



കേരളം KERALA

A 851849

THIS DEED OF AMENDMENT OF TRUST executed on this the Twenty Seventh day of January, Two Thousand and Eighteen (27-01-2018) by St. Sebastian's Educational Institutions Udayamperoor, having its Registered office at Nadakkavu Post, Pincode - 682307, Manakunnam Village, Kanayannoor Taluk, Ernakulam District, Kerala State, represented by its present Managing Trustee Rev. Fr. Kuriakose Cheruvallil, son of late. Shri. Chacko, aged 77 (Seventy Seven) years, Vicar, residing at St. Sebastian's Church (New), Udayamperoor, Nadakkavu Post, Pincode - 682307, Manakunnam Village, Kanayannoor Taluk, Ernakulam District, Kerala State.

For St. Sebastian's Educational Institutions Udayamperoor

*Rev. Fr. Kuriakose Cheruvallil*

Rev. Fr. Kuriakose Cheruvallil  
Managing Trustee

*Principal*  
St. Sebastian's Public School  
Nadakkavu - P.O.  
Udayamperoor-682307



*Manager*  
St. Sebastian's Public School  
Nadakkavu-P.O.  
Udayamperoor - 682 307

27358  
Date 25.1.2018  
Value of Rs. 5000/- Sold to

St. Sebastian's Educational  
Institutions Udayamperoor

WHEREAS St. Sebastian's Educational Institutions Udayamperoor (hereinafter referred to as the Trust) was formed by the Deed of Trust dated Twenty Seventh day of July, Two Thousand and Seven (27-07-2007), registered as Document No.365/IV/07 dated 27/07/2007 at the office of the Sub-Registrar, Tripunithura (Value Rs.1,100).

AND WHEREAS Rev. Fr. Kuriakose Cheruvallil, son of late. Shri. Chacko, residing at St. Sebastian's Church (New), Udayamperoor, Nadakkavu Post, Pincode - 682307, Manakunnam Village, Kanayannoor Taluk, Ernakulam District, Kerala State, assumed charge as Managing Trustee of the Trust effective from 23/09/2017.

AND WHEREAS as per the resolution passed by the Board of Trustees dated 23/09/2017, Mr. M J Sebastian and Mr. Jose Vazhathara were appointed as the present Trustees.


The name of Trust shall continue to be St. Sebastian's Educational Institutions Udayamperoor and its registered office shall continue to be as Nadakkavu Post, Pincode - 682307, Manakunnam Village, Kanayannoor Taluk, Ernakulam District, Kerala State.


All other terms and conditions in the original Trust Deed dated 27/07/2007, which are not repugnant to the terms of this Deed of Amendment, shall continue to apply to the re-constituted Trust, as under:



For St. Sebastian's Educational Institutions Udayamperoor

  
**Principal**  
St. Sebastian's Public School  
Nadakkavu - P.O.  
Udayamperoor-682307

  
**Rev. Fr. Kuriakose Cheruvallil**  
Managing Trustee

  
**Manager**  
St. Sebastian's Public School  
Nadakkavu-P.O.  
Udayamperoor - 682 307



WHEREAS inspired by the teaching of Lord Jesus Christ and out of desire to do good to the people of the locality, the Settler Institution thought of establishing an educational institution primarily for the minority community to which it belongs as permitted under the constitution of India, and also for the good of the people of the locality irrespective of caste, creed and community.

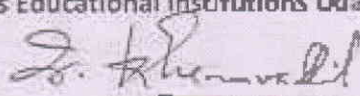
AND WHEREAS the office bearers of the Settler Institution feel it better to start the institution under a properly registered Public Charitable Institution for its systematic management in future and accordingly authorized its Vicar Rev. Fr. Paul Kottakkal registered the Deed of Trust with the following terms and conditions:-

NOW THIS DEED WITNESSETH:-


1. The name of the Tru shall be St. Sebastian's Educational Institutions Udayamperoor.
2. The Trust shall have a Board of Trustees of seven members and the Registered Office of the Trust shall be the preceptory of the St. Sebastian's Church (New) at Udayamperoor.
3. Trust Property

In order to effectuate the above referred decision the Settler, 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 hereinafter be the subject matter of the Trust hereinafter expressed with powers and on the terms and conditions herein contained, concerning the same.

For St. Sebastian's Educational Institutions Udayamperoor

  
Rev. Fr. Kuriakose Cheruvallil  
Managing Trustee

  
Principal

  
Manager  
St. Sebastian's Public School  
Nadakkavu-P.O.  
Udayamperoor - 632 307



4. Patron

The Major Arch Bishop of the Diocese of Ernakulam – Angamaly or other similar ecclesiastical authority over the Settler Institution shall be the Patron of the Trust.

