

ST.JOSEPH'S PROVINCE EDUCATIONAL AND CHARITABLE TRUST OF S.H. CONGREGATION

THIS DEED OF TRUST executed on this the 4th day of September
Two Thousand and Two (4/9/2002) By the ST.JOSEPH'S PROVINCE OF
THE SACRED HEART CONGREGATION, PERAVOOR a religious and charitable
institution represented by its Present Provincial Superior Rev.
Sr. Thomasina, aged 50 years, Nun, daughter of Mr. Varkey,
residing at St.Joseph's Provincial House, Peravoor Thondiyil,
Vellarvally Village, Thalassery Taluk, Kannur District, Kerala
State, hereinafter referred to as the SETTLERS

IN FAVOUR OF, the Counciler for social work of St. Joseph's Province of S.H. Congregation Rev. Sr. Augusta, aged 54 years, Nun, daughter of Mr. Chandy, residing at St. Joseph's Provincialate, S.H. Peravoor, Kerala, Vellarvally Village, Thalassery Taluk, Kannur District, Kerala State, hereinafter referred to as the TRUSTEE.

Sr. Thomasina Sathernes A.

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percessos and fee of Responses Twenty two only at: 10.40 om the le 6th day of septem her 2002 by Rev: Sr. Thomasina. Inthomas .. Residing at 87: Joseph's Provincial House persons. 6 th Sptemster 2002 Sub Registres Hethan 1) For 67: Joseph's province of the sacred Heart
Congrugation Peruson by fromos or Thomasina Orthonort. Blocksky suns Perenosa Sr. Angusta. Sa Congressan 7360 Besidenget 57: Joseph's provincealate S.H. Perev-5

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WHEREAS the Settler instituion was established as a Province of the Sacred Heart Congregation on Dee.1976 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 Congregation, with the help of the members of the Congregation opting to work under the province spending their entire life selfleesly under the vows of poverty, charity and obedience.

ANDWHEREAS, the Province has started various centures at different parts in Indiato engage in charitable and Educational Activities for the benefit of the Public especially for the poor and needy and the NAVAJYOTHE ENGLISH MEDIUM SCHOOL, EDATHOTTY being one among them.

ANDWHEREAS, the settlers now feel it better to register a Charitable Trust for taking over and governing such a Charitable and Educational institutions and to start new Educational Institutions in a systematic and effective manner and for that purpose, the Council of the Settler had Authorised Sr. Thomasina, the Provincial Superior, to execute the Deed, with the following terms and conditions, in favour of Sr. Augusta and to get it registered at Peravoor.

NOW THIS DEED WITNESSETH: -

- 1) NAME OF THETRUST: The name of the Trust shall be ST: JOSEPH'S PROVINCIAL EDUCATIONAL AND CHARITABLE TRUST OF S.H. CONGREGATION.
- 2) REGISTERED OFFICE:-

The registered Office of the Trust shall be at Peravoor in Kannur District. The settlers are at liberty to shift the Registered Office to any other place within its ecclesiastical Jurisdiction.

6 4 September 2002 Sub Registren Schong Registered as NO. 84 of 2002 of Book IV volume H8 Pages from. 11 to 17. 10 sheets and sheet 6 th september 2002 M.A. Harson Sub Registrad (signed) (seat) reote: - Returned to The Twitness purpose, the Council or the Settler had Authorised Sr. Thomasias. torns and conditions, in lavour of or, Augusta and to get it rugistered of Poravour. AND THE SELECTION OF THE SHATTINGS ON LANGING US DATUMEVERS District. The sattle as an at liberty to salet-the

3) TRUST PROPERTY:-

In order to effecuate the above referred decision, the Settler has made over to the Trustees the sum of Rs.1000/- (Rupees One 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 hereinafter referred as the Trust Fund for the objects and purposes hereinafter 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 privilages 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 Creches, Kindergartens, Schools, Colleges, Hostels, Boarding Houses, Technical Training Centures and Tution Centers.
- (b) Establish and manage institutions for training in Engineering and Technology, Medical and Para Medical Education, and vocational Training.
- (c) Establish and manage special schools for training and rehabili-

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- (e) Establish and manage Non Formal Educational Centures and start courses approved by open school, open University etc...
- (f) Establish and manage rehabilitation centures for the Poor and Needy and start Orphanages, Old Age homes etc...
- (g) Establish and manage Hospital, Dispensary, mobile Clinics and other Charitable Institutions.
- (h) Establish and manage Centres for Relief and Rehabilitation of Cancer patients, Aids patients etc...
- (i) Promote rural Development projects and Charitable schemes for the welfare of the weaker sections and rural people of the locality.
- (j) Associate with other Charitable and Educational Institutions with similar objects abd take over and manage such institutions if necessary or help them by giving contributions and other assitances.
- (k) Do any other Charitable or Educational activities which are beneficial to the public in general and student Community in particular. For to contribute for such genuine causes

 BOARD OF TRUSTEES:-
- a) For the time being the second party to this Deed Rev. Sr. Augusta 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:-
- (1) The Provincial Superior of the Settlors, Ex-officio as the President of the Board of Trustees.
- (ii) The Social Work Councilar of the Settlors, Ex-officio as the Vice President of the Trust.
- (iii) The Educational Councilar Ex-officio who shall be the Corporate Manager and other members of the Province appointed by the Provincial Council from time to time who shall be the Local Managers of various institutions.

