



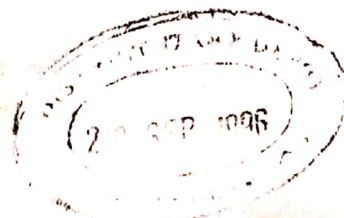
THIS DEED OF TRUST executed on this the Thirtieth day of September, One thousand Nine hundred and Ninety six (30-9-1996) BETWEEN the CARMEL MONASTERY of the Carmel Province of the Religious CONGREGATION OF THE CARMELITES OF MARY IMMACULATE, with its office at Vazhakulam represented by its present Prior, Rev.Fr.JOHN KUDIYIRICKAL C.M.I., aged 60 (Sixty) years, Priest, Son of Kuriakose Kudiyirickal, now residing at Carmel Monastery, Manjalloor, Manjalloor Kara, Manjalloor Village, Muvattupuzha Taluk, Ernakulam District, Kerala, as the SETTLER, on the One Part, AND Rev.Fr.ABRAHAM MOSES KALLARACKAL,

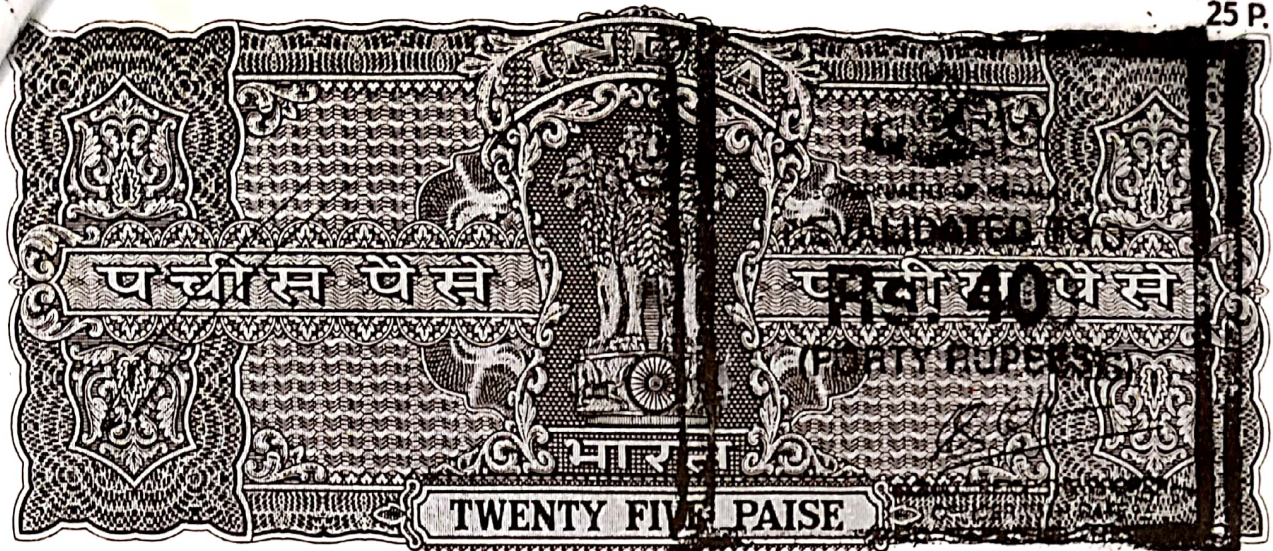
*Fr. John Kudiyirickal*

Rev.Fr.John Kudiyirickal CMI  
(SETTLER)

*A. Moses*

Rev.Fr.Abraham Moses Kallarackal  
(TRUSTEE)





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aged 67 (Sixty seven) years, Priest, Son of Iype Kallarackal, he being the present Principal of Carmel Public School, Vazhakulam, now residing at Carmel Monastery in Vazhakulam Kara, Manjalloor Village, Muvattupuzha Taluk, Ernakulam 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.

