



KUNHITHARUVAI MEMORIAL CHARITABLE TRUST

THIS DEED OF TRUST IS MADE ON THIS 22nd day of July 1999 One thousand nine hundred and ninety nine BY DR. K. MOIDU, Son of Kunhi Tharuvai Haji, aged 62 years, Doctor, residing at "Shade", Malabar Christian College Cross Road, Calicut in Kalathinkunnu Amsom and Desom of Kozhikode Taluk, (hereinafter referred to as the "FOUNDER").

DR. K. MOIDU



DATE 22.7.99

NAME Dr. K. Moidu, Kalathinkunnu, Kozhikode

SRO. CHALAPPURAM

Stamp Vendor

K. SREENIVASAN

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Issued on 12.7.99

27th July 1999

Dr. K. Moidu

27th July 1999 At Registrar C P Sivasankaran
EXECUTION ADMITTED BY

Dr. K. Moidu

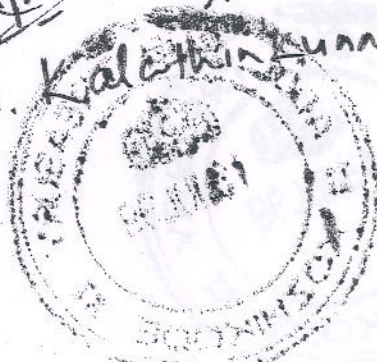
S/o Kunhi Tharuvai Haji Doctor Kalathinkunnu



IDENTIFIED BY

Kantik Thakur
Finance In-charge
National Hospital

S/o. Jagadeesh Thakur



WHEREAS THE FOUNDER is desirous of founding a Public Charitable Trust for the purpose of education and training of young boys and girls as well as adults in educative and vocational pursuits and for development of character so as to produce law-abiding, fearless and healthy citizens.

AND WHEREAS for such charitable purposes the Founder has set apart Rs. 1,000/- (Rupees One thousand only) to form the nucleus of the trust hereby created and WHEREAS the following persons who had given their consent to be the members of the Board of Trustees are appointed as the Trustees.

1. DR. K. MOIDU, Son of Kunhi Tharuvai Haji, aged 62 years, Doctor, residing at "Shade", Malabar Christian College Cross Road in Kalathinkunnu Amsom and Desom of Kozhikode Taluk.
2. Mrs. AMINA MOIDU, W/o. Dr. K. Moidu, aged 51 years, No occupation, residing at "Shade", Malabar Christian College, Cross Road, in Kalathinkunnu Amsom and Desom of Kozhikode Taluk.
3. DR. K.M. MEHBOOB, Son of Dr. K. Moidu, aged 35 years, Doctor, residing at "Shade", Malabar Christian College Cross Road in Kalathinkunnu Amsom and Desom of Kozhikode Taluk.


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4. DR. K.M. ASHIK, Son of Dr. K. Moidu, aged 34 years,
Doctor, residing at "Shade", Malabar Christain College,
Cross Road in Kalathinkunnu Amsom and Desom of Kozhikode
Taluk.
5. DR. K.M. NAVAS, Son of Dr. K. Moidu, aged 32 years,
Doctor, residing at "Shade", Malabar Christian College
Cross Road, in Kalathinkunnu Amsom and Desom of
Kozhikode Taluk.

NOW THIS DEED WITNESSETH AS FOLLOWS:-

1. NAME:-

The Name of the Trust shall be "KUNHITHARUVAI MEMORIAL CHARITABLE TRUST" and Trust Office shall be situated at 5/33034, Indira Gandhi Road, Calicut - 673 001, Kerala, and the term trustees shall mean Trustees of the said KUNHI THARUVAI MEMORIAL CHARITABLE TRUST.

2. OBJECTS OF THE TRUST:-

- 1) To work for the Educational, cultural, social and economic advancement of the people of India.

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- ii) To establish and run Educational institutions of all kinds at all levels in all subjects including pre/lower/upper primary/secondary/higher secondary schools, polytechnics, industrial training centres, teachers training institutes and colleges such as Arts and Science, commerce and management studies, medical, para Medical colleges, Engineering, Agriculture, Veterinary, Law etc.
- iii) To establish and run social service institutions such as orphanages, Health clinics, Hospitals, Destitute Homes, Adult Education Centres, Youth Hostels, Community Centres, Libraries, Recreation centres, Legal clinics etc. to ameliorate the conditions of the needy sections of the community.
- iv) To develop a healthy as well as critical attitude towards the development of mental, physical and moral uplift of the students and all those connected with the institution so as to make them good citizens.
- v) To institute and establish grants, scholarships, rewards, prizes and book-banks and provide such other amenities to the deserving students.
- vi) To promote and establish industries, production units and service centres with a view to improve the employment opportunities of the rural population without profit motive.

