

1000 Rs.

INDIA NON JUDICIAL

30005

RS 1000

ONE THOUSAND RUPEES

THIS DEED OF TRUST executed on this the First
 DAY OF FEBRUARY ONE THOUSAND NINE HUNDRED AND NINETEEN, by
 Mr. CHEEVARGHESSE THAMMAN aged 60 years, THAMMAN, working abroad now
 residing at KUMHIVILA PUTHAMPURAM, NEELI THUMMAN, P.O. KOTTARAKKARA,
 Kallikaman Muri, Kottarakkara Taluk, Kottarakkara Taluk,
 JULLOH DISTRICT, hereinafter referred to as the settler.

WHEREAS the settlor is desirous of establishing a Trust for the purposes and objects hereunder set forth and,

WHEREAS for such purpose, the settler has set apart Rs.10,000/ (Ten thousand only) out of his own earnings to form the nucleus of the Trust or the corpus of the Trust hereby created and,

WHEREAS the following persons who had given consent to be the members of the Board of Trustees are appointed as Trustees.

SETTLER

PRINCIPAL

TRUSTEES

GEBURT NACHNAME YOLANN

MAR GREGORIOS MEMORIAL
RESIDENTIAL BUILDING
MYLOW, KOTIARAMANA - 601 333

RAFI ANNA GRIDEVARGHESE

ANDREW JACOBSON JOHNSON

THE JOURNAL OF THE

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(2)

- 1) MARIAMMA GHEEVARGHESE aged Sixty six wife of Yohannan Gheevarghese Housewife residing at Kuzhivila Puthen Veedu, Nellikunnam P.O., Nellikunnam Muri, Kottarakara Village, Kottarakara Taluk, Quilon District.
- 2) GHEEVARGHESE YOHANNAN aged Fortysix, son of Yohannan Gheevarghese, working abroad residing at Kuzhivila Puthen Veedu, Nellikunnam P.O., Nellikunnam Muri, Kottarakara Village, Kottarakara Taluk, Quilon District.
- 3) GHEEVARGHESE JOHNSON aged Thirtynine son of Yohannan Gheevarghese Company employ, residing at Kuzhivila Puthen Veedu, Nellikunnam P.O., Nellikunnam Muri, Kottarakara Village, Kottarakara Taluk, Quilon District.
- 4) THOMAS DANIEL aged Thirtynine Son of Y. Daniel, Business, residing at Parankavestil B4, Kizhakketheruvu P.O., Ayppalloor Muri, Melila Village, Kottarakara Taluk, Quilon District.

(Hereinafter referred to as the Trustees which expression shall include the survivor or survivors or their successors).
Now this deed witnesses as follows:

- 1) The Name of the Trust shall be "YOHANNAN GHEEVARGHESE MEMORIAL TRUST" and the Office of the Trust shall be at G.Y. BUILDING, PULAMON P.O., KOTTARAKARA.
- 2) The Trust has taken effect from the 19th day of February 1994.
- 3) The object of the Trust shall be :-
(1) To establish, promote, setup, run, maintain, assist, finance, support and/or aid to a help in setting up and/or maintaining and/or running Schools and other educational institutions, to provide excellent educational opportunity for the children irrespective of caste, creed, class and colour.

WITNESSES

TRUSTEES

202

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(3)

- (II) To open, found, establish, promote, set-up, run maintain, assist, finance, support and/or aid or help in the setting up and/or maintaining and/or running schools, colleges, lecture halls and other establishments or institutions for advancement of education and of knowledge in arts, science, literature, humanities and all other useful subjects in all their manifestations.
- (III) To open, found, establish, promote, set-up, run, maintain, assist, finance support and/or aid or help in the setting up and/or maintaining and/or running hospitals, boarding houses, libraries, reading-rooms, gymnasium and other training and vocational institutes.
- (IV) To promote, advance and encourage and /or aid in helping promoting, advancing and encouraging primary, secondary and higher education including technical and medical education also physical training, of handicaps fine arts and other useful arts, crafts among the public including the establishment and maintenance of Shilpa-Shikshalayas, Kala Kendras and other welfare centres for them.
- (V) To give, provide and/or render help and assistance in cash or kind to poor and/or destitute people, widows, drug addicts, alcoholics and other similar persons.