5. Objects of the Trust

The objects of this Trust to render educational services solely for philanthropic purposes and not for purposes 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 caste, creed and community.

The Trust is also authorized to undertake any religious or charitable work or to incur any such expenses to the limited extent, it will be beneficial to the student community to get enriched their knowledge through practical experience.

6. Board of Trustees:-

- a) As per the resolution passed by the Board of Trustees dated 23/09/2017, Rev. Fr. Kuriakose Cheruvallil, the Managing Trustee, Mr. M J Sebastian and Mr. Jose Vazhathara were appointed as the present Trustees of the St. Sebastian's Educational Institutions, Udayamperoor.
- b) Within one month of the registration of the Deed of Trust, the Board of Trustees shall be re-constituted by the Settler with members as follows:
- i) The Vicar of the Church, Ex-Officio, as the President of the Board of Trustees and he shall be the Managing Trustee and also the MANAGER of the Schools/ Institutions under the Trust.



For St. Sebastian's Educational Institutions Udayamperoor

  
**Principal**  
St. Sebastian's Public School  
Nadakkavu - P.O.  
Udayamperoor - 682307

  
Rev. Fr. Kuriakose Cheruvallil  
**Managing Trustee**

  
**Manager**  
St. Sebastian's Public School  
Nadakkavu-P.O  
Udayamperoor - 682 307



ii) All the elected Trustees of the Settler Institution as the Ex-Officio Members.

iii) The other members:-

a) Convener of the Educational Managing Committee constituted by the parishioners, St. Sebastian's Church, Udayamperoor;

b) Secretary of the said Educational Managing Committee;

c) One of the Educational Managing Committee nominated by the Managing Trustee;

d) One member elected or nominated by the Parish Council, St. Sebastian's Church, Udayamperoor;

iv) If found necessary later, the Parish Council can increase the strength of the Board of Trustees from 7 (seven) by adding additional members elected or nominated by the Parish Council.


a) One of the members of the Board of Trustees shall be designated by the Managing Trustee as the Secretary and another as Treasurer of the Trust;

b) The Managing Trustee is at liberty to withdraw his nominee to the Board of Trustees and to nominate new member/ members, as and when found necessary with the approval of Parish Council, whenever applicable;



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Managing Trustee

  
**Manager**  
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- c) Any member absencing from 3 (three) consecutive Board Meetings without sufficient reason and excuse in the judgment of the Managing Trustee, shall loss the membership of the Board;
- d) The term of office of each member will be one year if not otherwise decided by the Parish Council or not decided as per the foregoing clauses.
- e) Vacancies arising in the Board of Trustees are to be filled within three months by election or nomination or ex-officio, as the case may be.

#### 7. Meetings of the Board

- a) The Board of Trustees shall meet as often as required and shall meet at least once in a calendar year and approve the annual accounts and forward it to the Parish Council for approval.
- b) The meeting of the Board of Trustees shall be presided over by the Managing Trustee and in his absence by any one of the Trustees as nominated by him.
- c) There shall be 9 (seven) days' notice to the meeting the 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 unanimous or at least consensus of members attending the meeting in person. On unavoidable cases 2/3 (two third) of the trust member's support is needed for passing the items.
- e) Decisions may also be taken by circulation, provided all the members agree to it.



For St. Sebastian's Educational Institutions Udayamperoor

  
Rev. Fr. Kuriakose Cheruvattil  
Managing Trustee

  
Principal  
St. Sebastian's Public School

  
Manager  
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Nadakkavu-P.O.  
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- f) The quorum of the meeting shall be two third of total members. But quorum is not necessary when the meeting adjourned for lack of quorum is reconvened.
- g) The Secretary shall serve the notice for the meeting in consultation with the Managing Trustee, and he/ she shall be responsible for the maintenance of the minutes book and other records of the meeting. The Treasurer of the Trust shall keep the accounts and cash of the Trust.
- h) An attendance register shall be kept for all meetings to be held and members present shall sign it before dispersal.
- i) There shall be a definite Agenda for the meeting, but with the permission of the President can discuss the matters outside the Agenda.
- j) All members of the board shall participate in the meeting with a spirit of co-operation and service, based on love for the glory of GOD and real progress of the institution.
- k) Personal vendetta, groupism, family feud, political difference and such other matters shall in no way influence the deliberation of the Board Meeting.
- l) A discussion on a decision of a previous meeting can be taken up only after obtaining permission from the Parish Council.
- m) Statement of decision against the order and direction of St. Sebastian's parish Council or against Cannon Law are not permissible.