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- vii) To establish research centres on science, technology education and religion.
- viii) To establish and run rehabilitation centres for the handicapped.
- ix) To promote co-operative ventures, literacy activities, sports and games, literacy programmes and other humanitarian projects.
- x) To promote and run interest free-banking to promote and organise dowry-free marriages and to establish and run institutions and projects for the benefit of women and children.
- xi) To publish and propagate books, periodicals and journals as deemed useful by the trust for the achievement of the objectives of the trust.
- xii) To help and assist all efforts to protect and safeguard the constitutional and legal rights of the religious and linguistic minorities.
- xiii) To invest, dispose of, transfer and otherwise deal with the subject matter of the trust in such manner as the trustees should deem fit so as to enable the society to carry on the objects of the trust effectively.
- xiv) To receive aids, grants and loans from central and state governments, Governmental bodies and corporations and other bodies, institutions, and individuals.

- xv) To undertake any other activity of a charitable nature as the trustees may consider fit from time to time.
- xvi) To conduct hospital for the reception and treatment of persons suffering from illness or mental defectiveness or for the reception and treatment of persons during convalescence or of persons requiring medical attention or rehabilitation, solely for philanthropic purposes and not for purposes of profit.

3. PROPERTY VESTED IN THE TRUSTEES:-

The Founder doth hereby transfer a sum of Rs. 1,000/- (Rupees One thousand only) in favour of the trustees and unto the trustees thereof. The trustees shall hold the said fund and other properties that may be endowed or conferred for the said Trust for the use and benefit of the trust.

4. BOARD OF TRUSTEES:-

- a) The Board of Trustees will ordinarily consist of not less than five and not more than fifteen members. The Founder of the Trust DR. K. MOIDU and the other Trustees, Mrs. AMINA MOIDU, DR. K.M. MEHABOOB, DR. K.M. ASHIK, AND DR.K.M. NAVAS shall hold office for life. The trustees may co-opt to the Board of Trustees, if necessary, any other person to make the total number to fifteen.

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- b) The Trustees co-opted shall hold office only for three years and are liable for retirement. The Trustees whose term of office expires after the period of three years, are eligible to be co-opted as trustees again by the existing trustees. The Trustee may if he so desires resign his trusteeship, even before the expiry of the term of his trusteeship.
- c) The Trustees shall appoint one among them as Managing Trustee of the Board of Trustee.
- d) DR. K. MOIDU, the FOUNDER of the Trust shall be Managing Trustee for life. He shall have the power and right to nominate his successor in office who shall take his place as Managing Trustee either during his life time or on his death as he may choose to decide in writing. The Managing Trustees shall act as Chairman and preside at all the meetings of the Trust.

5. MEETING OF THE BOARD OF TRUSTEES:

In the absence of the Managing Trustee at any meeting, the Trustees present may elect one among themselves as Chairman of the meeting. The quorum of the meeting of the Board of Trustees and Executive committee shall be 50%. In case any meeting of the Trustees is adjourned for want of quorum, the next meeting shall be convened within 15 days of such adjournment and the said meeting shall be proceeded with, even if there is

6. POWERS AND DUTIES OF THE BOARD OF TRUSTEES:

- a) The Trust may receive donations of money and/or properties and when received shall be at the absolute disposal of the Trust.
- b) The Trustees shall invest the properties and moneys of the trust in such manner as prescribed under section 11 of the Income Tax Act, 1961 and other statutory laws.
- c) The Board of Trustees shall meet as often as necessary. If any resolution to be passed touching the administration of the trust, the opinion of the majority shall prevail. It shall be competent however for the Trustees to decide matters by circulation. In case there being equality of votes, the chairman of the meeting has casting vote for the purpose of deciding the issue.
- d) The trustees may open and operate current deposit or other accounts with any scheduled bank or banks and by resolution authorised by one or more of the trustees either singly or jointly or severally to operate on such accounts.
- e) The Board may by resolution extend the activities of the trust or undertake any activity in furtherance of the main objects of the trust.

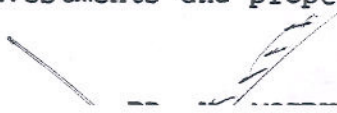
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- f) Proper books of accounts shall be maintained of the Trust and shall be audited by a Chartered Accountant.
- g) To do such other lawful things as are incidental in carrying out the administration and management of the trust.
- h) The trustees shall maintain the Minutes book in which the proceedings of all meetings of the trustees shall be recorded by the trustees and the same shall be signed by the chairman of the meeting.
- i) The Board of Trustees shall have the power to remove any trustee from the trust, if it is found that his activities are not conducive to the interests of the trust or are opposed to the attainment of any of the objectives of the trust, at a meeting of the trustees specially convened for this purpose and by a resolution approved by two-third of the total members of the trustees.
- j) The trustees if and when deemed fit by them shall delegate their responsibility, rights and powers in the clauses of this deed to an Executive Committee elected among themselves. The trustees, by simple majority shall have the right to suspend or terminate the said Executive Committee at any time of their choice.