SETTLER

GHEEVARGHESE YOHANNAN.

TRUSTEES

MARIANNA GHEEVARGHESE

GHEEVARGHESE JOHNSON

THOMAS DANIEL.



(4)

- (VI) To give, provide and/or render help and assistance to and/or implement any scheme for providing livelihood and upliftment of the poor.
- (VII) To give, provide and/or render food, medicine and other help and/or assistance in any shape or form to the poor deserving and needy persons.
- (VIII) To give, provide and/or render monetary and/or other help and assistance for the relief of persons and (animals) affected by natural and other calamities such as floods, fire, famine, cyclone, earth-quake, storm, accident, pestilence, drought, epidemic, unbearable cost of living and the like, to give donations subscriptions or contributions to institutions, establishments, centres or persons doing relief work on such occasions.
- (IX) To start, maintain and assist any relief measures in those parts which are or become subjected to natural calamities such as flood, fire, drought, famine, cyclone, earth-quake, epidemic storm, accident, pestilence etc.
- (X) To foster and encourage education and training in handicrafts, fine arts, among women folk in general and establish and found institutions imparting such education and to establish, maintain, support or help

SETTLER

GHEEVARGHESE YOHANNAN

TRUSTEES

MARIANNA GHEEVARGHESE.

GHEEVARGHESE JOHNSON

THOMAS DANIEL

by monetary gifts or otherwise, centres and institution for women and children and to provide social welfare works for women and children.

- (xi) To meet travelling, boarding and loading expenses for students going abroad of higher commercial and technical education.
- (xii) To grant, pay or give scholarships, stipends, prizes, rewards, allowances and other financial assistance or help in cash or kind to students with a view to help them in promoting their studies in schools, colleges educational institutions, technical institutions, art schools, institutions teaching commercial and other arts including teaching of cultural arts or other training, research or educational works in India or abroad.
- (xiii) To open, found, establish, promote, set-up, run maintain, assist, finance support and/or aid or help in the setting up and/or maintaining and/or running hospitals, charitable dispensaries, maternity homes, child welfare centres, convalescent homes, sanatoriums, hostels and other similar institutions or centres for rendering or providing medical relief and/or aid to the suffering humanities or for research centres and institutions for promotion of research and education for medical science including surgery.

SETTLER

GHEEVARGHESE YOHANNAN

TRUSTEES

MARIAMMA GHEEVARGHESE

GHEEVARGHESE JOHNSON

THOMAS DANIEL



- (xiv) To open, found, establish, promote, set-up, run, maintain, assist, finance, support and/or aid or help in the setting up and/or maintaining and/or running by monetary gifts or otherwise, centres, stadium, playgrounds and parks for public use, sports, and games and other social welfare works and/or activities in KERALA and/or other places in India.
- (xv) To promote, organise, administer, establish, support maintain and/or grant aid to any person, institution or society or organisation whatsoever having for its objects of charitable purpose and to incur expenditure in connection therewith.
- (xvi) To promote, assist and/or maintain all activities by whomsoever carried on or wherever carried on in India in conformity with the objects of the Trust and as are conducive to the well being and general welfare of the nation or are conducive for advancement of any object or objects of general public utility not involving/ carrying on any activity for profit.
- (xvii) To publish and/or publishing books, pamphlets, periodicals and newspapers in India or outside for the spread and advancement of education and culture.

SETTLER

GHEEVARGHESE YOHANNAN

TRUSTEES

MARIANNA GHEEVARGHESE.

GHEEVARGHESE JOHNSON.

THOMAS DANIEL.