  
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Nadakkavu - P.O.

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- n) If any decision of meeting is unacceptable to the Managing Trustee, he can refer the matter with a note of dissent to the Parish Council. The decision of the Parish Council is final.

**8. 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 Managing Trustee. 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 institution, to diffuse knowledge or moral, cultural, academic or of any a humanitarian value to the people of any age and sex.
- b) To request and receive donations towards corpus or otherwise either in cash or kind or subsidies or grants or other financial assistance of any kind whether returnable or not, from individuals, institutions, central and state governments within India or from abroad.
- c) 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.
- d) 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 investment in immovable properties shall be subject to the approval of the Parish Council of the Settler.

For St. Sebastian's Educational Institutions Udayamperoor

  
Rev. Fr. Kuriakose Cheruvallil  
Managing Trustee

  
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St. Sebastian's Public School  
Nadakkavu - P.O.

  
Manager  
St. Sebastian's Public School  
Nadakkavu - P.O.





- e) To borrow any amount either on pledging the assets of the Trust or otherwise, from individuals, banks, financial institutions or other institutions, with or without interest, for any objects of the Trust with the approval of the Parish Council of the Settler.
- f) To acquire, alter, extend, demolish any of its assets, movable or immovable, and to dispose off the same whether movable or immovable and to dispose off the same whenever found necessary in the best interest of the objects of the Trust.
- g) Start new units of the present activities whenever necessary or to take over and manage any institution or activity now carried on by other, as long as it is found to be advantageous to achieve the objects of the Trust.
- h) Subject to the approval of the Council of Settler, join, co-operate, or amalgamate this Trust, with other Trust, or fund or Institutions or other Trust or institutions with this Trust as the Trustees think fit, with approval of St. Sebastian's Parish Council.

9. Powers and Duties of the Managing Trustee


Subject to the General Control of the Board of Trustees, the MANAGING TRUSTEE shall have specific powers and duties mentioned below:-

- a) To work, manage, control and supervise the affairs, management of the properties now or hereinafter belonging to the institutions under the Trust and develop them.



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Manager  
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- b) To enter in to 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 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 if necessary and to remove them whenever it is felt that such removal is necessary with the approval of Board of Trustees.
- e) To take loans or borrow money, as decided by the Board of Trustees and to execute promissory notes, bonds or the like of the same and to discharge the same by repayments.
- f) To gather funds towards corpus or otherwise, for the Trust by way of donations or fees or otherwise, for the Trust by way of donations or fees or otherwise, from any person or institution, either in cash or in kind for the cause of the Trust.
- g) 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 spend for the cause of the Trust.
- h) 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 for the corpus the Trust Fund for any of the objects of the Trust, with the approval of the Board of Trustees.



For St. Sebastian's Educational Institutions Udayamperoor

*[Signature]*

Rev. Fr. Kuriakose Cheruwallil  
Managing Trustee

*[Signature]*  
Manager

St. Sebastian's Public School  
Nadakkavu-P.O.  
Udayamperoor - 682 307

*[Signature]*

Principal  
St. Sebastian's Public School  
Nadakkavu - P.O.



- i) The MANAGING TRUSTEE 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.
- j) The Managing Trustee shall exercise and perform such powers and duties as the Board of Trustees may from time to time determine to assign or authorize him to do so.
- k) To do any and all acts, deeds and things necessary for the efficient management and administration of the Trust and other properties of the Trust.
- l) The Managing Trustee shall have the Power to delegate his duties and powers to any other member of the Board of Trustees with the consent of the Board of Trustees.
- m) All acts, deeds and things lawfully done by the Managing Trustee by virtue of these presents shall be binding on the Trust.
- n) There shall be an inventory of all the movable and immovable properties of the Trust and the same is to be kept with the Managing Trustee.
- o) When the Managing Trustee or members transferred or the term of members expired, the powers and duties under this deed shall be handed over or deemed to be handed over to the new Managing Trustee or new elected members or nominated members or ex-officio members as the case may be.



For St. Sebastian's Educational Institutions Udayamperoor

*Rev. Fr. Kuriakose Cheruvallil*  
Managing Trustee

*[Signature]*  
Manager  
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*[Signature]*  
Principal  
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Nadakkavu - P.O.