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- (iv) Other members as found necessary by the Provincial Superior of the Settlers from time to time and appointed by her in consultation with the Council.
- C) The Provincial Superior of the Settlers with consent of the Council is at liberty to withdraw, any of the members to the Board of Trustees, appointed by her 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 calender year and approve the annual accounts and forward it to the Council of the Settlors. 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 her 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 attenending 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 lie, 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 quoran for the meeting shall be one third of total members or three whichever is greater.

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- g) To acquire, alter, extnd, 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) To take on lease or to give on lease any building, land or other property, as and when found necessary.
- i) Start new units of the present activities at other places or to take up new activities whenever necessary or to take over and manage the Navajothi E.M. School, Edathotty or any other institutions or activity now carried on by others, as long as it is found to be advantageous to achieve the objects of the Trust.
- j) 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.
- k) 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.
- 1) Subject to the approval of the Council of Settlers and with the approval of the Commissioner of Income Tax if he insist so, 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 CORPORATE MANAGER AND LOCAL MANAGERS:-

Subject to the general control of the Board of Trustees, and the President, the Corporate Manager and under her the Local Managers shall have specific powers and duties mentioned below, over the properties and affairs of the specific institutions under

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of invovable and to dispose of the same whenever found necessary is the bast inturest of the objects of the trust. to take un new cottyicing whenever necessary or to take over and renage the Navajount E.M. Echool, Edadnotty or any other instituations of activity now carmind on by others, as long as it is found to be advantageous to relieve the objects of the Trust. the Trust, either directly of by rol sension of his mentioned break et de addimitate de income, Tell to assist to the one of The round by Income Tax Act. the Trust, and invest the Cal and drive been confused to distance the The suppose to the spectal (I approval of the Commissioner tighteen max is no insist so, to join, co-operate, or analgamete this Truct, with other Truct, or And of institution or other trues or institution with with mrac

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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 she 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 Corporate Manager or if authorised by her the Local Manager Concerned shall sue or be used for and on behalf of the Trust or any institution under 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 Corporate Manager and Local Managers shall exercise and perform such powers and duties as the Board of Trustees may from time to time determine or assign or authorize her to do.

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time to time deserring or resign or authorize her to do.

BE. Thomasina

i) All acts, deeds and things lawfully done by the Corporate Manager and Local Managers by virtue of these presents shall be

9) ACCOUNTS:-

binding on the Trust.

- a) The Corporate Manager and under her the local Managers shall be responsible to keep proper accounts and records for all the receipts and disbursements of the Trust and Institutions under 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 Committees to take care of the academic side of Various Institutions working under the Trust.
- b) The Executive Committee of each institution shall consist of the Corporate Manager and concerned Local Managers, the Principal of the institution, and other members nominated by the President as necessary.
- c) The Advisory Committee of each Institution shall consist of Principal of theinstitution the Executive Committee members of that institution and four or more members nominated by the Board from outside the Board of Trustees.
- d) The Board shall form 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 Corporate Manager in achieving the objects of the Trust in a better way.

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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.

If the Settler Province is divided into more provinces in future then, the institutions and activities shall stand divided into different provinces, according to the areas allotted to different provinces and all the Provincial authorities have the respective rights and duties now provided for the Settlers, over the institutions falling in their areas. Moreover in such cases, the respective Provincial Superior may establish separate Trusts for the efficient management of the same.

12) BANK ACCOUNTS:-

The Corporate Manager or the Local Managers 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 the object caluse (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 if he had given any recognition or registration for the Trust, and if he insist so.
 - 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 Sr. Thomasina h. Thomas k. Sr. Augusta Sa Augusta

or decision shall be final.

14) DISSOLUTION:-

In the event of the Trust becoming impossible to function in accordance with the provisions of the Trust Deed, the Board shall refer the matter to the Council of the Settlers, and necessary steps may be taken according to its directions. 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 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 Porperty 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 parties here to have set their respective hands on this Deed in the 4th day of September 2002 within the Jurisdiction of Peravoor Sub-Registry in the presence of the following witnesses on the date first above written and wish to get it registered in the Sub-Registry Office at peravoor.

