



കേരളം KERALA

T 875398

**TRUST DEED**

(Settlor)



**H. E. MAR GEORGE  
MADATHIKANDATHIL**

Trust : 10,000/-

sd : 2000/-

RF : 200  
10

210

**THIS DEED OF TRUST** declared and executed on this the 15<sup>th</sup> day of May, 2014 by the **DIOCESE OF KOTHAMANGALAM**, a religious Institution, represented by the present Bishop **H. E. MAR GEORGE MADATHIKANDATHIL** (Holder of Indian Passport DIOCESE OF KOTHAMANGALAM represented by present Bishop

H.E. MAR GEORGE MADATHIKANDATHIL (Settlor)

*[Signature]*

No 1035 15-5-14 1000.  
Sold to: Kothamangalam Diocese Educational & Charitable  
Trust Patron H.E. Mar George Madathikandathil  
Bishop of Kothamangalam Diocese.

7 APR 2014





IV / 26 / 1951

Presented at Private Residence Bungalow  
Mr. KMC IV / 77 of Kottayam muni PPalath  
Kottayam village at 5.10 p.m on 15th May  
with photo and Thumb impression and  
~~Presented~~ a fee of Rs. 210 / -

by Mar George Madathiladathil.  
+ ~~Mar~~ Madathiladathil

Residing at Bishop House.

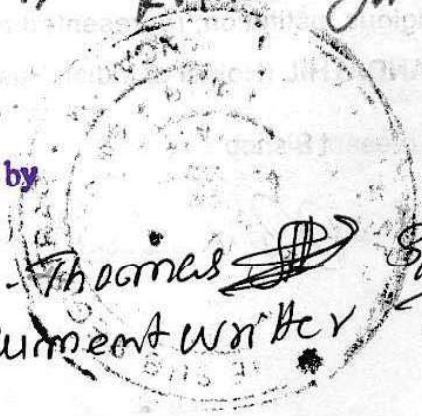
Execution admitted by

Mar George Madathiladathil.  
+ ~~Mar~~ Madathiladathil

to Mar, Residing at Bishop House  
Bishop of Kottayam Diocese, Kottayam.

Identified by

R-1. Thomas ~~Signature~~ S/o Jhan Thaleya (H. H. H. H.)  
Document writer Than Kalam



Document No. 76 of 200-14  
of Book 19 contain 9 sheets  
...th Sheet.

~~Signature~~  
Sub Registrar





കേരളം KERALA

-2-

No.L7975582), S/o. Mathew, aged Fifty Seven years, Bishop, now residing at Bishop's House Kothamangalam, Kothamangalam, Kerala State, Pin 686691 (hereinafter referred to as the Settlor),

**WHEREAS** the Diocese of Kothamangalam, a religious institution of the Catholic Denomination, which is a minority community, has been engaged in religious, charitable and Educational activities for the benefit of the public, irrespective of caste, creed and community;


**WHEREAS** the Diocese of Kothamangalam is desiring of creating a public, religious, spiritual, charitable and educational trust to carry out religious, spiritual, charitable, cultural and educational purposes for the benefit of the public, especially for the students of the minority community to which the Diocese of Kothamangalam.

**AND WHEREAS** the above said opinion has been duly considered and accepted by the DIOCESE OF KOTHAMANGALAM represented by present Bishop H.E. MAR GEORGE MADATHIKANDATHIL (Settlor)

*[Signature]*

1036 15-5-14 1000.  
Kothamangalam Diocese Educational & Charitable  
Trust Patron H.E. Mar George Madathikandathil  
- 1035. Bishop of Kothamangalam Diocese