4. The financial year of the trust shall end on 31st March every year provided that the Board of Trustees shall be at liberty to change the same from time to time if they so deem it fit and proper. The first financial year of the trust shall close on 31st March 1994.
5. The trustees shall from time to time after meeting the expenses of and incidental to the management of the Trust Properties and of the Trust, decide the particular object or objects for which the income or corpus of the Trust Fund or properties for the time being available shall be applied.
6. The trustees may accept any donation or contribution in cash or in kind from any person, firm, company, corporation, associations, institution or trust (including the settler or the trustees or any of them) for the furtherance of the object of the trust or for any one or more of them upon such terms and conditions as they may, at their absolute discretion think fit, and which are not inconsistent with the objects of the trust. The trustees may also take over the management of any other charitable or public institutions on such terms as they think fit and may manage such institutions.
7. Without affecting the generality of powers and functions of the trustees to manage and administer the trust, the Board of Trustees shall have the following functions.

SETTLER

GHEEVARGHESE YOHANNAN

TRUSTEES

MARIAMMA GHEEVARGHESE

GHEEVARGHESE JOHNSON



- i) To borrow, if needed, against the security of the assets of the trust or by way of bank overdrafts, loans or otherwise, as may be necessary for the benefit of the trust and for more effectively carrying out the objects of the trust, provided however the trustees unanimously agree on such borrowing and limited to the terms of their decision of agreement and to authorise two or more of the trustees to execute such documents, deeds, papers etc. as may be necessary in connection therewith.
- ii) To arrange for and/or authorise the signing or execution of any agreement, contract, instrument, document or any other paper or writing required to be signed or executed on behalf of the trust by any two of the trustees to be nominated in this behalf by the Board of Trustees and to make the same effective and binding as if the said agreement, contract, instrument or document or paper or writing are signed by all the trustees.
- iii) To appoint or make provision for the appointment of a sub-Committee of trustees and/or others to attend to or supervise or conduct specified jobs or functions or trust matters in such manner and subject to such rules and regulations as the trustees may prescribe.
- iv) To authorise any one or more trustees to hold any property or any fund or any investment or the trust fund

SETTLER

GHEEVARGHESE YOHANNAN

TRUSTEES

MARIANNA GHEEVARGHESE.

GHEEVARGHESE JOHNSON.

THOMAS DANIEL.

subject however to the terms of these presents in such manner and subject to such terms and conditions, rules and regulations as the Board of Trustees may from time to time think fit and proper.

- v) To spend any portion of the corpus or the income of the trust fund for purchasing any land and/or constructing any building or buildings for and in the name of the trust for the purpose of carrying out promoting and/or executing any or all of the objects of the trust.

8. The trustees shall cause true and accurate accounts to be kept of all money received and spent any of all matters in respect thereof in course of management of trust properties or in relation to the carrying out of the objects and purpose of the trust as well as of all the assets, credits and effects of the trust properties and get such accounts audited by a Chartered Accountant every year. The accounts shall be passed by the Board of Trustees and submitted for Auditors' Report before the expiry of six months from the end of the financial year.

9. The trustees may invest the Trust Estate either in the purchase of immovable properties or of mortgage of immovable properties, or in such manner as allowed by law as may be in force from time to time and to convert,



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TRUSTEES

TRUSTEES

MARIANNA GHEEVARGHES

33

alter, vary dispose of or transfer such investments from time to time provided that such investments shall not be made which are directly or indirectly for the benefit of any person referred to in sub-sec.(3) of sec.13 of Income Tax Act 1961, or any subsequent amendments as may be made from time to time.

10. The trustees shall be at liberty to sell such portion or portions of the movable or immovable properties forming part of the Trust Estate either by public auction or by private contract at such price or prices and in such terms and conditions relating to title or otherwise in all respects as they may in their absolute discretion think fit and to rescind or vary any contract for the sale thereof and to resell them same without being answerable for any loss occasioned thereby and to execute all conveyances or other assurances and to pass valid and effectual receipts and discharges for all moneys received by them.