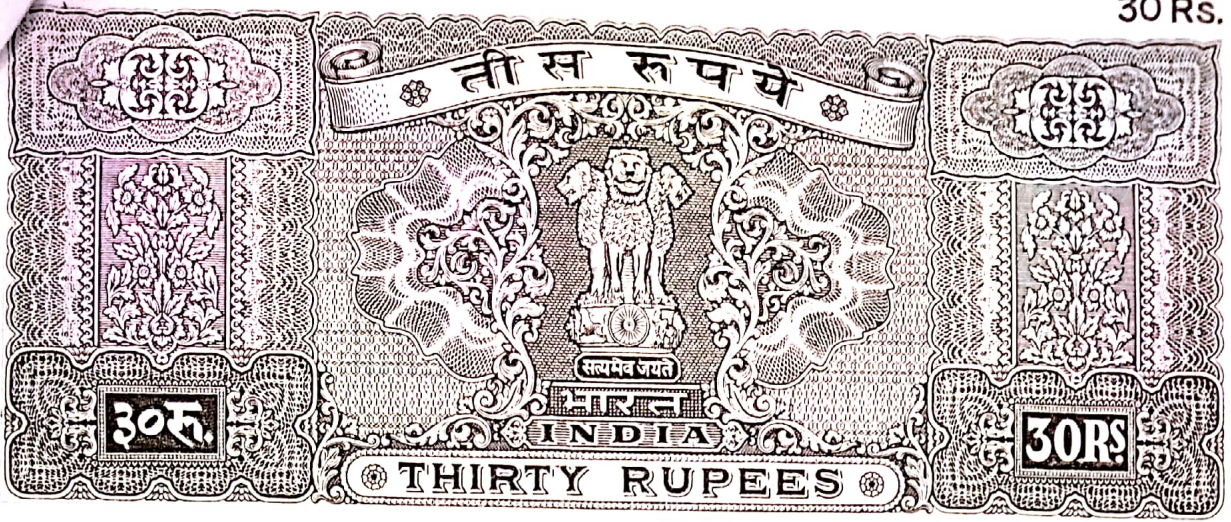
*Fr. J. Kudiyirickal*

Rev. Fr. John Kudiyirickal CMI  
(SETTLER)

*A. Moses*

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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 abroad to render the religious and charitable services in a systematic and organised manner by starting and maintaining orphanages, aged Homes, Hospitals, Dispensaries, home for the handicapped and mentally retarded, schools, colleges and other educational institutions of various types.

AND WHEREAS the founding fathers in their prophetic vision found it to be immensely useful to found a house of the Congregation at Vazhakulam in 1859 by name Carmel

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KERALA

Monastery to cater to the spiritual, intellectual and social needs of the people of this region.

AND WHEREAS the present office bearers of the Carmel Monastery found it necessary to register a deed of Trust to co-ordinate its educational activities in a more systematic manner according to the norms of various statutes of the Congregation and according to the statutory protection given under Constitution of India for the minority community,

AND WHEREAS with the above aim the Settlers have decided in its local synaxis to register the Deed of Trust in favour of the Second Party with the following terms and conditions.

NOW THIS DEED WITNESSETH:-

1. Name:-

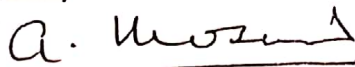
The name of the Trust shall be CARMELA RANI EDUCATIONAL TRUST.

2. Registered Office:-

The registered office of the Trust shall be at Vazhakulam 686 670, Muvattupuzha, Ernakulam District. The Trustees are at liberty to change the registered office to anywhere else in India within the ecclesiastical Jurisdiction allotted to it by the CMI Congregation.



Rev. Fr. John Kudiyirickal CMI  
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3. Trust Property:-

In order to effectuate the above referred decision, the Settlers, has made over to the Trustees the sum of Rs.1,000/- (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 talents 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.

*Dr. J. K. Kudiya*

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- d) To give vocational training to the students and to conduct programmes to conscientise them on their social responsibilities such as to work against menace 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.
- g) To prepare and sponsor projects and programmes designed to ameliorate or eliminate the social backwardness of people for the purpose of giving opportunity to the students to implement the same as part of their training.
- h) To undertake any other activity aimed at the intellectual, social and spiritual uplift of the pupil of Vazhakulam and its neighbourhood.

5. Board of Trustees:-

- a) For the time being the second party to this Deed, Rev.Fr.Abraham Moses Kallarackal shall himself be the SOLE TRUSTEE.
- b) Within three months from the date of registration of the Trust Deed, the Local Synaxis of the Settlers, shall form a Board of Trustees with the Prior as Ex-officio Chairman and nominating other necessary members as found proper from time to time from among themselves specifying one among them as the Director who shall be the Chief Executive of the Trust.