2014

K.S Muhammed Shefeek  & Saidu Muhammed business  
Karakkad (H) Nellikkuzhi

15/5 may 2014

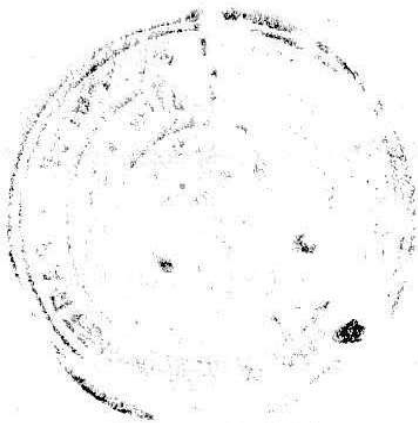
  
K.J. BABY  
Sub Registrar

Registered as No ..... 76 .....  
of 2004 ..... of Book ..... 14 .....  
in Volume ..... 307 ..... Pages ..... 2 .....  
to ..... 12 ..... Sheets ..... 9 ..... Sheet 2

15/5 may 2014  
7-12  
307

Sub Registrar

  
K.J. BABY  
Sub Registrar





council of Diocese of Kothamangalam, the present Bishop **H. E. MAR GEORGE MADATHIKANDATHIL** has decided to execute the trust deed with the following conditions:-

1. The name of the trust shall be "**KOTHAMANGALAM DIOCESE EDUCATIONAL AND CHARITABLE TRUST**", which shall be shortly referred to as **KDEC TRUST**.

2. Registered office of the trust shall be at Building No. 77 of XVI ward of Kothamangalam Municipality, and the registered office may be shifted to any other places as may be decided by the Trustees unanimously as and when required.

3. **Patron:-**

His Excellency the Bishop of Diocese of Kothamangalam ex-officio shall be the patron of the Trust.

4. **Trust Property:-**

In order to effectuate the above decision, the settlor has made over to the Trust, a sum of Rs. 10,000/- (Rupees Ten thousand only) to hold the same together with all additions and accretions thereto and all other properties that may be acquired out of the same or otherwise, and may hereinafter be the subject matter of the trust as trust property which is to be used for the objectives of the trust mentioned hereunder.

5. **Objectives:-**

The objectives of the Trust shall be:-

(i) To render educational service solely for Philanthropic purpose and not for purpose of profit and that too with special attention to the Christian Minority Community as long as the Constitution of India permits to do so and in other circumstances to all irrespective of Cast, Creed & Community.

(ii) To provide facilities for School & higher education at all levels for the people of the locality.

(iii) To organize facilities to conduct courses in management studies, computer science,

DIOCESE OF KOTHAMANGALAM represented by present Bishop

H.E. MAR GEORGE MADATHIKANDATHIL (Settlor)



social science, commerce, humanities, environmental science, physical and natural science and other related branches of study either in the own campus or in off campus centers.

(iv) To impart value education independently or jointly with other similar agencies.

(v) To constitute and establish grants, scholarship, awards and prizes for encouraging, competitive spirit among students.

(vii) To organize seminars, workshops, study tour etc. on alternative education for the benefit of the general public.

(i) To engage in human welfare activities aimed at improving the living conditions and general, spiritual, moral and civic welfare of the people of whatever occupation irrespective of race, community, caste or creed.

(ii) To establish, promote, set up, run and maintain institutions, Church, School, spiritual centres, old age homes, orphanages, poor houses or other establishments for relief and/or help to all needy.

(iii) To extend all possible help to the financially wrecked people and all those who suffer from natural calamities;

(iv) To establish, support, maintain or grant aid to hospitals, hostels, rehabilitation centres, spiritual centres or other institutions with a view to help the abandoned, the aged, the handicapped, destitute and the suffering people;

(v) To engage in apostolic services, health service activities, educational activities etc, aimed at the development and genuine welfare of the people, irrespective of caste or creed but with special attention for the benefit of Christian community.

(vi) To impart moral education to students by providing Sunday catechism.

(vii) To engage in apostolic services, aimed at the development and genuine welfare of the people.

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- (viii) To start curriculum based classes on the Holy Bible for the moral education of students.