11. The trustees shall keep an account or accounts with any bank or banks, operate such account or accounts whether in debit or in credit and to give all appropriate instructions to the banker or bankers concerning the operation of such account or accounts and to authorise by appropriate resolution one or more of the trustees jointly to operate such account or accounts.

SETTLER

GHEEVARCHESSE YOHANNAN

TRUSTEES

MARIANNA GHEEVARCHESSE

12. The trustees may pay all charges and outgoings payable in respect of any immoveable property for the time being forming part of the Trust Fund and may carry out repairs required to be done to the same and keep the same insured against loss or damage by fire and may incur all other costs, charges, and expenses incidental to the administration and management of the Trust Estate and the properties for the time being belonging to the trust as they may in their absolute discretion think fit.

13. The trustees may manage or superintend the management of any lands, hereditaments, and premises for the time being comprised in the Trust Estate or any part thereof with power to erect, pull down, re-build, add to, alter and repair houses and other buildings and to build drains and make roads, and fences and otherwise to improve and develop and to cultivate or cause to be cultivated all or any of the said lands, hereditaments and premises and to insure houses and buildings against loss or damage by fire and/or other risks or to let, lease, make, allowance to and arrangements with tenants, agriculturists and generally to deal with the said lands, hereditaments and premises as they may deem fit in their absolute discretion.

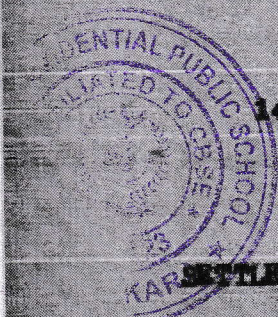
14. The board of trustees may also appoint secretaries, Managers, Lawyers, Solicitors, Auditors, Architects, Engineers, Surveyors, Gomastas or other employees

SETTLER

TRUSTEES

GHEEVARCHESSE YOHANNAN.

MARIAMMA GHEEVARCHESSE.



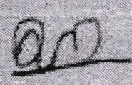
for the purpose of management and supervision of the Trust Estate, for collection of rents, effects and profits, for keeping the accounts and records and for other purposes of the trust.

15. The trustees may establish its office at such place or places and may change such places from time to time as they may think fit.
16. The trustees may lease the immovable property or properties for the time being and from time to time belonging to the trust either from year to year or for any fixed term or for any term of years or on monthly tenancies at such rent and subject to such covenants and conditions as they may think proper and also accept surrenders of lease and tenancies and generally manage the same in such manner as they think proper.
17. The trustees shall have full power to compromise or compound all actions, suits, and other proceedings and settle differences and disputes touching the Trust Estate and/or the Trust Properties and to refer any such differences or disputes to Arbitration and to adjust and settle all accounts relating to the Trust estate and/or the Trust Properties and to do all other acts and things fully and effectually without being liable or answerable for any bonafide loss occasioned thereby.
18. The trustees may join, co-operate and amalgamate the trust created by these presents or any portion thereof

SETTLER

GHEEVARGHESE YOHANNAN.

TRUSTEES

MARIAMMA GHEEVARGHESE. 

With any trust or institution having allied and/or similar objects upon such terms as they may in their absolute discretion think fit.

19. The trustees may from time to time frame schemes and rules and regulations to carry out the objects of the trust and for managing the affairs of the trust and otherwise for giving effect to the objects and purposes of the trust and to vary the same from time to time as trustees may in their discretion deem fit and proper.
20. The receipts granted by the trustees or any one or more of them for any moneys, stocks, funds, shares, securities or investments paid, delivered or transferred to them in exercise of the trust or powers hereof shall effectually release and discharge the person or persons so paying, delivering or transferring the same thereof or being answerable for the loss or misappropriation thereof.
21. The trustees shall be entitled at their discretion from time to time to start, discontinue, abolish and re-start any charity or charitable institution, to impose any condition or conditions to any subscription or donation made by them and to earmark any portion of the Trust Property or income for any particular object or objects.
22. The trustees may reimburse themselves and pay and discharge out of the Trust Fund all expenses incurred by them in or about the execution of the trust or any of their duties under these presents including travelling expenses, but will not be entitled to any remuneration.