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- k) The Trustees if and when deemed fit by them shall delegate their responsibility, power and privileges as defined in the clauses of this deed to sub committees elected from among themselves or from the benefactors of the trust or from eminent persons of high academic qualifications and ability to organise and implement individual programmes, projects and plans of trust as defined in the objects of the trust. The trustees shall however have the infettered right to remove suspend, curtail and restrict their powers in such manner and to such extent as the trustees may decide in that regard and that too without assigning any reason whatsoever at any time by them by a majority of the meeting of the trustees.
- l) The Board of Trustees shall have power to accept the Trusteeship or management of any other trust, wakf Association, organisation or endowment and such Trust Wakf, Association, organisation or endowment shall be administered in consonance with the provisions of this deed.
- m) The Board of trustees shall have power to accept for receive all loans, endowments, gifts, grants or donations zakat, movable or immovable properties made to this trust by assignment, or otherwise by individuals, groups, families, organisations or associations whether incorporated or not or by any Government and all such endowments, gifts, grants, donations or zakat become the property of the trust and shall be administered for pursuing the

aims and objectives of this trust and in accordance with the provisions of this Deed.

- n) The Board of Trustees shall not have power to sell or dispose of the properties of the trust or any other property thereof, except in case of absolute necessity or for purchasing properties more useful and/or beneficial to the trust and except with the approval of at least two-third of the existing trustees. The trustees shall however, have the power to pawn, pledge or mortgage the trust properties in order to raise funds or loans to carry out the objectives of the Trust. No such pawns, pledge or mortgage shall be valid unless made with the approval of at least two-third of the existing trustees.
- o) The Board of trustees shall have the power to invest the trust properties/funds in securities or any approved savings or in other certificates of the state or central Governments, to deposit in any post office savings Bank, in Fixed deposits, current or other accounts with any scheduled bank or any co-operative society engaged in banking business or in units of the Unit Trust of India, to deposit in any Government company, Government Financial Corporation etc. as may be decided by the Board of Trustees, provided however, or that no investments shall be made in violation of the provisions of section 11 of the Income Tax Act, 1961 or any othersuch relevant provisions of law. All investments and properties belonging to the
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Trust shall be held in the name of the Trust or of any of the Trustees as decided by the Board of Trustees.

- p) The Board of Trustees shall have the power to prescribe additional rules and bye-laws to amend or delete the existing provisions of this deed, without being repayment to the charitable and social nature of this deed. Such additions, deletions or amendments shall however be subject to the approval of the three-fourth of the existing trustees. Every such amendments should have the prior approval of the jurisdictional commissioner of Income Tax.
- q) The Board of Trustees shall appoint the necessary staff, employees and other officials for the functioning of the trust and shall have the power to decide all matters relating to such appointments and other relevant factors in connection therewith.

7. ACCOUNTS:

The Accounts of the Trust shall be closed every year on the 31st March and the First closing of accounts shall be on the 31st March 2000.

8. IRREVOCABILITY:

It is declared that the Trust is irrevocable. If the trust fails for any reasons, in the opinion of the trustees, the net assets of the trust both movable and immovable shall be handed over to any other trust

having the same objects as decided by the majority of the trustees.

9. No act or resolution of the Board of the Trustees shall be invalid merely by reason of there being one or more vacancies in the Board of Trustees.
10. In all other matters not specifically provided for herein, the trustees shall function in accordance with the provisions of the Indian Trust Act.
11. Subject to the provisions hereof the income and asset of the trust shall be used only for the charitable purposes mentioned herein and no part of the income shall ensure to or shall be used or applied directly or indirectly for the benefit of any person referred to section 13(3) of the Income Tax Act, 1961 or any statutory modification thereof.
12. In case of dissolution of the trust the assets as well as income of the trust shall be assigned either to a charitable trust/institution having similar object or to the Government.
13. All institutions run and managed by the Trust and its sub committees being managed by the majority community are eligible to get protection as envisaged in the constitution of India.

DR. K. MOIDU

IN WITNESS WHEREOF THE FOUNDER has set his hand herein
on the date above mentioned in the presence of the undersigned
witnesses at Kalathinkunnu Desom of Calicut City.

DR. K. MOIDU

Witnesses:-

1. KARTIK THAKRAR
Son of Jagadish Tharkar,
Kalathinkunnu.

K. Thakkar

2. DEEPA.P *Deepa*
Daughter of Premachandran
Kalathinkunnu.

Prepared by : E.V. RAPHAEL, *lv*
Retd. District Registrar (General)
Licence No. DAD 193.
Typewritten : Note of corrections : Nil.

DR. K. MOIDU