10. The Managing Trustee shall have the right to spend necessary amount to meet the day to day affairs of the Trust.

**11. Accounts**

- a) The Managing Trustee shall cause to keep proper accounts and records for all the receipts and disbursements of the concerned institutions and the activities under the Trust.
- b) The accounts shall be closed on 31<sup>st</sup> March every year and it shall be audited by a Chartered Accountant appointed by the Settler.
- c) The audited statement of accounts along with the report of the Board shall be submitted to the Settler before 30<sup>th</sup> of September every year or within the time extended by them.


**12. Bank Accounts**

The Managing Trustee with a nominee of the Board from time to time shall open and operate jointly as may bank accounts as necessary with any bank, as and when necessary in the name of the Trust, or in the name of the Institutions under it.


**13. Power of the Patrons**

The Patron shall have the power to depure any person in respect the accounts and the affairs of the Trust and the Institutions under the Trust in the best interest of the St. Sebastian's Parish Council beneficiaries and to issue any direction whatsoever necessary



  
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to the Board of Trustees or to the Managing Trustees and they shall be bound to accept and act upon such direction.


#### 14. Miscellaneous

- a) With the approval of the St. Sebastian's Parish Council, any provision in this Deed of the Trust except this clause and the object clause (Clause No.5) may be amended, annulled or substituted by the Settler, with the approval of Board of Trustees and that such amendments shall come into effect only after getting the approval of the Commissioner of Income Tax, in case the Trust has been given any recognition or registration under the Income Tax Act, 1960.
- 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 Parish Council and the Parish Council's direction or decision shall be final.
- c) That any amendment to the Trust Deed/MOA/Bye laws will be carried out only with the prior approval of the Jurisdictional Commissioner of the Income Tax (Exemptions)".
- d) That the funds of the Trust will be invested strictly in accordance with the provisions of Section 11 (5) r.w.s. 13(1) (d) of the Income Tax Act, 1961".
- e) That if powers to effect amendment to the Trust Deed/MoA/Bye-laws have been given to the Trustees/ Office Bearers, it would not be extended altering the basic character of the Trust and further, no such amendment which may prove to be



  
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repugnant to the provisions of sections 2(15), 11, 12 & 13 of the Income Tax Act, 1961 shall be made".

f) That the objects/ activities of the Trust shall be carried out only in India."

g) That the income and the funds of the Trust will solely be utilized for the objects and no part of it will utilized for payment to the Trustees/ Members/ Office bearers by way of profit/ dividend/ interest, etc"

15. The Trust is irrevocable. 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 Settler and the Settler shall refer it to the Parish Council and necessary steps may be taken according to the directions of the Parish Council. In case the Settler with the approval of Board of Trust decide to wind up the Trust, the excess assets, if any, after closing the liabilities on winding up, shall be transferred to another Charitable Institution as decided by the Board, and if not, it will vest with the Government.

#### 16. Saving Clause

It is expressly declared that this is an Educational Trust of Charitable nature and no part of the Trust property or its income shall be appropriated for any purpose, other than educational, charitable purposes as provided in clause (5) of this Deed.



For St. Sebastian's Educational Institutions Udayamperoor

Rev. Fr. Kuriaakose Cheruvallil  
Managing Trustee

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17. The initial value of the Trust Fund is Rs.1,000/- (Rupees One Thousand Only)


IN WITNESS WHEREOF Rev. Fr. Kuriakose Cheruvallil for the Trust has signed this Deed of Amendment of Trust at Udayamperoor on the day, month and year first above written in the presence of the following witness and wish to get it registered in the Sub Registry Office, Trippunithura.

For and on behalf of St. Sebastian's Educational Institutions  
Udayamperoor




Rev. Fr. Kuriakose Cheruvallil  
Managing Trustee  
(present Vicar Rev. Fr. Kuriakose Cheruvallil,  
St. Sebastian's Church [New], Udayamperoor)  
Nadakkavu Post, Pincode – 682307, Manakunnam Village  
Kanayannoor Taluk, Ernakulam District, Kerala State

Witness:-




1. Mr. M J Sebastian, son of Joseph  
Present Trustee, St. Sebastian's Church [New], Udayamperoor  
Manikanamparambil Kuttikkat, Nadakkavu P.O.,  
Udayamperoor, Ernakulam, Kerala – 682307

2. Mr. Jose Joseph, son of Joseph  
Present Trustee, St. Sebastian's Church [New], Udayamperoor  
Vazhathara House, Nadakkavu P.O., Udayamperoor  
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