

കാണിരപ്പള്ളി ഫൊ. പള്ളി  
ആനക്കല്ല് കുരിശുപള്ളി  
ട്രസ്റ്റ് രൂപീകരണം.

2158  
10.10. '41



DEED OF DECLARATION OF PUBLIC TRUST

This Deed of Declaration of Public Trust executed at Anakkal on 15.10.1941 by the Present Bishop of Diocese of Changanassery, Mar James Kalacherry, aged 49, 8/10 Kunjakkochan and Philomina, residing at Bishop House, Changanassery (hereinafter called SETTLER)

WHEREAS St. Dominic's Forane Church, Kanjirapally was unable to fulfill needs of the devotees and on the request of the parishioners as well as the request of St. Dominic's Forane Church a new Church was established by the Catholic Diocese of Changanassery as per the Decree dated 10-10-1941.

WHEREAS the Settler, with the object of constituting and establishing a public Religious and charitable trust for the objects herein mentioned, hereby settles upon trust Rs. 100/- (Rupees One hundred only) as nucleus of the Trust property and made over the same to the Trust viz., 'St. Antony's Church, Anakkal' 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 under the following terms and conditions:-



For St. Antony's Public School  
Anakkal, Kanjirapally  
*[Signature]*  
Principal

NOW THIS INSTRUMENTS OF TRUST Witnesseth as follows:-

1. The name of the Trust shall be 'St. Antony's Church, Anakkal, Kanjirapally
2. The Registered Office of the Trust shall be located at St. Antony's Church, Anakkal. The registered office may be shifted to such other place as may be decided by the Board of Trustees.
3. AIMS AND OBJECTIVES OF THE TRUST
  - a. 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.
  - b. To establish, promote, set up, run and maintain institutions, churches, schools, spiritual centers, old age homes, orphanages, poor homes or other establishments for relief and/or help to all the needy.
  - c. To extend all possible help to the financially whecked people and those who suffer from natural calamities.
  - d. To establish, support, maintain or grant aid to hospitals, hostels, rehabilitations centres, spiritual centers or other institutions with a view to help the abandoned, the aged, the handicapped, the destitute and the suffering people.
  - e. To engage in apostolic services, educational activities etc. aimed at the development and genuine welfare of the people, irrespective of caste or creed, but the special attention for the benefit of Christian community and



For St. Antony's Public School  
Anakkal, Kanjirapally

*[Signature]*

*[Signature]*  
Principal

to administer and run educational -  
Institutions, Health care centres, Hospitals etc.  
Primarily for the benefit of Christian Community  
and thereafter to all irrespective of caste,  
 creed and community.

- f. To engage in offering services to the devotees  
such as Annida, Beg Office, Cemetery Office,  
Church Office, Foundation mass, Ledinju, Raga,  
Simple Aurbarana, Solemn Aurbarana, Novena,  
Adoration etc.
- g. To impart moral education to Catholic students  
by providing Sunday Catechism.
- h. To engage in apostolic services, aimed at  
the development and genuine welfare of  
the people.
- i. To start Curricular Based classes on the  
Holy Bible for the moral education of  
Christian Students
- j. To affiliate or collaborate with any national  
or international organizations in all matters  
concerning common interest.
- k. To collaborate with Government, Voluntary  
agencies and Non-Governmental Organizations  
both national and international, in development  
activities and relief programmes.
- l. To undertake or promote such other activities  
as may be conducive for the attainment of  
the aforesaid objectives.

#### 4. CONSTITUTION AND GOVERNANCE

##### Trustees

The Settlor has appointed the following persons  
as the first trustees of the trust:-



- a. Rev. Fr. Sebastian Kulamkuthy, Vicar residing at St. Dominic's Forane Church, Kanjirapally.
- b. Rev. Fr. Immanuel Mathamakkuthy, Asst. Vicar residing at St. Dominic's Forane Church, Kanjirapally.
- c. Sri. Maattu Joseph Madukkukuthiyil residing at St. Dominic's Forane Church, Kanjirapally.
- d. Sri. Thommi Thomas, Kadamapuzha residing at St. Dominic's Forane Church, Kanjirapally.
- e. Sri. Dummini Mathew, Kuriyummattil residing at St. Dominic's Forane Church, Kanjirapally.

New trustees may be admitted to the trust if the trustees decide unanimously in the general meeting.

The members belonging to St. Anthony's Church, Anakkal alone are eligible to become Trustees of the Trust, except the Vicar / Asst. Vicar.

The Vicar and the Asst. Vicars of the St. Anthony's Church are ex officio trustees on being their office as Vicar / Assistant Vicar. When a change occurs in the post Vicar / Assistant Vicar, the outgoing Vicar / Assistant Vicar shall immediately cease to be the trustee of the Trust. If the incoming Vicar / Assistant Vicar is not already the trustee of the Trust, he / she shall upon such appointment become the trustee of the Trust by virtue of being the Vicar / Assistant Vicar of the Church.