23. The number of trustees shall be not less than two and not more than ten.
24. All trustees unless they voluntarily resign or otherwise decide shall continue to be trustees for a period of five years.
25. Once in every five years, $\frac{1}{2}$ of the total number of Trustees for the time being in office, ignoring fractions, shall retire by rotation and shall be eligible for re-nomination by the continuing trustees by majority decision. The trustees to retire shall be those who have been longest in office and amongst those who had served the same length of period those to retire shall be decided by lot.
26. Any trustee may retire at any time without assigning any reason and without being responsible for any costs occasioned such retirement.
27. The surviving or continuing trustees may notwithstanding any vacancy in their board act as trustees PROVIDED HOWEVER that if the number of trustees shall below two, the minimum fixed by these presents, the trustees shall not, except for the purpose of filling any vacancy, act so long as the number is below the said minimum.

SETTLER

GHEEVARGHESE YOHANNAN

TRUSTEES

MARIANNA GHEEVARGHESE.

GHEEVARGHESE JOHNSON

THOMAS DANIEL.

28. Two trustees at a meeting shall form a quorum for any meeting of the trustees.

29. The trustees for the time being shall elect from amongst them one Chairman who shall hold office for five years, unless he resigns or refuses to act as Chairman or otherwise ceases to be trustee.

30. The board of Trustees may appoint one among them to be the executive trustee on such terms and conditions as they may deem fit to manage the day to day affairs of the Trust.

31. All proceedings and questions and matters arising at the meeting of the trustees shall be decided by a majority of votes and in case of equality of votes the Chairman shall have a second or casting vote PROVIDED HOWEVER that notwithstanding anything herein stated no question dealing with the disposal of the corpus of the trust properties and/or investment out of the trust corpus shall be decided except with the consent of the Chairman of the trust.

32. In case of difference of opinion between the trustees, the opinion of the majority shall prevail and if the trustees are equally divided on any matter, the Chairman shall have a casting vote.



SETTLER

GHEEVARGHESE YOHANNAN

TRUSTEES

MARIAMMA GHEEVARGHESE

GHEEVARGHESE JOHNSON

THOMAS DANIEL

33. A resolution in writing circulated amongst all the trustees and signed by a majority of the trustees shall be as valid and effectual as if it had been passed at a meeting of the trustees duly called and convened.

34. Notice of the meeting of the trustees and all communications may be sent to the trustees at their addresses registered for the time being in the records of the trust.

35. All meetings of the trust shall be held at such place and at such time as the Chairman of the trust shall decide from time to time.

36. A trustee who is unable to be present at a meeting of the trustees may send his views on the agenda in writing and such expression of opinion shall be taken to be his vote on the matter concerned.

37. The chairman may hold meetings of the Board of Trustees from time to time as he deems fit. However, in case 1/3 of the total number of trustees in office, ignoring fractions, request the chairman to

SETTLER

GHEEVARGHESE YOHANNAN.

TRUSTEES

MARIAMMA GHEEVARGHESE.

GHEEVARGHESE JOHNSON

THOMAS DANIEL.

hold a meeting for discussing any matter relating to the affairs of the trust, the chairman shall be bound to hold the meeting of the Board within two weeks of the receipt of such request. In case the chairman does not hold or refuses to hold the meeting as above, the requisitionists themselves may issue notice to all the trustees for the time being in office and such meeting shall be valid and effective for taking decisions on trust affairs.

38. The minutes of the proceedings of every meeting of the trustees shall be entered in a book to be kept for that purposes and signed by the Chairman of such meeting or of the following meeting when they are read over and shall when so entered and signed be conclusive evidence of the business and other matters transacted at such meeting.