1.Sr. Thomasina Inhorna in

2. Sr. Augusta Br. angustan

WITNESSES:

1. Madathiparambil Paul, S/o Joseph, Thondiyil
2. Karavally Raghavan, Son of Krishnan, Peravoor

Prepared and typed by Sumadevi.K.N. DAR 93 SAR 163 8000 Note of Corrections: NIL

1. Sr. Thomasina Southorran

2. Sr. Augusta Sr. angastaru

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ST.JOSEPH'S PROVINCE EDUCATIONAL AND CHARITABLE TR

THIS SUPLEMENTARY TRUST DEED executed on this the 22nd day of September 2014 (22-09-2014) by ST. JOSEPH'S PROVINCE OF THE SACRED HEART CONGREGATION, PERAVOOR,

Sr. Espirit S.H. & Espirit SH

Sr. Joicy Jose &. Joicy Doll

Mooleyis Sv. Espiont. S.H.
NELLBRIDENSLY, THOMPIYIL.

57/20K Presented in the office of the on 25th ay September 2014 with the photo and the impression of the executants under section 32A and paid a fee of Rs. 24 Repens twenty only SR-Espirit Soo Espiritule 25th day of September 2014 500 JOY JAC SUB REGISTRAR SR-Espirit 80 - Estantith

SR-Espirit 80 - Estan In Doicy Dose 3.4. Kishakkayi acoeilor sestling at It Joseph's Province Conse hondry I dontified by Gr. Ruena Joseph Palajopunals (Nun) Pome modatipulie 3 - 5/0 J. Seph Burgarenthin Kulyali & September 2014 ... Volume... & Pages

a religious and charitable Institution represented by its present Provincial Superior, Rev. Sr. Espirit S.H Moolayil, aged 62 years (Election Identity Card No. UXK0121475) daughter of Joseph. M residing at St. Joseph's Provincial House, Peravoor, Thondiyil, Vellarvally Village, Iritty Taluk, Kannur District, Kerala State, here in after referred to as the SETTLERS.

IN FAVOUR OF, the councillor for social work of St. Joseph's Province of Sacred Heart Congregation. Rev. Sr. Joicy Jose S.H Kizhakkayil aged 46 years, (Election Identity Card No. ITZ0075820) daughter of Jose residing at St. Joseph's Provincilate, Peravoor, Vellarvally Village, Iritty Taluk, Kannur district, Kerala State, here in after referred to as the TRUSTEE.

WHERE AS the Provincial council meeting eheld on 20-5-2013 foundd it expedient to add the new words "especially for the benefit of the Christian Minority community and for others irrespective of caste, creed, sex, etc", after clause 4(a) of the original trust deed registered as document No. 84 of 2002 in Book IV Volume 48 on page 11 to 17 at Sub Registry office Peravoor having Trust Value of Rupees 1000. Addition of new words after clause 5(b) of the existing trust deed. Consequently clause 5(b) iii shall herein after be read as follows:

5(b) III. Amendment/Additions:- The President of St. Joseph's province Educational and charitable trust of S.H. congregation will be the manager of JYOTHIBHAVAN SCHOOL FOR THE HEARING IMPAIRED, Chayoth, Nileshwaram, Kasargod.

<u>5 V. Amendment/Additions</u>:- Based on St. Joseph's Province Educational and Charitable Trust of S.H. Congregation Section No. 4 (Objects of Trust) C., Jyothibhavan School for the Hearing Impared, Chayoth, Nileshwar, Kasargod will function for the education, training and rehabilitation of the Hearing impaired.

<u>5 VI. Amendment/Additions</u>:- the Government of Kerala has recognized Jyothibhavan School for the Hearing impaired, Chayoth, Nileshwaram, Kasargod as an Aided School. therefore the school will be functioning as per KER.

This instrument will be considered as the part of the original Trust Deed.

Members of the Provincial council.

1. Sr. Espirit S.H., Provincial Superior, S.H. Provincial House, Thondiyil P.O, Peravoor 670673.

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Sr. Joicy Jose Sr. Joley Base

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- 2. Sr. Thomasina S.H. Asst. Provincial, S.H. Provincial House, Thondiyil P.O.
- 3. Sr. Mercy Kizhakayil S.H. Provincial Councilor, S.H. convent Thondiyil P.O, Peravoor 670673.
- 4. Sr. Joicy Jose S.H. Provincial Councillor, S.H. Provincial House, Thondiyil P.O, Peravoor 670673.

IN WITNESS WHEREOF I have signed this the day month and year first above written at Peravoor and desirous to register the same at Peravoor sub Registry Office.

Sr. Espirit S.H Sa Espicit 14

Sr. Joicy Jose Gr. Daicy Dose

The presents of witness:

1. Mandumpala Siju, S/o. Johny, Thondiyil Desom, P.O. Thondiyil 670673.

2. Karimala Joseph, S/o. Thomas, Kelakam Desom, P.O. Kelakam 670674.

Prepared and DTP typed by SUMADEVI. K, DAR 93, SAR 163, W/o. Divakaran Nair,

Manathana P.O - 670674.

Note of Correction: Nil

Sr. Espirit S.H Sr. Espirit SH

Sr. Joicy Jose Sr. Doi'cy Bole

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