If at a time, more than one Trustee resigns, a temporary non-appointment of a Trustee or Trustees shall not invalidate the Trust. However, the remaining board of Trustees will select suitable Trustees to fill the vacancy at the earliest.

A trustee may tender resignation as Trustee



Of a Trust at anytime by giving sixty (60) days' notice in advance to the President. The acceptance of the resignation of a Trustee will be made by a resolution in the meeting of the board of Trustees.

A Trustee, who acts in contravention to the terms of this deed of declaration or any other rules framed there under or acts detrimentally to the objectives of the Trust or without giving reasonable cause, absent himself consecutively from three meetings of the board of Trustees, or is convicted for any criminal offence or become insolvent, shall be disqualified from his Trusteeship by a resolution passed by the board of Trustees. However before disqualifying a Trustee, a reasonable opportunity of thirty days in writing and in person at the Trustees meeting shall be given to him to show cause against the stated reasons for such disqualification.

### Board of Trustees

The management and administration of the trusts and its activities shall vest in the board of trustees. The minimum number of Board of Trustees shall be three and maximum shall be seven. When the Board of Trustees are less than three, additional Trustees shall be appointed by the President. Vacancy, if any, shall be filled up at the immediately following meeting of the Trustees convened at the earliest feasible time. However, even if, the Board of Trustees happen to be less than the minimum at any point of time due to resignation or any other valid reasons, the Trust shall not become



invalid and any minimum, urgent, unavoidable and legitimate actions taken on behalf of the Trust shall be valid.

The Vicar / Assistant Vicar of St. Antony's Church shall be the ex Officio Board of Trustees.

The settlor has appointed the following persons as the first Board of Trustees of the trust:

- a. Rev. Fr. Sebastian Kalamkuthy, Vicar residing at St. Dominic's Forane Church Kanjirapally.
- b. Rev. Fr. Immanuel Mathumakuthy, Asst. Vicar residing at St. Dominic's Forane Church, Kanjirapally.
- c. Sri. Maattu Joseph Madukkakuzhiyil residing at St. Dominic's Forane Church, Kanjirapally.
- d. Sri. Thommi Thomas, Kadampapuzha residing at St. Dominic's Forane Church, Kanjirapally.
- e. Sri. Dummini Mathew, Kabisummattil residing at St. Dominic's Forane Church, Kanjirapally.

In case of any vacancy caused by death or resignation or otherwise, the successor or successors in their office or offices shall be brought as Trustees to this Trust.

#### 5 POWERS OF THE BOARD OF TRUSTEES

- 1) The board of Trustees shall hold the properties of the Trust on behalf of the Trust for the objects stated more elaborately in the objects in the Trust.
- 2) The board of Trustees may resolve to authorise the President of the Trust for specific actions for a specific time as deemed necessary.
- 3) The board of Trustees is entitled to open a bank account or accounts in the name of the Trust.



and for and on behalf of the Trust and such account shall be operated by the President and Treasurer jointly, or by any two persons as may be authorised by the board of Trustees in writing.

- 4) They are entitled 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 condition.
- 5) They shall appoint personnel for the purpose of carrying on the objects of the Trust and also fix the terms of employment and to dismiss or dispense with service of such personnel.
- 6) They shall appoint an Auditor, legal adviser on such terms and conditions as the board may deem fit from time to time.
- 7) They shall file lawsuits on behalf of the Trust and defend in any action against the Trustee or Trust or come to settlement in such cases through the Secretary.
- 8) They shall have the power to acquire Capital assets to meet the objects of the trust and also to dispose them off and to raise loans and pay interest.
- 9) They are authorised to sell, lease, mortgage or otherwise deal with any of the properties of the Trust both movable and immovable.
- 10) They are authorised to invest the funds in accordance with the provisions of the Indian Income Tax Act, 1922 and other Acts, which governs the trust.
- 11) Funds of the trust shall be utilized only for objectives of the trust and no portion of the



Same will be paid or deposited in any manner to / with any related person. The board of Trustees is empowered to take over and run any existing institution or organizations for promoting its objects.

- 12) The board of Trustees is authorized to frame rules for the proper conduct and administration of the Trust, but any such rule shall not be against the objects and spirit of the Trust or any other conditions of this Deed of Trust.
- 13) The Trustees will not be entitled to any remuneration for their services or works actually rendered to the Trust in carrying out of the objects and powers of the Trust but Trustees are entitled to get reimbursement of all expenses actually incurred by them in connection with the Trust or their duties relating thereto.
- 14) They can 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.
- 15) They can 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.
- 16) The Trustees in their absolute discretion may apply the whole or any part of the corpus of the Trust for the objects of the trust including any





Contributions received on the income there, mostly for religious purpose and also equally for charitable purposes including regulation of divine worship, provision of fitting support for the clergy and other ministers and carrying out of the work of the sacred Apostolate and charity including relief of the poor, spread of education, medical relief and any other object of general charity, involving the right to acquire, retain, administer and if necessary alienate temporal goods in pursuit of the above mentioned religious and charitable objectives

#### 6. OFFICE BEARERS AND FUNCTIONS

The Trust shall have President, Secretary and Treasurer with respective functions to their office narrated in detail under the terms of the Trust.

