

THIS TRUST DEED is made on this the 5th day of August, Two thousand and Five Between Kanniakulangara Jama-ath herein-after called the Founder Jama-ath or Settler represented by the President **Jb. M. S. Sharafudeen**, S/o. Meera Sahib Sulthan, retired Govt. Servant, aged 61 residing at Reas Manzil, Kanniakulangara, Thiruvananthapuram Dist of one part and

1. **Jb. M.K. Abdul Rahuman**, S/o. E. Muhammed Kannu, retired Govt. Servant aged 61 residing at Hakkim Manzil, Vembayam, Kuthirakulam P. O., Trivandrum Dist.
2. **Jb. M. Abdul Kader**, S/o. Mohammed Hussain retired Govt. Servant, aged 65 residing at Eanchara Vilakam, Kanniakulangara, Vembayam P. O., Trivandrum Dist.
3. **Jb. E. Mohammed Kannu**, S/o. Ebrahim Kunju, aged 65 residing at P. K. P. Bungalow, Vettinad, Vattappara P. O., Trivandrum Dist.
4. **Jb. A. Mohammed Basheer**, S/o. Ahamed Pitcha, retired Govt. Servant, aged 57 residing at Madathil, Palamoodu, Vembayam, Trivandrum Dist.
5. **Jb. M. Abdul Azeez**, S/o. Mohammed Haneefa, aged 53 residing at Azeez Manzil, Kanniakulangara, Vembayam P. O., Trivandrum Dist.

1. **Jb. M. S. Sharafudeen**
3. **Jb. M. Abdul Kader**
5. **Jb. A. Mohammed Basheer**
7. **Adv. A Sharafudeen**

2. **Jb. M.K. Abdul Rahuman**
4. **Jb. E. Mohammed Kannu**
6. **Jb. M. Abdul Azeez**
8. **Jb. Konchira Rasheed**



6. **Adv. A Sharafudeen**, S/o. Alikunju Vydian, retired Govt. Servant, aged 68 residing at Vilayil, T.C-13/568, K.V.9 Kalavihar Nagar, Kunnukuzhy, Trivandrum Dist. and
7. **Jb. Konchira Rasheed**, S/o. Aliyarukunju Haji, retired Govt. Servant, aged 56 residing at Parayil, Konchira P.O., Trivandrum Dist. (herein after referred to as Trustees) of the second part.

Where as the founder Jama-ath through their executive committee decided to form a Public Charitable Trust for the purpose of opening and running Schools, Colleges and other institutions etc in the State of Kerala for the Educational Advancement of the Muslim and other Backward Communities in the State.

Where as the Settler has settled a sum of Rs. 10,000/- (Rupees Ten Thousand only) on Seventeenth April, 2005 and by oral agreement between the settler and the Trustee, they have formed the above mentioned Trust known as "KANNAKULANGARA JAMA-ATH EDUCATION TRUST" herein after called as 'K.J. EDUCATION TRUST'.

1. **Jb. M. S. Sharafudeen**

3. **Jb. M. Abdul Kader**

5. **Jb. A. Mohammed Basheer**

7. **Adv. A Sharafudeen**

2. **Jb. M.K. Abdul Rahman**

4. **Jb. E. Mohammed Kannu**

6. **Jb. M. Abdul Azeez**

8. **Jb. Konchira Rasheed**



And where as it has now been decided that the terms and conditions on which the Trust came into existence through oral agreement be reduced to writing :

NOW IT IS HEREBY AGREED AS FOLLOWS

Clause 1 Declaration of Trust

The settler as absolute owner hereby settled a sum of Rs. 10,000/- (Rupees Ten Thousand only) to the Trustees to hold the same in favour of the Trust for the purpose of carrying out objects of the Trust. The Trust hereby created is a Public Charitable Trust and shall be known as 'KANNAKULANGARA JAMA-ATH EDUCATION TRUST' (K. J. EDUCATION TRUST)

Clause 2 Location of Registered office

The Registered office of the Jamaath Education Trust shall be located in V. P. No: VI / 191 at Kannakulangara in Vembayam Panchayat, Nedumangad Taluk, Thiruvananthapuram Dist, Kerala State. The Trust shall have a round seal of 4cm diameter.