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- c) The settlers are free to change their nominee on the Board of Trustees from time to time including the DIRECTOR.
- d) Normally the members of the Board of Trustees are not entitled for any remuneration but all expenses met by them for the Trust shall be reimbursed to them. But the Director and other Board members who are among the teaching staff of institution are entitled for remuneration fixed by the Local Synaxis of the Settlers from time to time.
- 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 five days notice for a board meeting unless waived by all the parties eligible to get the notice.

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- j) The quorum for the board meeting shall be 1/3 of the 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 the phone or through correspondence provided all the members agree to it.

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, 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.

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- 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 Local Synaxis 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 acquired land, constructing building and equipping it giving education and training to the personnel etc. provided any capital investment in land and building shall be subject to the approval of the Settlers.
- e) To borrow any amount either on pledging the assets of the Trust or otherwise, from individuals or 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, or 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 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 main objects of the Trust.

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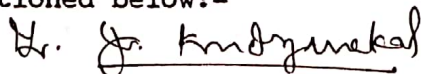
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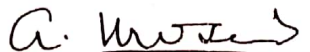
- h) To take over and manage as and when found proper, all the existing assets and liabilities of the educational/institutions of the Carmel Monastery.
- i) To depute the necessary personnel to take care of the various activities of the Trust as found necessary from time to time.
- j) To establish and manage nursery, Primary, Upper Primary, Secondary and Senior Secondary Schools Professional institutions, Technical institutes Boarding Houses, Hostels etc. solely for the purpose of education and not for the purpose of profit.
- 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 purpose 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 it.

7. Powers and Duties of the Director:-

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

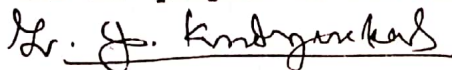


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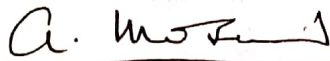


Rev. Fr. Abraham Moses Kallarakal  
(TRUSTEE)

- 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 the Trust for any of the purpose concerning the routine activities and 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.
- d) To appoint and constitute advocate or other attorneys, whenever necessary and to remove them whenever he feels such removal is necessary.
- e) To appoint the necessary personnel in the service of the Trust and fix their remuneration and services conditions and give them training if necessary, and if circumstances warrant, 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 by repayments.
- g) To gather funds towards corpus or otherwise for the Trust by way of donations or otherwise, from any person or institution either in cash or in kind for the purpose of the Trust.



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

8. Powers of the Settlers of the Trust:-

The Settlers of the Trust, viz. the Local Synaxis of the Carmel Monastery or their Superior Authorities 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 is 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

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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:-

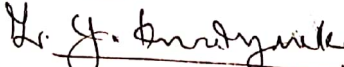
The accounts of the Trust shall be closed on 31st March every year and it shall be audited by an auditor appointed by the Settlers. The audited statement with the explanations of the Board shall be submitted to the Settlers within 30th September every year or by time extended by them.

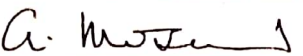
11. Amendments:-

Any provision in this deed except the object clause No.4 and saving clause No.13 may be amended, annulled or substituted by the Settlers if requested by the Board of Trustees it is further provided that such amendments, alterations etc. made above shall come into force only if it is approved by the Commissioner of Income Tax if the Trust has been given any recognition or registration under the Income Tax Act.

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.

  
Rev. Fr. John Kudiyirickal CMI  
(SETTLER)

  
Rev. Fr. Abraham Moşes Kallārackal  
(TRUSTEE)

13. Saving Clause:-

- a) This is a charitable Trust and its activities shall be mainly for the purpose of education and that too without any profit motive.
- 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.
- c) In case the Local synaxts of the Settlers so decided all the rights, powers and privileges, preserved for the Settlers as per various clause of this Deed shall stand transferred to the Provincial Council of the Carmel Province, Moovattupuzha of the CMI Congregation.

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

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.

*J. J. Kudiyirickal*  
Rev. Fr. John Kudiyirickal CMI  
(SETTLER)

*A. Moses*  
Rev. Fr. Abraham Moses Kallarackal  
(TRUSTEE)

Witnesses:

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

This document is typewritten.

Corrections : Nil.

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