the trust and the Trustees shall have no power to utilise the same for their personal ends.

One duplicate is registered with this Deed.

IN WITNESS WHEREOF I, MICHAEL A. KALLIVAYALIL, has executed these presents on the day first above written. This deed is signed at Peermade Village and it may be registered in the Sub Registrar's Office, Peermade

MICHAEL A. KALLIVAYALIL: *main*

WITNESS:-

1. P.K.Lal, Marukattu house, Kangzha Kara.
2. Prepared by K.S.Eapen, Kilirooparampil house, Chirakkadavu Vadakkumbhagom Kara, Licence No: K.D.A.135

This deed is Computer printed
Corrections: Nil

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