Clause 3 Definitions

1. Jb. M. S. Sharafudeen
3. Jb. M. Abdul Kader
5. Jb. A. Mohammed Basheer
7. Adv. A Sharafudeen

2. Jb. M.K. Abdul Rahuman
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6. Jb. M. Abdul Azeez
8. Jb. Konchira Rasheed

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In the Deed of Trust unless the context otherwise requires

- a) Trust means Kanniakulangara Jama-ath Education Trust
- b) Founder Jama-ath means Kanniakulangara Muslim Jama-ath
- c) Year means the Financial year commencing from the First of April of one Calender year to the 31st March of the succeeding calender year
- d) Trustee means the Trustee of the Kanniakulangara Jama-ath Education Trust. (K.J.Education Trust)

Clause 4 Objects of the Trust

- a) To establish and maintain Schools, Colleges and other Educational Institutions for the purpose of imparting knowledge and developing personality among people, especially Muslims and Other backward minority communities.
- b) To establish and maintain Vocational Training centres and Technical and Professional Institutions for advancement of Technical and Professional Education.
- c) To establish Research centres, Laboratories and other Bodies for undertaking research in various fields.
- d) To establish Libraries for improving General knowledge and Education among the people in the State.

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| 1. Jb. M. S. Sharafudeen | 2. Jb. M.K. Abdul Rahuman |
| 3. Jb. M. Abdul Kader | 4. Jb. E. Mohammed Kannu |
| 5. Jb. A. Mohammed Basheer | 6. Jb. M. Abdul Azeez |
| 7. Adv. A Sharafudeen | 8. Jb. Konchira Rasheed |

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- e) To Institute Scholarships and Awards and grant loans to deserving students.
- f) To promote Sports and Cultural activities in Schools, Colleges and other Educational Institutions
- And
- g) To generally do all things incidental and ancillary to the above said objects of the Trust.

Clause 5 Board of Trustees

- a) The affairs of the Trust shall vest in the Board of Trustees
- b) The following shall be the members of the Board of Trustees
- c) The President, Secretary and Treasurer of the founder Jama-ath shall be Ex-officio members of the Board of Trustees with voting powers. The President of the Founder Jama-ath shall be the Chairman of the Board of Trustees
- d) Any member of the Founder Jama-ath who contributes not less than Rs. 5,000/- (Rupees Five thousand only) to the corpus of Trust shall be eligible to the Board of Trustees.
- e) A member of the Board of Trustees may nominate any of his legal heirs to succeed him to the membership of the Trust, after his death.

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| 5. Jb. A. Mohammed Basheer | 6. Jb. M. Abdul Azeez |
| 7. Adv. A Sharafudeen | 8. Jb. Konchira Rasheed |

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Clause 6 Managing Committee

Subject to the overall supervision and control of Board of Trustees the management of the affairs of the Trust shall vest in the Managing Committee consisting of Fifteen (15) Members elected as follows:-

- The President, Secretary and Treasurer of the Founder Jama-ath shall be ex-officio members of the Managaing Committee with voting powers.
- Twelve Trustees i.e. four office bearers viz the Vice chairman, the Secretary, the Joint Secretary and Tresurer and Eight members of the Manaing committee those who are to be elected by the Board of Trustees.
- The Chairman and Office bearers of the Board of Trustee shall be the Chairman and other office bearers respectively of the Managing Committee also.

Clause 7

The term of office of the Managing Committee and Office Bearers shall be 3 (Three) years, provided that the Managing Committee including the Office Bearers shall continue to be in office till their successors assume charge.

1. Jb. M. S. Sharafudeen

2. Jb. M.K. Abdul Rahuman

3. Jb. M. Abdul Kader

4. Jb. E. Mohammed Kannu

5. Jb. A. Mohammed Basheer

6. Jb. M. Abdul Azeed

7. Adv. A Sharafudeen

8. Jb. Konchira Rasheed



Clauses 8 Duties, Responsibilities and Powers of the Board of Trustees.

