



THIS DEED OF TRUST executed on this twenty first day of January Two Thousand and Four (21/1/2004) By the BETHANY NAVAJEEVAN PROVINCE, TRIVANDRUM OF THE ORDER OF THE IMITATION OF CHRIST a religious and charitable institution represented by its Present Provincial Superior, Rev. Fr. Thomas Reji OIC, aged 44 (Forty Four) Years, son of Mr. Varghese, Religious Priest, residing at Bethany Ashram in Nalanchira, Nalanchira Kara, Chettivilakom Village, Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala State, hereinafter referred to as the SETTLER.

IN FAVOUR OF, Rev. Fr. Thomas Chedyath OIC, aged 41 (forty one) Years, son of Mr. Daniel P.C., Religious Priest, residing at Navajeevan Bethany Ashram, Nalanchira, Nalanchira Kara, Chettivilakom Village, Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala State, hereinafter referred to as the TRUSTEE OF THE TRUST.

Fr. Thomas Reji

Fr. Thomas Reji OIC
(Settler)

Fr. Thomas Chedyath

Fr. Thomas Chedyath OIC
(Trustee)

NAVAJEEVAN BETHANY VIDYALAYA - TRUST
NALANCHIRA
THIRUVANANTHAPURAM-695 015
TEL: 2530038

16 JAN 2004

KERALA

61045 VALUE RS 1000/-

20.1.2004 Sold to Rev. Fr. Thomas Reji OIC
Bethany Ashram
Nalanchira, Thiruvananthapuram


K. B. JAYADEV
E.R.O. VENDOR

No 55/04/1 CB

Presented in the Office of Sub Registrar
Ernakulam and Fee of Rs.....
Paid at..... on the..... day of.....

Fr. Thomas Reji OIC Fr. Thomas Reji. OIC
Nalanchira, Bethany Ashram

20.1.2004

EXECUTION ADMITTED BY

S. MADHUSOODHANAN PILLAI
SUB REGISTRAR

Bethany Ashram
Nalanchira, Thiruvananthapuram
of the limitation of the order
by the provisions
dependent Fr. Thomas Reji OIC

Fr. Thomas Reji. OIC

8th Vengaloor, Puliangal, Putha-
Nalanchira, Bethany Ashram
2. Fr. Thomas Reji OIC
Nalanchira, Thiruvananthapuram
Nalanchira, Thiruvananthapuram
Nalanchira, Thiruvananthapuram
Nalanchira, Thiruvananthapuram

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2

WHEREAS, the settler institution was established as a Province of the Order of the Imitation of Christ (OIC) during 2000, to undertake the religious and charitable activities envisaged by the Congregation, in a more effective manner, in the geographical area allotted to it from time to time, by the General Chapter of the OIC Congregation, with the help of the members of the Congregation opting to work under the province spending their entire life selflessly under the vows of poverty, chastity and obedience.

AND WHEREAS, as a part of their Educational Apostolate, the Settler Province had established an educational institution at Thiruvananthapuram District during the year 2002; with the name NAVAJEEVAN BETHANY VIDYALAYA.

Fr. Thomas Reji

Fr. Thomas Reji OIC
(Settler)

Thomas

Fr. Thomas Chediyath OIC
(Trustee)

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AND WHEREAS, the settlers now feel it better to register a Charitable & Educational Trust for taking over and governing such educational institution in a systematic and effective manner, and for that purpose, the Council of the Settler Province has authorized Rev. Fr. Thomas Reji OIC, the Provincial, to execute the Deed, with the following terms and conditions, in favor of Rev. Fr Thomas Chedyath OIC and to get it registered at Ernakulam.

NOW THIS DEED WITNESSETH: -

1) NAME OF THE TRUST: -

The Name of the Trust shall be NAVAJEEVAN BETHANY VIDYALAYA

2) REGISTERED OFFICE: -

The Registered office of the Trust shall be at Nalanchira in Thiruvananthapuram Dist. The settlers are at liberty to shift the Registered Office to any other place within its ecclesiastical jurisdiction.

3) TRUST PROPERTY: -

In order to effectuate the above referred decision, the Settlers had 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 there to and all other properties that may be acquired out of the same or otherwise and may herein after be the subject matter of the Trust herein after expressed with the powers and on the terms and conditions herein contained, concerning the same.

