



THIS DEED OF TRUST is executed on this the 28th day of November 2005 Two thousand and five BY C.A.ALIKROYA, Son of K.Abdulla Koya, aged 50 years, Business, residing at 'ZABR', Thiruvannur Road, Panniyankara, Calicut-673 003 in Panniyankara amsom and desom of Kozhikode Taluk (hereinafter referred to as "the founder")

WHEREAS the Founder is establishing a fund for providing sustained support for socio-economic-cultural development of the community with particular stress to education, basic-basic-higher- professional and specialized.

AND WHEREAS the Founder has set apart a sum of Rs.1000/- (Rupees one thousand only) from out of his funds, a fund for the Trust to serve as a nucleus for carrying out the objects of the trust.

C.A.ALIKROYA

KERALA

No. 25083Rs. 1000/-

Date 28.11.2005

Name C. A. Alikoya, Panniyankara,

ARAYADATH PRABITHA

Kozhikode



577
4

Presented in the office of the
Sub Registrar of Kozhi Kkodu
and a fee of Rs. 42

paid at 12.15 PM on 2nd day of December 2005 by

C.A. Ael ~~WMA~~ ~~Thyong~~

E. RAMACHANDRAN
SUB REGISTRAR

2nd December 2005

EXECUTION ADMITTED BY

C.A. Ael ~~WMA~~ ~~Thyong~~

S/o Abdul Kader Business panniyanbale.

IDENTIFIED BY

M.M. Abdul Kader S/o P.N. Mammuray, Business, Nagarai
Ketti cherthan panniyan Deemad S/o Krishnan
annaaffairs Kaderi S/O



2nd December 2005

E. RAMACHANDRAN
SUB REGISTRAR

Registered as No. 577 of 2005

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AND WHEREAS, the founder considers it necessary and expedient in the best interests and the better management of the Trust, to reduce the various objects, terms and conditions, rules & regulations etc. of the trust in writing;

NOW THIS DEED WITNESSES AS FOLLOWS:-

- I. Name: The Name of the Trust shall be 'Apex Educational Trust'.
- II. Office: The office of the Trust shall be at 18/758, P.V.Samy Road, Calicut-673 002 which may be shifted from time to time to such other place or places, as the trust may deem fit and proper.
- III. Objects: The objects for which the Trust is established are:
 - i. To found, run, maintain and manage educational institutions of all kinds, namely schools, colleges, academies and places learning, coaching centers catering to basic, higher, professional and specialized education in pursuance of the objects of the Trust.
 - ii. To found, run, maintain and manage libraries, reading rooms, archives, information centres, computer centres, internet portals and the like.
 - iii. To found, run, maintain and manage hostels, dormitories, living quarters and the like in pursuance of the objects of the Trust.
 - iv. To conduct classes, courses, workshops and the like on topics and subjects and to aware certificates, diplomas, awards, fellowships and the like.

- v. To train resource personnel, teachers, scientists, faculty panel and such other trainers to impart effective training to the community.
- vi. To establish, run and maintain study centres and research centres on relevant topics in pursuance of the objects of the Trust.
- vii. To institute scholarships, fellowships, grants and such other assistance in cash or kind to deserving candidates in pursuance of the objects of the Trust.
- viii. To promote, produce, direct distribute and exhibit Tele-films, documentaries and other films on themes deemed fit in pursuance of the objects of the Trust.
- ix. To conduct and hold research, specific studies, seminars, symposia, study classes, interim and refresher courses and correspondence courses on subjects deemed fit in pursuance of the objectives of the Trust.
- x. To initiate, support and promote the diffusion of useful knowledge of all kinds to the community.
- xi. To offer grants, subsidies and the like to deserving individuals and research institutions, in pursuance of the objects of the Trust.
- xii. To offer medical care and support to the needy and to found, run, maintain and manage, clinics, medical centres, hospitals and the like in pursuance of the objects.

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IV. Means of attaining the objects:

In order to achieve the above objects, the Trust shall employ the following means:

1. Establish, run, maintain and manage educational institutions of all kinds namely, schools, colleges, academies and places of learning, coaching centres for basic, higher, professional and specialized education.
2. Establish, run, maintain and manage libraries, reading rooms, archives, information & computer centres, internet portals etc.
3. Establish, run, maintain and manage hostels, dormitories, living quarters and the like.
4. Conduct classes, workshops and courses on specific subjects and award certificates, diplomas and awards.
5. Train resource personnel, Teachers, Scientists and faculty panel.
6. Establish study centres and research centres.
7. Institute scholarships, fellowships and grants for deserving candidates.
8. Produce, direct, distribute and exhibit Telefilms, documentary and other films on relevant themes.
9. Conduct and hold research, specific studies, seminars, symposia, study classes, interim and correspondence classes on relevant subjects.