- a) The Board of Trustees shall be the supreme authority of the Trust and it shall have powers to do all lawful acts, deeds and things reasonable and proper in realising the objects of the Trust and for managing and administering the assets of the Trust.
- b) The duty of the Board of Trustees would be to take prompt and effective action for the implementation of the objects of the Trust.
- c) The Board of Trustees shall manage and administer the Trust and the following powers shall be reserved for being exercised by the Board of Trustees.
 - i) To buy, sell, mortgage or create any charge on the immovable properties of the Trust.
 - ii) To appoint any functional committees and to delegate adequate powers to them.
 - iii) To add, amend or alter the deed of Trust provided that the amendments or additions so made shall not have the effect of limiting the scope of causing

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6. Jb. M. Abdul Azeez

8. Jb. Konchira Rasheed

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substantial variations of the objects of the Trust.

- iv) To decide the appeal against decisions of the Managing Committee to re move any office bearer, member of the Managing Committee or Trustee and the decision of the Board of Trustees shall be final .
- v) To exercise powers and to take decision on any matter for which there is no specific clause in the deed of Trust.

Clause 9 Duties, Responsibilities and Powers of the Managing Committee

- 1) Subject to the overall supervision and control of the Board of Trustees the Managing Committee shall be the executive body of the Trust.
- 2) The Managing Committee shall have the powers necessary for the management of the affairs of the Trust except those that are reserved for being exercised by the Board of Trustees.
- 3) All the Trust funds including amounts received as donations, dividends on investment of the Trust funds etc. shall be held by the Managing Committee for and on behalf of the Trust.

1. Jb. M. S. Sharafudeen

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6. Jb. M. Abdul Azeez

8. Jb. Konchira Rasheed



4) The Managing Committee shall have power :

- i. To purchase Land / Building / Sheds and Furniture or Equipments necessary for the running of the school, colleges, hostels etc. The award of contract for the construction of buildings or supply of building materials or supply of furniture or equipments shall be strictly in accordance with the P.W.D. rules for the award of contract and or the store purchase rules till rules framed by the Managing Committee and got approved by the Board of Trustees
- ii. To sanction posts and appoint members of staff in accordance with the recruit ment rules of the Trust.
- iii. To authorise receipt of moneys and to arrange to issue the necessary receipts/ acknowledgements
- iv. To meet the expenses towards the salaries of employees, constructions and maintainance of buildings and other administrative and overhead expenses
- v. To apply for and obtain sanction of Government and Universities for the establishment of schools and colleges and to get the Schools and Colleges recognised by the concerned Government, University, Board of Education and other bodies.
- vi. To borrow money for carrying out the objects of the Trust, provided that any mortgage or creation of any liability on the immovable properties of the Trust shall be effected only with the proper approval of the Board of Trustees as specified in clause 8 (c) ithereof.
- vii. To appoint such committees as it may consider necessary for efficient functioning of any specific activity or scheme or project connected with the administration of the Trust prescribing the duties, responsibilities and powers of each sub committees.
- viii. The Kanniakulangara Jama-ath Education Trust will be the Educational Agency and the Managing Committee will be the disciplinary authority in respect of all employees of the Trust.
- ix. The Managing Committee shall have power to expell a Trustee or remove an Officer or Office bearer for valid reasons such as activities detrimental to the interests of the Trust, misappropriation of Trust Fund etc. A proper enquiry shall be conducted and the Trustee or Office bearer concerned shall be given opportunity of being heard before the Trustee is expelled or the office bearer is removed form his office. An appeal against the decision of the Managing Committee shall lie before the Board of Trustees.
- x. The Managing Committee, the Chairman, and the Secretary shall have powers to initiate disciplinary proceeding against the staff working under the Trust, if found necessary for good and sufficient reasons and to impose punishments in exercise of powers conferred on them under the rule regarding disciplinary action framed by the Managing Committee and approved by the Board of Trustees, provided that no punishment shall be imposed without making proper enquiry and giving the individual concerned an opportunity of being heard.
- xi. To prepare and present the Annual Report and Accounts before the Annual

1. Jb. M. S. Sharafudeen

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5. Jb. A. Mohammed Basheer

6. Jb. M. Abdul Azeez

7. Adv. A Sharafudeen

8. Jb. Konchira Rasheed

- meeting of the Trustees.
- xii. **Meeting of the Managing Committee**
The Managing Committee shall meet at least once in a month
 - xiii. **Notice of Meetings.**
Notice in writing of not less than 3 days shall be given for every meeting. The notice shall indicate clearly the date, time and place of meeting and also the Agenda.
 - xiv. **Quorum of meeting.**
The Quorum of meeting shall be eight (8).
 - xv. The proceedings of the meeting of the Managing Committee shall be on the same lines as in the meetings of the Board of Trustees.
 - xvi. All decisions of the Managing Committee shall be by consensus by majority. If there is a tie or equality of votes, the Chairman shall have a second and casting vote

Clause 10 Advisory Committee

The Managing Committee may for the purpose of assisting it in the running of any Institutions including School, Colleges etc. form advisory committees for each School, College or Institution. The advisory committee shall have such powers and functions as may be delegated to it by the Managing Committee.