6. **Board of Trustees:-**

Management and administration of the Trust and Trust Properties and its Activities shall vest in a Board of Trustees consisting of Nine (9) members. The First members of the Board of Trustees shall be:-

- i. Protosyncellus (Vicar General) – Managing Trustee
- ii. Vicar, Pothanicaad Parish
- iii. Principal, St. Xavier's Public School – Secretary
- iv. Education Secretary, Diocese of Kothamangalam
- v. Procurator, Bishop's House, Kothamangalam
- vi. Vicar, St. Antony's Forane Church, Paingottoor
- vii. Principal, Christujyothy International School, Kothamangalam
- viii. Principal, Nirmala Public School, Muvattupuzha
- ix. Principal, St. Thomas Collage of Teacher Education, Mylacompu

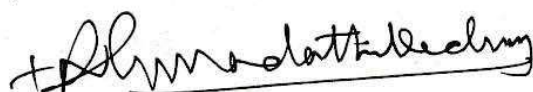
The Protosyncellus (Vicar General) will be the Managing Trustee and the Principal of St. Xavier's public School, Pothanicaad will be the Secretary of the Trust

7. **Advisory Council:-**

With the consent and approval of the Trustees, an advisory council may be constituted to give advice to the Board of Trustees in all matters relating to administration, management, policy making, starting of new institutions and any other matter. The advisory council shall consist of ten members including the trustees and all recommendations and suggestions of

DIOCESE OF KOTHAMANGALAM represented by present Bishop

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the council shall be recorded in the minutes of the advisory council, which shall be kept by the secretary of the trust.

**8. Responsibilities and Powers:-**

In implementing the objectives, the trustees shall have the following responsibilities and powers.

- a. To accept, in India, any donation, contribution, grant or subscription in cash or in kind, from any person(s), body of persons or trust, with or without conditions.
- b. To apply the whole or any part of the income of the trust, or the trust fund or accumulations thereto, to any one or more of the objectives of the trust, as the trustees may, in their discretion, deem fit from time to time.
- c. To manage and /or administer either by takeover or by mutual contract/agreement, working of existing educational institutions, training centres, Spiritual Centres or other similar institutions.
- d. To convert and deal with the trust property and/or any investments for the time being as per the permitted laws in force. The funds of the trust shall be invested strictly in accordance with the provisions of Sec. 11 (5) r.w.s 13(1) (d) of the Income Tax Act.
- e. To borrow or raise funds from any company, bank, firm, or any other financial institutions for the implementation of the objectives of the trust, as may be unanimously decided by the trustees.
- f. To mortgage the trust property to any company, bank, firm or any other financial institutions for availing loans and advances from them on the unanimous decision of the trustees.
- g. To sell, dispose of, alienate or otherwise deal with any property comprising the trust fund.
- h. To let out, any immovable property comprised in the Trust Fund for such period and at such rent or on terms and conditions as the Trustees may, in their discretion think fit.

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- i. To open account with Banks in the name of the trust and to operate such account for and on behalf of the trust such account shall be operated by the Managing Trustee and Secretary jointly.
- j. To appoint constituted attorney or agents and to delegate to such attorneys or agents all or any of the powers vested on them under these presents and from time to time remove such attorneys or agents and to appoint other or others in her or their place.
- k. To set apart and/or allocate the whole or a part of the income or the corpus of the Trust Fund or part thereof for any of the objectives of the trust.
- l. To settle all accounts and to compromise, compound, abandon, or refer to arbitration any action or proceedings or disputes, claim, demand or things, as deemed proper for such purpose without being responsible for any loss occasioned thereby.
- m. To apply to the Government, public bodies, urban, local, municipal, district and other bodies, corporation, companies, or persons for and to accept grant of money and of aid, donations, gifts, subscriptions, and other assistance with a view to promoting the objects of the trust.
- n. To purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagement of any or more of the trusts, societies, institutions or associations with which this trust is authorized to amalgamate.


9. **Meetings:-**

The secretary shall call the meetings and the Managing Trustee shall preside over the meetings of the Board and also the Annual General meeting. Board Meetings shall be held at least once in three months and the Annual General Meeting shall be held within 6 months of the end of the financial year.

It is specifically provided that approval of the patron shall be obtained before implementing the decision of the board of trustees.