4) OBJECTS OF THE TRUST: -

The objects of the Trust is to render educational and charitable services to the people at all levels, without considering the caste, creed and community, solely for philanthropic purposes and not for purpose of profit and that too with special privileges permitted to the Christian Minority Community by the Constitution of India. The main objects include the following:-

- (a) Provide value based education and training by establishing and managing Kindergartens, Schools, Colleges, Hostels, Boarding Houses, Technical training Centers and Research Institutes.
- (b) Establish and manage Institutions for training in Engineering and Technology, Medical and Para Medical Education etc.
- (c) Establish and manage special Schools for training and rehabilitation of Physically Handicapped and Mentally Retarded children.
- (d) Provide facilities for Computer training by offering part-time or short-term Courses for the benefit of the public in general and students in particular.
- (e) Promote Rural Development projects and charitable schemes for the welfare of the weaker sections and rural people of the locality.

- (f) Associate with other Charitable and Educational Institutions with similar objects and take over and manage such Institutions if necessary or help them by giving contributions and other assistances.
- (g) Do any other Charitable or Educational activities which are beneficial to the public in general and Student community in Particular.

5) BOARD OF TRUSTEES: -

- a) For the time being the second party to this Deed Fr. Thomas Chedyath OIC shall be the Sole Trustee.
- b) Within Two months of Registration of the Deed of Trust, a Board of Trustees shall be constituted as follows: -
 - (i) The Provincial Superior of the Settlers, Ex-officio as the President of the Board of Trustees.
 - (ii) The Education Councilor of the Settlers, Ex-officio as the Vice President of the Trust.
 - (iii) The Superior of the Navajeevan Bethany Ashram, Nalanchira Ex-officio as the Secretary cum Treasurer of the Trust.
 - (iv) Other members as found necessary by the Provincial Superior of the Settlers from time to time and appointed by the Provincial Superior in consultation with his council.
- c) The Provincial Superior of the Settlers with consent of his council, is at liberty to withdraw, any of the members to the Board of Trustees, appointed by the Provincial and appoint new members to the Board.
- d) The Ex-officio members will change automatically with the change in the respective posts held by them.

6) MEETINGS OF THE BOARD: -

- a) The Board of Trustees shall meet as often as required and shall meet atleast once in a calendar year and approve the annual accounts and forward it to the Council of the Settlers. The Board shall also meet when 2/3 of the Board of Trustees request in writing.
- b) The meeting of the Board of Trustees shall be presided over by the President of the Board of Trustees and in his absence by the Vice-President and in the absence of both, by any one of the Trustees nominated by the President.
- c) There shall be three days notice to the meeting of the Board of Trustees unless it is waived by all the members eligible to get the notice.
- d) Decisions shall be taken on the basis of votes of members attending the meeting in person and exercised by them individually either by show of hands or by secret ballot as decided by the Chair Person and in case of tie, the chair person can exercise a casting vote additionally.

- e) Decisions may also be taken by circulation, provided all the members agree to it.
- f) The quorum for the meeting shall be one third of total members or three whichever is greater.
- g) The Secretary shall serve the notice for the meeting in consultation with the President and he shall be responsible for the maintenance of the minutes book and other records of the meeting.

7) POWERS AND DUTIES OF THE BOARD OF TRUSTEES: -

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

- a) To apply, get sanction, erect, conduct and administer educational institutions and establishments connected with the same or take over and manage any such institutions to diffuse knowledge of moral, cultural, academic, or of any humanitarian value to the people of any age and sex.
- b) To purchase Land, construct Building and acquire necessary infra-structural facilities to start Educational and Charitable Institutions as per the objects of the Trust.
- c) To request for and receive donations towards corpus or otherwise either in cash or in kind or subsidies or grants or other financial assistance of any kind, whether returnable or not, from individuals, institutions, Central and State Governments, Universities or other Government agencies, voluntary organizations within India or from abroad.
- d) To demand, and receive, to the extent the laws of the state permit, fees, deposits, contributions, fines, capital donations etc. to meet the capital or revenue cost of education, from the students, or from their parents.
- e) To invest the funds of the Trust in any manner they deem fit consistent with the objects of the Trust and in interest of the Trust, provided such investment in immovable properties shall be subject to the approval of the Council of the Settlers.
- f) To borrow any amount either on pledging the assets of the Trust or otherwise from individuals, banks financial institutions or other institutions, with the approval of the Council of the Settlers.
- g) To acquire, alter extend, demolish any of its assets, movable or immovable and to dispose of the same whenever found necessary in the best interest of the objects of the Trust.
- h) Start new units of the present activities at other places 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 objects of the Trust.
- i) To spend the income earned 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.

- j) To accumulate the income, if necessary, for attaining the objects of the Trust in future and to set apart the whole or part of the income or the corpus of the Trust Fund for any of the objects of the Trust, and invest the same in modes approved by Income Tax Act.
- k) Subject to the approval of the Council of Settlers to join, co-operate, or amalgamate this Trust, with other Trust, or fund or institutions or other Trust or institution with this Trust as the Trustees think fit.