Clause 11 Powers and Duties of Office Bearers

1. Chairman

The Chairman of Board of Trustees

- a) Shall preside over the meetings of the Board of Trustees and the Managing Committee
- b) He shall guide and supervise the activities of the Office bearers and the institutions under the trust
- c) He shall himself call the meeting if the Secretary fails to call it.
- d) On urgent matters he shall have powers to take decision of the Managing Committee in consultation with Secretary and Treasurer, provided that such decisions so taken and the circumstances leading there to are promptly intimated to the Managing Committee and got ratified in the next Meeting.

2. Vice Chairman

In the absence or in the event of the vacancy of the post of Chairman the Vice Chairman will automatically become the Chairman with all the powers of the Chairman until the Chairman assumes office or new Chairman assumes office.

3. Secretary

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| 3. Jb. M. Abdul Kader | 4. Jb. E. Mohammed Kannu |
| 5. Jb. A. Mohammed Basheer | 6. Jb. M. Abdul Azeez |
| 7. Adv. A Sharafudeen | 8. Jb. Konchira Rasheed |

Subject to the general supervision, guidance and control of the committee the Secretary-

- a. Shall be responsible for the administration of Office and Institutions of the Trust and for the implementation of its project.
- b. Shall be custodian of all movable and immovable properties of the trust and he shall maintain an Asset Register of all the assets of the trust.
- c. Shall call meetings of the Managing Committee and the Board of Trustees and prepare and present the minutes of the meetings thereof, at the next meeting for being confirmed and taken on record.
- d. Shall carry on all correspondences for and on behalf of the Board of Trustees and the Managing Committee
- e. Shall communicate all orders of appointment of staff and other proceedings as authorised by the Managing Committee.
- f. Shall subject to the prior approval of the Managing Committee incur expenditure out of the fund of the Trust for implementation of the project and schemes of the trust or the running of the Offices and Institutions of the Trust and for all other lawful purposes in furtherance of the aims and objects of the Trust.
- g. Shall cause true and correct accounts of all moneys received and spent in the course of management of the Trust properties or in relation to carrying out the objects and purposes of the Trust.
- h. The Secretary shall represent the Trust in all legal matters pertaining to the Trust in all legal forums.
- i. The Secretary shall arrange to make over to the Treasurer all cash cheques, demand drafts etc received on behalf of the Trust for deposit to the Bank account.
- j. The Secretary shall have with him an imprest Amount not exceeding Rs 5,000/- (Five thousand only) to meet urgent items of sundry expenses. The amount spent from the imprest shall be recouped as and when necessary through the Treasurer.

4. Joint Secretary

- a. The Joint Secretary shall assist the Secretary in all his work and shall carry out the duties and responsibilities assigned to him by the Managing Committee or the Secretary.
- b. In the event of the vacancy of the post of Secretary, the Joint Secretary will automatically become the Secretary with all the powers of the Secretary until a new Secretary assumes office.

5. Treasurer

The Treasurer shall be responsible for the safe custody of the funds. He shall keep

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6. Jb. M. Abdul Azeez

8. Jb. Konchira Rasheed

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the Bank pass book and cheque books in his custody and produce them before the Managing Committee as and when required to do so. The Treasurer shall take charge of all cash, cheque and demand drafts made over to him by the Secretary and arrange promptly to deposit them in the accounts of the Trust. All cheques for withdrawal of the money shall be signed jointly on as specified here in after. It is the duty of Treasurer to render accounts to the Managing Committee and Board of Trustees. The Treasurer shall ensure that the funds are not mixed up with private cash.