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10. **Notice of Meetings:-**

7 days notice is necessary to call Board Meetings and Annual General Meetings. Resolution passed by circulation thereof and evidenced in writing under the hands of all the trustees shall be as valid and effectual as a resolution duly passed at a meeting of trustees.

11. It shall be the duty of the secretary to keep and maintain proper minutes of the proceedings at the meeting of the trust.

12. The trustees will not be entitled to receive any remuneration as office bearers of the trust, but the trustees may reimburse themselves all expenses actually incurred by them in connection with the trust or their duties relating thereto

13. The accounting year of the trust shall be the financial year ending 31st March every year.

14. **Audit and Accounts:-**

It shall be the duty of the secretary to keep or cause to keep true and correct accounts of the Trust and she shall present quarterly statement of accounts at each Board Meeting. It is his/her duty to get annual accounts audited by a Chartered Accountant appointed as auditor by the Board of Trustees.

The Trust shall submit copies of the Annual Report as well as the annual audited accounts of the Trust to the patron every year and the secretary shall be responsible to do the same.

15. The Board of Trustees may frame rules or regulations for the functioning of the Trust.

16. Any of the above terms and conditions may be amended, altered, deleted or added to by the board of trustees, if they decide unanimously. No amendments to any of the clauses to this deed; which may prove to be repugnant to the provisions of Sec.2 (15), 11,12,13 and 80G of the income Tax Act shall be made and any amendment to any of the clauses of this deed shall be made only with the prior sanction of the Commissioner of Income Tax having jurisdiction over the trust.

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17. This Trust is irrevocable. In the event of the trust becoming impossible to function in accordance with the provisions of the Trust Deed and the Trustees *decide* to wind up the Trust, the excess assets if any, after discharging the liabilities on winding up, shall be transferred to another educational trust of a similar nature as decided by the Board of Trustees, and if not, it will vest with the Government and no part of the assets or income will be divided among the Trustees.

18. No part of the income or property of the trust shall be utilized for purposes other than the objectives of the trust mentioned above. The funds/assets will not be utilized for payment to the settler/ trustees by way of profit/interest/ dividend etc.

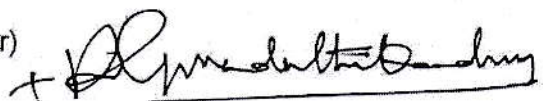
19. Funds of the trust shall be utilized only for the objectives of the trust and no portion of the same will be paid or deposited in any manner to /with any person defined in section 13(1)(c) of the Income Tax Act, 1961.

20. The objects/ activities of the Trust shall be carried out in India only.

In witness whereof H. H. MAR GEORGE MADATHIKANDATHIL has executed this deed of Trust in the presence of witnesses attesting hereunder. This Deed is signed at Kothamangalam Village, and it may be registered in the Sub Registrar's Office, Kothamangalam.

DIOCESE OF KOTHAMANGALAM represented by present Bishop

H.E. MAR GEORGE MADATHIKANDATHIL (Settlor)



In the presence of witnesses

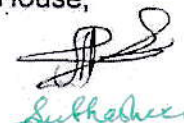
1. T. I. Joy, S/o Ittan, Thalayattuthottathil House, Thrikkariyoor P.O. Pin: 686692



2. Anitha Emmanuël, Kudiya House, Ramalloor. *Anitha*

Prepared by Licence No: EDA. 182, K.I. Thomas, S/o. Ittan, Thalayattuthottathil House,

Thankalam. Kothamangalam P.O. Pin: 686691



This Trust Deed is Computer Printed;

Corrections: Nil



DIOCESE OF KOTHAMANGALAM represented by present Bishop

H.E. MAR GEORGE MADATHIKANDATHIL (Settlor)

  
MANAGER  
ST. XAVIER'S PUBLIC SCHOOL  
POTHANICAD - 686 671

ST. XAVIER'S PUBLIC SCHOOL  
Pothanicad, Pin : 686 671  
School Code : 75655  
Ernakulam Dist., Kerala  
sxpspothanicad@yahoo.co.in

  
PRINCIPAL  
ST. XAVIER'S PUBLIC SCHOOL  
POTHANICAD - 686 671