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10. Offer grants, subsidies and the like to deserving individuals and research organizations.
11. Establish, run and maintain clinics, medical centres and hospitals.
12. Borrow or otherwise raise money with or without interest from Government, Government aided or unaided institutions, organizations, corporate sector, quasi Government organizations, banks, local bodies and institutions with or without issuing promissory notes, securities mortgages or other obligations on behalf of the trust.
13. Accept donations, grants, subsidies, gifts or contributions in cash or in kind from any individuals, firms, companies, private or public, corporations, associations, trusts, societies, government or quasi government organizations, or local bodies from India or abroad for the furtherance of the objects of the trust or for any or one or more of them upon such terms and conditions as the Trustees may in their absolute discretion deem fit.
14. Promote or assist all activities by whomsoever carried on, in India or abroad in conformity with the objects of the Trust and are conducive to the advancement of any objects in general national utility not involving or carrying on any activity for profit.
15. Purchase, take on, lease or otherwise acquire land and/or buildings and fit and furnish the same in pursuance of the objects of the Trust.

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V. MEMBERSHIP:

There shall be four types of memberships

- a) Patron Membership
- b) Ordinary Membership
- c) Associate Membership

a) Patron Members:

Those eligible shall be individuals who subscribe to the ideals, principles and objectives of the Trust and are willing to abide by the rules and regulations of the Trust and contribute an amount as decided by the Board of Trustees from time to time.

b) Ordinary Members:

Those eligible shall be individuals who subscribe to the ideals, principles and objectives of the Trust and are willing to abide by the rules of regulations of the Trust and contribute an amount as decided by the Board of Trustees from time to time.

c) Associate Members

Those eligible shall be individuals, societies, institutions, corporate bodies who subscribe to the ideals, principles and objectives of the Trust and are willing to abide by the rules and regulations of the Trust and contribute to the Trust such as subscriptions in cash and kind subject to Article VI.

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VI. ADMISSION/TERMINATION OF MEMBERSHIP:

1. Proposals for patron and Ordinary memberships shall be placed before the meeting of the Board of Trustees and the same shall be approved on attaining at least 5 positive votes.
2. The Board of Trustees may from time to time by unanimous decisions invite such members of the society, institutions, organizations, societies, firms and companies who subscribe to the ideals and principles of the Trust in cash or kind. Associate membership so granted shall continue till the end of that term. They shall have no voting rights.
3. The Board of Trustees from time to time will determine the minimum quantum of contribution by the Associate members.
4. If at any time, in the opinion of the Board of Trustees, any member acts or causes to act in the contravention of the ideals, principles and objectives of the Trust or is considered undesirable or is declared insolvent or insane or is convicted for cognizable offences, the Board of Trustees may terminate such membership. Such termination shall be preceded by suspension of membership. Such suspended members shall be served with notice in writing demanding him to show cause why such membership shall not be terminated. Within 15 days of such notice, no explanation or explanation not satisfactory to the board, of trustees is received; such membership shall be deemed to have terminated on expiry of the said 15 days.

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5. Such terminated members may appeal against such termination to the General body by way request in writing within seven days of such termination, upon which the Board of Trustees shall convene a meeting for this specific purpose within 15 days of such request. The meeting of the General Body so convened may revoke the decision of the Board of Trustees by 4/5th positive votes provided further that 9/10th of the total members are present and participate in the voting.
6. Any member who is declared insolvent or insane or is convicted of cognizable offence shall ipso facto cease to be a member of the Trust.
7. The Board of Trustees may form additional rules and regulations for the admission of members.

VII. TRANSFER OF MEMBERSHIP:

1. The Membership of the Trust is ordinarily not transferable.
2. Patron and Ordinary members may nominate an heir to inherit their memberships after their death. Such membership may also be passed on to their heir if such member retires from the membership of the Trust. In case of no heir nominated by the member, the membership shall be transferred to the legal heir of such member.

VIII. FEES AND DUES

1. The Board of Trustees may from time to time fix the amount payable by members towards membership dues and the mode of collection of the same.

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2. Any additional requirements of funds other than regular dues as modified from time to time, may be sought through proposals presented to Annual General Meeting or Extra Ordinary General Meeting convened specially for the purpose.