Clause 12

A General Meeting of the Board of Trustees

i) Annual General Meeting

There shall be a minimum of one meeting of the Board of Trustees every year which shall be known as Annual General Meeting of the Board of Trustees. Such meetings shall be held on or before the 30th June of every year.

ii) Special General Meeting

In addition to the General meeting to be held as stated above the Managing Committee can also call special General Meetings of the Board of Trustees as they consider necessary to decide on any matters other than those reserved for being placed before the Annual General Meeting.

iii) General Meeting, on requisition of Total Members

One Sixth of the total number of members or 25 Trustees whichever is less can make a request that a General Meeting should be called to consider any important and or urgent question concerning the affairs of the Trust. Such request shall be in writing and send to the Chairman of the Managing Committee clearly stating the purpose of the meeting. On receipt of such requisition the Chairman shall arrange to call the meeting or authorise the Secretary to call the meeting within 30 days of the receipt of requisition. If the Chairman or Secretary fails to call the General Meeting in response to the requisition the Trustees who made the requisition can themselves call the meeting. The Agenda for the requisitioned General Meeting shall be strictly confined to the item(s) stated in the requisition.

B

i) No Meeting of the Board of Trustee shall be called without giving the Trustees notices in writing of atleast 10 days. The notice shall state the date, time and place of meeting and the Agenda. The notice convening a General Meeting shall specify whether the meeting called is Annual General Meeting or Special General Meeting.

ii) In respect of the amendment to the Trust Deed and the rules thereunder the notice of the meeting shall be accompanied by the Draft of the amendments proposed and a statement of the objects and reason for the amendments.

iii) In respect of the proposals to sell mortgage or encumber any immovable properties of the Trust the nature and other description of the properties and the reasons for the proposal shall be specifically mentioned in the explanatory note circulated along with the notice of the meeting.

iv) In the case of Annual General Meeting copies of the report on the activities of the Trust, receipt and payment account, income and expenditure account and balance sheet shall

1. Jb. M. S. Sharafudeen

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6. Jb. M. Abdul Azeez

7. Adv. A Sharafudeen

8. Jb. Konchira Rasheed

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be sent along with the notice.

The Quorum of the General Meeting shall be 25 or One sixth of the total number of board of Trustees whichever ever is less. If no quorum is present within half an hour of the time at which the meeting has been proposed to be held, then the meeting will stand adjourned. If and when a general meeting is adjourned for want of quorum, a further notice of not less than 7 days shall be issued showing the date, time and place for holding the General Meeting. Such adjourned meeting, the members present shall form the quorum. The business transacted at such adjourned meeting shall be confined to the Agenda indicated in the earlier notice. The adjourned General Meeting shall be held within 30 days from the date of the adjourned meeting.

E. Chairman of the General Meeting.

The Chairman of the Board of Trustees shall preside over the meeting of the Board of Trustees. In his absence or if he is not present within 15 minutes of the time for which the meeting has been called, the Vice Chairman present at the meeting shall preside, failing which, the members present may elect one among themselves to preside over the meeting.

F.

i) All Questions considered by the General Meeting of the Board of Trustees shall be decided by consensus or by majority of votes except in the case of the items specified here under. In the event of equality of votes the Chairman shall have second and casting vote.

ii) Any resolution to sell, mortgage encumber the immovable properties of the Trust shall considered to have been passed only if two-thirds of the members present cast their votes in favour of resolution or proposal.

Clause 13 Election

The election of four Office bearers and eight members of the Managing Committee to be elected by the Board of Trustees under clause (6) above shall be made by adopting secret ballot system following the procedure laid down in the rules made by the Managing Committee and got approved by the Board of Trustees.

Clause 14 Income of Trust

Income of Trust means all income derived by way of donations, admission fee, entrance fee, contribution and income derived by way of dividend etc.

Bank Account and deposit of funds

The Managing Committee shall open Bank Accounts in any of the Nationalised or Scheduled banks and keep all the moneys of the Trust deposited in those accounts. All the Bank Accounts shall be operated jointly by the Treasurer and the Secretary or the Chairman.

Clause 15 Authority to pass vouchers or payment and arrangement for disbursement of cash and issue cheques.

1. Jb. M. S. Sharafudeen

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4. Jb. E. Mohammed Kannu

6. Jb. M. Abdul Azeez

8. Jb. Konchira Rasheed

The Managing Committee may arrange for the disbursement of cash by Treasurer or Cashier as they decide from time to time. No payment shall be made without the authorisation in writing from the competent authority specified below.