##### i. President of the Trust

The Trust shall have a President to preside over all the Board of Trustees. The Vicar of St. Antony's Church Anakkal shall be the ex-officio President of the Trust. The first president of the Trust shall be Fr. Immanuel Mulhumakkughy. The president of the Trust shall hold this office as long as he is the Vicar of the Church and thereafter his successor shall take office of the president.

##### ii. Secretary for the Trust

The Secretary shall be appointed by the board of Trustees in consultation with the President. He shall consult with the President from time to time matters connected to the administration of the Trust. It is the duty of the secretary to keep and maintain proper



For St. Antony's Public School  
Anakkal, Kanjirappally  
*R. S. K.*  
*Romy Kulkarni*  
Principal

minutes of the proceedings at the meeting of the Trust. The Secretary shall present annual report to the board of Trustees once every year after the end of the financial year.

### iii Treasurer for the Trust

The Treasurer shall be appointed by the Board of Trustees in consultation with the President. It is the duty of the Treasurer to keep or cause to keep true and correct accounts of the Trust and shall present quarterly statements of accounts at each board meeting. He shall present the annual audited financial statements to the board of Trustees after each financial year ending within three months. The Treasurer shall operate bank accounts jointly with President, or by any two persons as may be authorised by the board of Trustees in writing.

### iv Term of Office Bearers

The term of the first as well as subsequent set of office bearers of the Trust shall be decided by the Trustees.

## 7. MANAGEMENT OF THE AFFAIRS OF THE TRUST

### A Meeting: -

The secretary shall call the meetings and the President 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 President of the Trust



shall be obtained before implementing the decisions of the Board of Trustees.

### B. Notice of Meetings

Seven days' notice is necessary to call board meetings and Annual General Meetings. Resolution passed by circulation thereof and evidenced by writing under the hands of all the Trustees shall be as valid and effectual as a resolution duly passed at a meeting of Trustees.

### C. Quorum of the Meeting

The Quorum for the meeting of the Board of Trustees and General Body shall be three.

### D. Area of Operation

The Trust is empowered to carry on various activities in order to realise its objectives within the jurisdiction of the St. Antony's Parish of Anakkal.

### E. Accounts and Audit

It is the duty of the Treasurer to keep or cause to keep true and correct accounts of the Trust. It is his duty to get annual accounts audited by an Auditor appointed as auditor by the Board of Trustees. The accounting year of the Trust shall be the financial year ending March every year.

### F. Irrevocability

This trust is irrevocable. In the event of the Trust becoming impossible to function in accordance with the provisions of the Trust Deed and Trustees decide to wind up the Trust, the excess if any, after discharging



the liabilities on winding up, shall be transferred to another Trust of similar nature as proposed by the Board of Trustees and approved by the Bishop in office of the Diocese of Changanassery as on date and if not, it will vest with the Government and no part of the assets or income will be divided among the Trustees.

#### G. General

1. It is hereby declared for the removal of the doubts that the benefits of the services of the Trust shall be open to all without any distinction on the basis of caste, creed, community or religion, however with special attention for the benefit of Christian community as long as the constitution of India permits to do so.
2. It is also desired that any amendment to the deed of declaration affecting the applicability of Income Tax Act, 1922, shall be carried out only with the prior approval of the Commissioner of Income Tax, having jurisdiction. Such amendments shall not contravene the provisions of the Indian Income Tax Act 1922.
3. The Trustees shall ensure at all times that the funds and income of the Trust shall be solely utilised towards the achievement of the objects and aims of the Trust and no portion of it shall be utilised for payment to the Trustees by way of profit, interest, dividend and remuneration, provided however, Trustees are entitled to get reimbursement of expenses validly incurred for the purpose of the Trust.



4. The Trust shall not carry on any activity with the intention of earning profit to the Trust and no activity of the Trust shall be carried out outside India.

5. It shall be lawful for the Trust to take over or amalgamate with another Trust with similar aims and objectives.

In witness whereof the settlor has set his hand and signature on the 15th day of October 1961 first above written in the presence of

Witness

1. Kadmapuzha Thommi Thomas

2. Kallarakal Joseph Joseph ~~Joseph~~ Kallarakal

+ J Kalacherry

SETTLOR



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MANAGER  
ST. ANTONY'S PUBLIC SCHOOL  
ANAKKAL P. O., KALAKETTY  
KOTTAYAM DT., KERALA - 686 508

For St. Antony's Public School  
Anakkal, Kottayam

  