IX. GENERAL MEETINGS:

1. There shall be General meetings of the trust in such frequency as the Board of Trustees may deem necessary. The meetings may be convened to transact general business of the Trust or for holding speaker meetings and the like.
2. The Annual General Meeting of the Trust shall be convened every year within 120 days of the closing of accounts, provided further that the period between two consecutive Annual General Meetings shall not exceed sixteen calendar months. .
3. The Board of Trustees may convene Extra Ordinary Meetings for any specific purposes.
4. If 25% or more of the members request in writing, the Secretary shall convene an Extra Ordinary General Meeting of the Trust.
- 5 . The quorum for Annual General Meeting and Extra Ordinary General Meeting except for such extra ordinary general meeting referred to in Article VI(5) shall be 12 members or 20% of the total membership whichever is greater. No Quorum is required for ordinary general meetings.
6. The secretary shall issue fifteen days and seven days clear notice for Annual General meetings and Extra Ordinary General meetings respectively. He shall give sufficient notice for ordinary general meetings.

X. TERM:

The term of the trust shall be two years of twelve months ending 31st March. The first term shall end on 31st March 2006.

XI. BOARD OF TRUSTEES:

1. There shall be a Board of Trustee comprising of 7 members at the start of the Trust as detailed below.

Chairman	- C.A.ALIKOYA
Vice Chairman	- T.M.AHAMED KOYA
Secretary	- SHOUKATHALI SHAJAHAN
Joint Secretary	- HABEEBUL RAHMAN
Treasurer	- ABDUL SALEEM CHUTTAVEETIL CHETTIYATTIL
Two members.	- MUSARIKANDY ABDURASHEED THOTTIPARAMBIL ABOOBACKER

2. The first Board of Trustees shall be the following:

- a) C.A.ALIKOYA, Son of K.Abdullakoya, aged 50 years, Business, residing at Thiruvannur road, Panniyankara, Calicut-673 003 in Panniyankara amsom and desom of Kozhikode Taluk.
- b) T.M.AHMED KOYA, son of Koyassankutty, aged 48 years, Business, residing at Thekkayil House, Kannankadavu, P.O.Kappad, Via. Chemanchery, Kozhikode-679304 in Thiruvangoor amsom desom of Koyilandy Taluk.
- c) HABEEBUL RAHMAN.P.P. Son of Abdul Rahiman.P.P. aged 46 years, Engineer, residing at Amina Manzil, P.O.Elettil, Kozhikode-673 572 in Elettil amsom and desom of Kozhikode Taluk.
- d) MUSARIKANDY ABDURASHEED, son of M.K.Abdussalam, aged 48 years, Chartered Accountant, residing at Rose Bed, P.O.Pazhur, Via.Mavoor, Kozhikode-673 601 in Poolacode amsom and Pazhur desom of Kozhikode Taluk.

- e) THOTTIPARAMBIL ABOOBACKER, Son of Hydrose Musaliar, aged 48 years, Engineer, residing at 'Sal Safar', Palaparambil Lane, Poonkunnam, Trissur-680002, Poonkunnam amsom and desom Trissur Taluk.
 - f) ABDUL SALEEM CHUTTAVEETTIL CHETTIYATTIL, son of Koyamutty, aged 45 years, Business, residing at Arakkal House, P.O. Chaliyam, Kozhikode-679304 in Kadalundi amsom Pazhanchannur desom of Kozhikode Taluk.
 - g) SHOUKATHALI SHAJAHAN, Son of Shajahan, aged 62 years, Engineer, residing at 'Shanti Nagar Annex, Rajagiri Post, South Kalamassery, Kochi-683104. Kattoor amsom and desom of Ernakulam Taluk.
3. The first Board of Trustees shall be permanent Trustees. After registration of the trust and thereafter during every term, the General Body shall elect 2 members each from among the Patron and ordinary members to the Board of Trustees during the respective term. The first Board of Trustees shall hold office till 31st March 2006.
4. From among the Board of Trustees 7 permanent trustees and 4 elected trustees, they shall elect Chairman, Vice-Chairman, Secretary, Joint Secretary and Treasurer during every year.
5. In the event of the Chairman being incapacitated to discharge his duties during any part of the term, the Vice chairman shall act as Chairman.
6. In the event of death, resignation, insolvency or any cause preventing any permanent trustee from discharging his duties, the remaining permanent trustees shall have to co-opt any member from the General Body in that place. In the event of any elected trustee being so disposed, the vacancy shall be filled by election from the General Body.