The Secretary shall be competent to pass all the vouchers for amounts not exceeding Rs. 2,000/- (Rupees Two Thousand) only. Vouchers for amounts exceeding Rs. 2,000/- shall be passed jointly by the Secretary and the Chairman

Clause 16 Rules

The Managing Committee shall have powers to frame the necessary rules for the proper functioning of the Trust. The rules so framed by the Managing Committee shall be circulated among the members along with the notice for calling meetings of the Board of Trustees at which they are proposed to be considered and the rules shall become effective from the date on which the same are approved by the Board of Trustees.

Clause 17 Accounts and Audits

The Managing Committee shall ensure that proper accounts are maintained with regard to all receipts and payments of the properties and other assets acquired by the Trust and also the liabilities. The accounts shall be got audited by the Auditors appointed by the General Body meeting and the Auditors Report along with the receipt and payment account income and expenditure account and balance sheet shall be circulated along with the notice of Annual General Meeting as required by Clause 12 B (iv).

Clause 18

Transaction relating to Properties Deeds or Documents executed by or infavour of the Trust shall be represented by the Chairman

Clause 19 Restrictions

Amendments to the Trust Deed shall not be made without prior approval of the Commissioner of Income Tax, Thiruvananthapuram.

Clause 20

- i) Any casual vacancy in the Managing Committee shall not affect the functioning of the Managing Committee. The Managing Committee may act notwithstanding any such vacancy.
- ii) If the object for which the Trust has been created shall fail or cannot be fulfilled, the Trustees shall be at liberty to transfer the Trust Fund and the properties to any other public charitable Trust or society having similar objects.
- iii) In witness where of the parties here to have affixed their signatures here in at Kanniakulangara on the date above written in the presence of the following witnesses.

1. Jb. M. S. Sharafudeen

3. Jb. M. Abdul Kader

5. Jb. A. Mohammed Basheer

7. Adv. A Sharafudeen

2. Jb. M.K. Abdul Rahuman

4. Jb. E. Mohammed Kannu

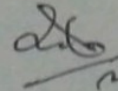
6. Jb. M. Abdul Azeez

8. Jb. Konchira Rasheed

(First Party)
Representative of the Founder Jama-ath

Janab. M. S. Sharafudeen

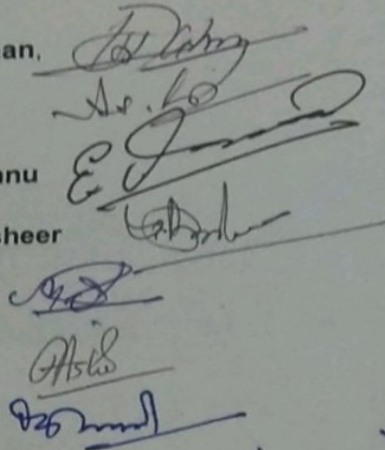
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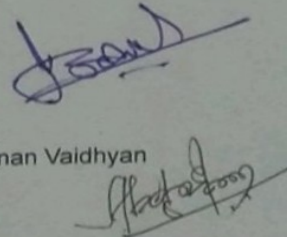
(Second Party)
Trustees

Signature

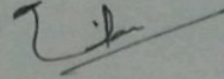
1. Jb. M.K. Abdul Rahuman,
2. Jb. M. Abdul Kader
3. Jb. E. Mohammed Kannu
4. Jb. A. Mohammed Basheer
5. Jb. M. Abdul Azeez
6. Adv. A Sharafudeen
7. Jb. Konchira Rasheed



- Witnesses: 1. Ismail Pillai, S/o Mohammedali
residing at Sajeena Manzil,
Kanyakulangara, Neduvelli.
2. A. Abdul Kareem, S/o Abdul Rahuman Vaidhyan
residing at Keezhathil veedu,
Kanyakulangara, Mazhuvadi.



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Notes of corrections Ni.

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| 1. Jb. M. S. Sharafudeen | 2. Jb. M.K. Abdul Rahuman, |
| 3. Jb. M. Abdul Kader | 4. Jb. E. Mohammed Kannu |
| 5. Jb. A. Mohammed Basheer | 6. Jb. M. Abdul Azeez |
| 7. Adv. A Sharafudeen | 8. Jb. Konchira Rasheed |