8) **POWERS AND DUTIES OF THE SECRETARY CUM TREASURER: -**

Subject to the general control of the Board of Trustees, and the President, the Secretary cum Treasurer shall have specific powers and duties mentioned below, over the properties and affairs of the specific institutions under their management.

- a) To work, manage, control and supervise the affairs/management of the properties now or hereinafter belonging to the institutions under his management 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/affairs of the institutions under the Trust, which are beneficial to the interest of the Trust.
- c) To appear and to 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 they feels such removal is necessary.
- e) To takes 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.
- f) To gather funds towards corpus or otherwise, for the institutions under the Trust by way of donations or fees or otherwise, from any person or institution, either in cash or in kind for the purpose of the Trust.
- g) The Secretary cum Treasurer shall sue or be sued for and on behalf of the Trust, provided that the Board of Trustees shall have the power to authorize any one of its other members to represent the Board of Trustees in any legal or other proceeding, under special circumstances.
- h) The Secretary cum Treasurer shall exercise and perform such powers and duties as the Board of Trustees may from time to time determine or assign or authorize him to do.
- i) All acts, deeds and things lawfully done by the Secretary cum Treasurer by virtue of these presents shall be binding on the Trust.

9) **ACCOUNTS: -**

- a) The Secretary cum Treasurer shall be responsible to keep proper accounts and records for all the receipts and disbursements of the Trust.

- b) The accounts shall be closed on 31st March every year and it shall be audited by a Chartered Accountant appointed by the Settlers.
- c) The audited statement of accounts along with the report of the Board shall be submitted to the Settler every year.

10) EXECUTIVE COMMITTEE & ADVISORY COMMITTEE: -

- a) The Board of Trustees shall, form Executive Committees and Advisory Committee to take care of the academic side of the institution or for the Trust as a whole.
- b) The Executive Committee shall consist of the Secretary cum Treasurer of the Trust, the Principal of the institutions, one member from the Board of Trustees elected by the Trustees and two members from outside.
- c) The Advisory Committee shall consist of Principal of the institution the Executive Committee members and four or more members nominated by the Board from outside the Board of Trustees.
- d) The Board shall from time to time fix the powers and duties of the two committees, and the manner of conducting the committee meetings.
- e) Both the committees are to assist the Secretary cum Treasurer in achieving the objects of the Trust in a better way.

11) POWERS OF THE SETTLERS: -

The Settlers shall have the power to depute any person to inspect the accounts and the affairs of the Trust and the institutions under the Trust in the best interest of the beneficiaries and to issue any direction what so ever necessary to the Board of Trustees and they shall be bound to accept and act upon such directions. These powers will be ordinarily exercised by the Provincial Superior.

12) BANK ACCOUNTS: -

The Secretary cum Treasurer with one nominee of the Board of Trustees from time to time shall open and operate jointly as many Bank Accounts with any Bank, as and when found necessary in the name of the Trust, or in the name of the institutions under it.

13) AMENDMENT & CLARIFICATIONS: -

- a) Any provision in this Deed except this clause and the object clause (clause No.4) may be amended, annulled or substituted by the Provincial Council of the Settler, at any time provided that such amendments shall come into effect only after getting the approval of the Commissioner of Income Tax.
- b) In case there is any doubt or ambiguity regarding any of the provisions of this Deed of Trust, it shall be referred by the Board of Trustees to the Council of the Settlers and their direction or decision shall be final.

In case the Council, decide to wind up the Trust, the excess assets if any, after discharging the liabilities on winding up, shall be transferred to another charitable or educational institutions as decided by the Board, and if not it will vest with the Government.

15) SAVING CLAUSE: -

It is expressly declared that this is a Charitable & Educational Trust and no part of the Trust Property or its income shall be applied for any purpose, other than charitable or educational, purpose as provided in clause (4) of this Deed.

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

IN WITNESS WHEREOF the Settler has signed this Deed of Trust on the day, month and year first above written in the presence of the following witnesses at the Palackel Court Office (Door No.CC-40/8946), M.G. Road, Emakulam within the Jurisdiction of Emakulam Sub-Registry Office, and intend to get it registered in the Sub-Registry Office, Emakulam.

Fr. Thomas Reji OIC

Fr. Thomas Reji OIC
(Settler)

Fr. Thomas Chediyath OIC
(Trustee)

Witnesses:

1. Madhavan Pillai Jayachandran,
Sreevilasam,
Edappally South Village,
Padivattom Kara,
Cochin-24.

Madhavan Pillai Jayachandran

2. T. K. Vasukuttan,
Thazhathuruthil House,
Kumarakom P.O.,
Kottayam.

T. K. Vasukuttan

This document is Computer Printed.
Corrections: Nil.

Fr. Thomas Reji OIC

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(Settler)

Fr. Thomas Chediyath OIC
(Trustee)

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