39. No person being :-

- i) an undischarged insolvent; or
- ii) convicted of an offence involving moral turpitude; or
- iii) of unsound mind; or
- iv) a minor

shall be eligible to be a trustee.

40. The power to appoint new or additional trustees, but so as not to exceed the maximum number and to fill vacancies in the office of the trustees, shall vest in the continuing trustee or trustees.



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TRUSTEES

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41. A person shall Cease to be a trustee in any of the following:

- a) if he dies; or
- b) if he becomes bankrupt or
- c) if he becomes insane or otherwise become incapable to act;
- d) if he resigns his office.

42. Once a new or additional trustee is appointed and on his signifying his acceptance in writing to the effect of his accepting the appointment, the Trust Property shall automatically vest in him along with the other trustees for the time being and he will be entitled to carry out all the duties and functions of a trustee without any other deed or writing.

43. The Board of Trustees shall be entitled to sue in the name of the trust and may similarly be sued in the name of the trust.

44. The Board of Trustees may from time make and prescribe additional Rules and bye-laws for regulating the working of the trust and may also from time to time with the approval of 3/4 of the total number of trustees for the time being in office, ignoring fractions, modify, amend, or alter such rules and bye-laws provided that no such rules and bye-laws shall in any way alter or contravene the main objects of the Trust.

45. It is hereby expressly declared that the Trust hereby created shall be irrevocable.

SETTLER

GHEEVARGHESE YOHANNAN



TRUSTEES

MARIANNA GHEEVARGHESE

GHEEVARGHESE JOHNSON

THOMAS DANIEL



30/05/05



46. If in the event of winding up or dissolution of the Trust, there remain any excess of assets after satisfaction of all its debts and liabilities, such excess of assets shall be transferred to any institution or Trust having objects of a charitable nature and as similar to the objects herein as possible.

Two duplicate is also presented with the original document.

This document is executed in Unnamoor Village within the Jurisdiction of Additional Sub Registry Office Kottarakkera. On this day of Nineteenth February One thousand Nine hundred and Ninety four.

In witness where of we have set our hands in this document on this day as mentioned above.

Signed Settler, GNEVARGHESE JOHANNAN.

Trustees, KALLIYIL GNEVARGHESE.

GNEVARGHESE JOHANNAN.

THOMAS DANIEL.

Witnesses: K. VIJAYA KUMAR.

Kizhakkinkara.

R. RAGHUNATH PILLAI.

Veedu, Melilla.

Elluvilla Veedu,

Thennivilla Puthen

This document is prepared by A.J. MATHEW

Licence No. G.D.A. 173, Angamandiram, Appelloor.

Correction : 1st page line 3 after the 46 "fortynix, son of Yohannan gnevarghese interlined son Yohannan scored.

page 6 line 11 after the and "to" interlined.

Type written.

SETTLER.

TRUSTEES.



YOHANNAN GEE VARGHESE MEMORIAL TRUST

11.7.94

Following is the resolution adopted unanimously in a meeting of the YOHANNAN GEE VARGHESE MEMORIAL TRUST held on 25th Nov 1994 at G. V. Building. - Trust office at 4.30 p.m. As Mr. Gee Varghese Yohannan was not in town the meeting was presided over by Mr. Thomas Daniel. Following Trustees were present:-

RESOLUTION

"It is unanimously resolved to nominate the following persons in the YOHANNAN GEE VARGHESE MEMORIAL TRUST as Trustees. Hence the total number of Trustees now will be Six".

1. MRS. JAYAMMA YOHANNAN aged 43 1/2 (10.01.52) wife of Mr. Gee Varghese Yohannan.
2. MR. RAJURUTTY GEE YOHANNAN aged 37 (25.11.57) son of late Yohannan Gee Varghese.

1. THOMAS DANIEL

2. MRS. MARIAMMA YOHANNAN

3. GEE VARGHESE JOHNSON

PRINCIPAL

MAR GRECE RIOS MEMORIAL
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