7. The Board of Trustees shall be reconstituted before 31st March every year and they shall assume office on the 1st of April of that year.
8. The Board of Trustees shall meet as often as necessary to transact the business of the Trust provided that there must be at least one meeting of the Board of Trustees once in three months.
9. The quorum for the meeting of the Board of Trustees shall be 4 members present.
10. In all matters pertaining to the trust the decision of the majority of the decision of the majority of the Board of Trustees shall be final and in case of equality of votes, the Chairman shall have a second or casting vote.
11. The chairman, Secretary and Treasurer shall have custody and control of all documents, accounts, papers and the like relating to the Trust and its properties.
12. The Chairman shall have, subject to control, direction and superintendence of the Board of Trustees, all and every power for the purpose of managing, conducting and administering the affairs of the institutions, establishments and properties and the like conducted by the Trust.
13. The Treasurer and the Chairman or Secretary jointly shall have powers to open current and deposit accounts in the name of the Trust in any bank or banks as the Board of Trustees may from time to time decide and to operate such accounts.
14. The Secretary shall issue notices of all meetings of the Trust and the Board of Trustees and shall prepare and maintain minutes books and such other records of the Trust.

15. The Joint Secretary shall assist the Secretary and act as Secretary in his absence.
16. The properties, funds, assets - tangible and intangible shall vest in the Board of Trustees.
17. The Treasurer shall arrange for or cause to arrange for the maintenance of correct and proper accounts of the receipts and payments and assets and liabilities of the Trust. He shall cause to have the books of accounts of the Trust to be closed on 31st March every year, Income & Expenditure account for the year ended on that date and a Balance sheet as the date prepared. Such accounts shall be audited by a Chartered Accountant appointed by the General Body every year, on such remuneration as may be decided by the General Body from time to time. He shall also have custody of the books of accounts and related documents of the Trust. He shall cause to have the audited accounts circulated to all members of the Trust along with the notice of Annual General meeting.
18. The funds of the Trust shall be invested, as may be decided by the Board Trustees from time to time either in securities authorized by the Indian Trust Act or in any investment as laid down in Section 11(5) of the Income Tax Act 1961.

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XII. POWERS OF BOARD OF TRUSTEES

Without affecting the generality of powers and functions of the Trustees to manage and administer the Trust, the Board of Trustees shall have the following functions.

1. To borrow money, if needed against the security of the assets of the Trust by way of bank overdraft, loans or otherwise as may be necessary for the benefit of the Trust and for more effectively carrying out the objects of the Trust.
2. To arrange for and/or authorize the signing or executing any agreement, contract, instrument, document or any other papers or writing required to be signed or executed on behalf of the Trustees by any two 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, document or paper was signed by all the Trustees.
3. To appoint or make provision for appointment of any sub committee of Trustees and/or other members 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.
4. To authorize any of the Trustees to hold any property or any fund or any investment of the Trust, subject however to the terms of these presenting such manner and subject to such terms and conditions, rules and regulations as the Board of Trustees may from time to time deem fit and proper.

5. To spend any portion of the corpus or the income of the Trust fund for purchasing any land and/or building or constructing 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.
6. The Board of Trustees shall have powers to make and prescribe additional rules and regulations for the purpose of carrying out any or all the objects of the Trust.

XIII. REMUNERATION:

No member of the Trust shall receive remuneration of any kind from the Trust. However this does not bar any member of the Board of Trustees or Trust from receiving reimbursement of the expenses, incurred on behalf of the Trust, provided that such expenses have been approved by the Board Trustees.

XIV. DOCTRINE OF CYPRES

If any time, the object of the Trust should become impossible of performance, the properties and funds of the Trust shall be utilized on the 'Doctrine of Cypres' or such other allied purpose as the Board of Trustees may decide.

XV. It is hereby declared that this Trust is a Public Trust, the Trust hereby created is irrevocable and the beneficiaries under the Trust shall not be restricted to any particular religion, caste or community.

XVI. No immovable properties have been affected the TrustDeed.

XVII. The income and assets of the Trust shall be applied only for the purposed mentioned herein.

XVII. In the event of winding up or dissolution of the Trust, if there remains any excess after satisfying all its debts and liabilities, such excess shall be transferred to any association, society or Trust having similar objects.

XVIII. AMENDMENTS:

Amendments to the Trust shall be made only with prior approval of the Commissioner of Income Tax (Kerala)

IN WITNESS WHEREOF I, C.A.ALIKOYA have set my hand hereunto on the day, month and year first above written in the presence of the undermentioned witnesses at Kalathinkunnu desom of Calicut city.

C.A.ALIKOYA

Witnesses:

1. Deepa.P *Deepa*
Daughter of Premachandran,
Kalathinkunnu.
2. Sheeba.M *SM*
Daughter of Balan,
Katcheri.

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

C.A.ALIKOYA