

### DEED OF TRUST.

THIS DEED OF TRUST is executed on this the 12 Twelveth day of December 2002 Two thousand two, By:

- Sri. Vadakke Madathil Nirmala Kumar, aged 42 years, S/O Late Shri. Cheppaikot Madathil Kesavan Nambissan, Business, residing at Jyothis, Mylampadi, Nellikode Village, Post. Nellikode, Kozhikode-16, Kozhikode Taluk,
- 2. Chamencheri Anchampurayil Balachandran Nambiar, aged 41 years, S/O.Late Shri. Padinhattayil Kuttykrishnan Adiyodi, working abroad (Office Manager) residing at Eramam Village; Post Eramam Desam (North) 670 307, Taliparamba Taluk,
- Edayankara Kadangod Satheesh Babu, aged 37 years, S/O. Shri. Kuppa-3. dakkath Achuthan Nambiar, working abroad (Quality System Manager) residing at Radhasarojam House, Cherukunnu Village, Post Cherukunnu-670301, Kannur Taluk
- Padinhattayil Balakrishnan Adiyodi, aged 41 years, S/O Late Shri. 4. Kaipravan Thekkiniyil Kunhiraman Nair, working abroad (Electronic Technician) residing at Shilpa Sadanam, Puthur, Peralam Village, Post Kozhummal 670 522, Taliparamba Taluk (hereinafter referred to as the settlers).

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WHEREAS the settlers are desirous of establishing a trust for the purpose and objects hereunder set forth and,

WHEREAS for such purpose, each of the settlers have set apart Rs.5,000/-(Five thousand only) each out of his own earnings to form the nucleus of the trust or the corpus of the trust hereby created and, hereby settle on trust the sum of Rs.20,000 (Rupees Twenty thousand only) thus contributed by the Trustees and which shall be the Trust property for the present.

WHEREAS the following persons who had given consensus to be members of the board of trustee are appointed as trustees.

- Sri. Vadakke Madathil Nirmala Kumar, aged 42 years, S/O Late Shri. Cheppaikot Madathil Kesavan Nambissan, Business, residing at Jyothis, Mylampadi, Nellikode Village, Post. Nellikode, Kozhikode-16, Kozhikode Taluk,
- Chamencheri Anchampurayil Balachandran Nambiar, aged 41 years, S/O.Late Shri. Padinhattayil Kuttykrishnan Adiyodi, working abroad (Office Manager) residing at Eramam Village, Post Eramam Desam (North) 670 307, Taliparamba Taluk,

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No 7-14.4 Date 12/12/2002. Estamam Village.  Name Chamencheri. Anchampurayil Balachandran Nambiari  Cost Rs 190/	•
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- 3. Edayankara Kadangod Satheesh Babu, agod 37 years, S/O. Shri. Kuppadakkath Achuthan Nambiar, working abroad (Quality System Manager) residing at Radhasarojam House, Cherukunnu Village, Post Cherukunnu-670301, Kannur Taluk
- Padinhattayil Balakrishnan Adiyodi, aged 41 years, S/O Late Shri. Kaipravan Thekkiniyil Kunhiraman Nair, working abroad (Electronic Technician) residing at Shilpa Sadanam, Puthur, Peralam Village, Post Kozhummal 670 522, Taliparamba Taluk

(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 "PROGRESSIVE EDUCATIONAL TRUST" and the office of the trust shall be at Vaippiriyam in Kankel - Alappadamba Panchayath, Kankol Post., Payyannur - Pin. 670 337. Kannur District. Kerala State and the area of operation is currently limited to Kerala State.

MIRMINLA KUMAR & 1. Nirmala Kumar 2. Balachandran Nambiar Balachandran SATHEESH BABU 3. Satheesh Babu

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- The trust has taken effect from the 12th day of December 2002.
- 3. The object of the Trust shall be:-
  - To establish, promote, setup, run, maintain, assist, finance, support and/or aid to or 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.
  - 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, 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 training of the physically and mentally disabled, fine arts and other useful arts, crafts among the public including the establishment and maintenance of Shilpa-Shikahalayas, Kala-Kendras and other welfare centers 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.
  - vi) To give, provide and/or render help and assistance to and/or implement any scheme for providing livelihood and upliftment of the poor.

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- 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.
- To give, provide and/or render monetary and/or other help and assistance viii) for the relief of persons and (animals) effected 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, centers or persons doing relief work on such occasions.
- To start, maintain and assist any relief measures in those parts which are or ix) become subjected to natural calamities such as flood, fire, drought, famine, cyclone, earth-quake, epidemic storm, accident, pestilence etc.
- To foster and encourage education and training in handicrafts, fine arts, X) among women folk in general and establish and found institutions, imparting such education and to establish, maintain, support or help by monetary gifs or otherwise, centers and institution for women and children and to provide social welfare works for women and children.
- To meet traveling, boarding and lodging expenses for students going abroad Xi) for higher commercial and technical education.
- To grant, pay or give scholarships, stipends, prizes, rewards, allowances xii) and other financial assistance or help in cash or in kind to students 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.
- To open, found, establish, promote, set-up, run, maintain, assist, finance xiii) support and/or aid or help in the setting up and/or maintaining and/or running hospitals, charitable dispensaries, maternity homes, child welfare centers, convalescent homes, sanatoriums, hostels and other similar institutions or centers for rendering or providing medical relief and/or aid to the suffering humanities or for research centers and institutions for promotion of research and education for medical science including surgery.

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- xiv) To open, found, establish, promote, set-up, run maintain, assist, finance support and/or aid or help in the setting up and/or aid or help in the setting up and/or maintaining and /or running by monetary gifts or otherwise, centers, stadium, playgrounds and parks for public use, sports, and games and other social welfare works and/or activities in Kerala and /or other place in India.
- To promote, organize, administer, establish, support, maintain and/or grant XV) aid to any person, institution or society or organization whatsoever having for its objects of charitable purpose and to incur expenditure in connection therewith.
- To promote, assist and/or maintain all activities by whosoever carried on or xvi) 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.
- To publish and /or publishing books, pamphlets, periodicals and newspaxvii) pers in India or outside for the spread and advancement of education and culture.
- 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, 2003.
- 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, association, institution or trust (including the settlers 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

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their absolute discretion think fit, and which are not in consistent 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.

- Without effecting the generality of powers and functions of the Trustees to manage and administer the Trust, the Board of Trustees shall have the following functions:-
  - To borrow, if needed, against the security of the assets of the Trust or by 1) way of bank overdrafts, loans or otherwise, as may be necessary for the benefit of the Ttrust and for more effectively carrying out the objects of the Trust, borrowing and limited to the terms of their decision of agreement and to authorities two or more of the Trustees to execute such documents, deeds, paper etc. as may be necessary in connection therewith.
  - To arrange for and/or authorize the signing or execution of any agreement, ii) 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.
  - To appoint or make provision for the appointment of a Sub-Committee of iii) 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.
  - To authorize any one or more Trustees to hold any property or any fund or iv) any investment or the Trust Fund 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.
  - To spend any portion of the corpus or the income of the Trust Fund for V) 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.

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8. The trustees shall cause true and accurate accounts to be kept of all money received and spent and 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 four 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, alter, vary, dispose off or transfer such investments from time to time provided that such investments shall not be made which are directly 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 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 the same without being answerable for any loss occasioned thereby and to execute all conveyance 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 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 authorize by appropriate resolution one or more of the trustees jointly to operate such account or accounts.
- 12. The Trustees may pay all charges and outgoing payable in respect of any immovable 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 incurred 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.

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- 13. The Trustees may manage or supervise 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, Sclicitors Auditors, Architects, Engineers, Surveyors, Clerks or other employees 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 terms 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 with any Trust or Institution having allied and/or similar objects upon such terms as they may in their absolute discretion think fit.

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- 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 affect to the objects and purpose of the trust and to vary the same from time to time as the Trustees may in their discretion deem fit and proper.
- 20. The Trustees or any one or more of them are answerable for any misappropriation of receipts of any money, stocks, funds, shares, securities or investments paid, delivered or transferred to them in exercise of the Trust or Powers hereof or paying, delivering or transferring the same 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 remark 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 traveling expenses, but will not be entitled to any remuneration.
- 23. The number of Trustees shall be not less than two and not more than twenty five.
- 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 ten years, fifty percent 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 be below two, the minimum fixed by these presents, the Trustees shall not, except for the purpose of filling any vacancy, as long as the number is below the said minimum.

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- 28. One third of the 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 two or three Executive Trustees on such terms and conditions as they may deem fit to manage the day to day affairs of the Trust. They shall hold Office for Five Years.
- 31. Trustee No.1 Vadakke Madathil Nirmala Kumar, is the Chairman of the Trust and Trustees No.2, 3 and 4 respectively are Executive Trustees of the Trust.
- 32.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.
- 33.A resolution in writing/e-mail circulated amongst all the Trustees and signed/accepted by a majority of the Trustees shall be 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 by post/ electronic mail 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/e-mail and such expression of opinion shall be taken to be his vote on the matter concerned.

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- 37. The Chairman may hold meetings of the board of Trustees from time to time, in such form including electronic media, as he deems fit. However, in case 1/3 of the total number of Trustees in office, Ignoring fractions, request the Chairman to hold 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 filed/ entered in a minutes book 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 :-

- an undischarged insolvent or
- convicted of an offence involving moral turpitude, or ii)
- of unsound mind, or ii·)
- a minor iv) 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 west in the continuing Trustees.
- 41. A person shall cease to be a Trustee in any of the following cases:
  - a, if he dies, or
  - b) if he becomes bankrupt or
  - c) if he becomes insane or otherwise become incapable to act/or
  - 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 west 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. 1. Nirmala Kumar Nymala Lumar July 2. Balachandran Nambiar Balachandran Wambiar

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- 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 regulating the working of the Trust and may also from time to time with the approval of 34 of the total number of Trustees for the time being in office, ignoring fractions, modify, amend, or alter such rules and bye-laws provides that no such rules and bye-laws shall in any way alter or contravene the main objects of the Trust.

45.lt is hereby expressiy deciared that the Trust hereby created shall be irrevocable.

46.If in the event of winding up or dissolution of the Trust, if there remains 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 mentioned.

IN WITNESS WHEREOF THE PARTIES HERETO are willing and desire to register this deed before the Sub Registrar Office, PAYYANUR and have been executed at PAYYANUR on the day and year first above written. The Settlers have signed in all pages and the Trustees have signed in Page No.13 of this Deed.

Signed by Settlers: Signed by Trustees: 1. Nirmala Kumar Normala Kuma 1. Nirmala Kumar Nivmala kumm 2. Balachandran Nambiar Balachen Jan Alenhia 2. Balachandran Nambiar 3. Satheesh Babu SATHEESH BANK 4. Balakrishnan Adiyodi P-Balakrishmm 3. Satheesh Babu SATHERSH Balakrishnan Adiyodi In the Presence of Witnesses Pottakulathu Shibulal Son of N.P. Balakrishnan, Cheetta, Karivellur Mani Subramanian 2. Mani Subramanian Son of Late H. Umamaheswara lyer, Lakshmi Nivas, Near S.S. Temple, Payyanur

Nirmala Kumar Nirmala kumar

Lisence No: DBR 265, SBR 399, Payyanur

Note of Corrections etc: Nil.

This Deed Prepared and Computer Typed by: V.M. Janardhanan

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## PROGRESSIVE EDUCATION TRUST.

### Resolution.

In the first Trust meeting held on Friday, the 13<sup>th</sup> December 2002 at 3 pm at M.T.P. Building, second floor, Opp. Police Quarters, Hospital Road, Payyanur attended by all the Four Trustees have unanimously resolved to nominate the following Ten members as Trustees with immediate effect.

- Satheesan Parangan aged Thirtyone S/O Late Pulluvanthidil Kunhikannan working abroad residing at Parangan House, Cheeta Nagar, Kuzhummal. Post. Kannur Dt. 670 522.
- Narikutty Karivath Surendran aged Fortyone S/O Late Sri. Karivath Koran, working abroad residing at Kookkanam, Karivellur Post. Karivellur – 670521.
- Pulukkunat Padinhareveetil Suresh Babu aged Thirtyeight S/O Late Sri Kodakkal Kizhakkeveetil Koman Nair, working abroad residing at Sreelakshmi, Near Thavuriad Temple, Ramanthali – 670308.Kannur Dt.
- Suresh Thottuvazhiyil Chandrasekharan aged Thirty S/O Sri. Thottuvazhiyil Narayanan Chandrasekharan Nair, working abroad residing at Thorruvazhil House, Echilam Vayal, Vellur Post. Payyanur.
- Mohan Vengayil aged Fortytwo S/O Late Sri. Panayanthatta Kunhiraman Nair, working abroad residing at near Chinmaya Mission School, Annur, Payyanur.
- Manoj Thurutheri aged Thirtyone S/O Late Sri. Amandra Keloth Prabhakaran Nambiar, working abroad residing at Prabhalayam, Poomangalam, Paniyoor Post. Kannur - 670142.
- Sukumaran Kallath aged Fortyone S/O Late Sri. Ramapurath Kunhappa Poduval, working abroad residing at Kallath House Post Mathil. Payyanur -670343.
- 8. Prasad Kallath aged Thirty S/O Late Sri. Ramapurath Kunhappa Poduval, working abroad residing at Kallath House Post Mathil, Payyanur 670343.
- Jayachandran Kallath aged Thirtysix S/O Late Sri. Ramapurath Kunhappa Poduval, working abroad residing at Kallath House Post Mathil. Payyanur -670343
- Mani Kadasseriyil aged Forty S/O Sri. Damodaran Kadesseriyil, working abroad residing at Vaisakham KK Mukku, Annur, Payyanur – 670332.
- Padmanabhan Taliyil Puthiyaveedu aged Fortythree S/O Kaipravan Kelappan Nair working abroad residing at Arimba, Post Kadumeni Via. Cherupuzha – 540 470. Kasaragod Dist.

# PROGRESSIVE EDUCTION TRUST PAYYANUR.

### **OFFICE BEARERS:**

The following Office Bearers have been unanimously elected in the Online Trust Meeting held on Sunday, the 12<sup>th</sup> January 2003 at 2230 IST as Mr. Vadakke Madathil Nirmala Kumar, Chamencheri Anchampurayil Balachandran Nambiar, Edayankara Kadangod Satheesh Babu and Padinhattayil Balakrishnan Adiyodi have expressed their desire to step down from their Offices i.e. Chairman and Executive Trustees respectively.

Mr. Sukumaran. K

Mr. Mani. K

Mr. Nirmala Kumar V. M

Mr. Suresh. T.C

Mr. Balachandran C.A

Mr. Satheesh Parangan.

Chairman.

Vice Chairman.

Secretary.

Joint Treasurer.

Treasurer.

Joint Treasurer.

# PROGRESSIVE EDUCATION TRUST.

### Resolution:

Since a typographical error in the "Title" of the Trust was noticed an emergency online meeting of the Trust was convened on Wednesday, the 12<sup>th</sup> February 2003 at 2230 IST to correct the "Title". All the 15 trustees have unanimously resolved and confirmed their willingness to change the Title to read as PROGRESSIVE EDUCATION TRUST instead of Progressive Educational Trust. Herein after the name of the Trust shall be

" Progressive Education Trust" and the Office of the Trust shall be at Vaippiriyam in Kankol – Alappadamba Panchayath, Kankol Post, Payyanur. Pin 670 337. Kannur District. Kerala State and the area of operation is currently limited to Kerala State.