

IV - 124 - 1993

KERALA

1000Rs.



TRUST DEED OF 'BELIEVERS CHURCH IN INDIA'.

This deed of trust made on this the twentyfourth day of March, Nineteen hundred and Ninety three, 24-03-1993, at Tiruvalla, BETWEEN Samuel Mathew, aged 34 occupation 'Evangelist' son of K.M.Mathew, residing at Kaithapathailil House, Cherukole Muri, Cherukole Village, Ramni Taluk, Pathanamthitta District, Kerala State, (hereinafter referred to as the party of the first part), Shri Jacob T. Antony, aged 42, occupation 'Evangelist', son of T.V. Antony, residing at Thottuvelil House, Aayaparambu Muri, Cheruthana Village, Karthikappally Taluk, Alleppey District, Kerala State (hereinafter referred to as the party of the second part), Dr. K.P. Yohannan, aged 43, occupation 'Evangelist', son of Chacko Punnoose, residing at Kadappilaril House, Mannamthottuvazhi Padinjattu Muri, Niranam Village, Tiruvalla Taluk, Pathanamthitta District, Kerala State (hereinafter referred to as the party of the third part), Shri K.C. Punnoose, aged 30, occupation 'Evangelist', son of K.P. Chacko, residing at Kadappilaril House, Mannamthottuvazhi Padinjattu Muri, Niranam Village, Tiruvalla Taluk, Pathanamthitta District (hereinafter referred to as the party of the fourth part) AND K.N. Punnoose, aged 31, occupation 'Evangelist', son of K.P. Ninan, residing at Kadappilaril House, Mannamthottuvazhi Padinjattu Muri, Niranam Village, Tiruvalla Taluk, Pathanamthitta District (hereinafter referred to as the party of the fifth part).

1. Samuel Mathew

2. Jacob T. Antony

3. K.P. Yohannan

4. K.C. Punnoose

5. K.N. Punnoose.

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WHEREAS the parties aforementioned (hereinafter referred to altogether as the settlors) are desirous of creating a trust for the objects to be specified in the deed, by subscribing among themselves the sum of money amounting to Rupees Five hundred only. AND WHEREAS the parties above mentioned being the settlors appoint themselves as the first trustees of the trust for the purpose of administering the Trust created by this deed. AND WHEREAS the trustees have agreed individually and collectively to act as such and have already taken possession of the amount of Rs.500/- (Rupees five hundred only) subscribed to by the settlors, in their capacity as trustees and in pursuance of their desire as the settlors of the trust, who have irrevocably transferred the same for pursuing the objects of the trust. AND WHEREAS for the purpose of stamp duty the present value of the trust property is Rs.500/- (Rupees five hundred only).

NOW THIS INDENTURE WITNESSTH AND IT IS HEREBY AGREED AND DECLARED AS FOLLOWS:-

1. The name of the trust shall be 'BELIEVERS CHURCH IN INDIA'.
2. The office of the trust shall be at Tiruvalla and/or such other places as decided by the trustees from time to time.
3. The objects of the trust are:-
 - (a) To plant, establish and administrate Churches for Christian believers under the name 'Believers Church' at all possible places.
 - (b) To provide facilities for the assembly and congregation of Christian believers, at all possible places, and take them as constituents of 'Believers Church in India' and provide them facilities for satisfying their spiritual needs.
 - (c) To act as the central controlling authority of all churches planted, established or accepted as constituents and provide them with administrative and other mandatory guidelines, rules and regulations for its day to day working.

1. Samuel Mathew

2. Jacob T. Antony

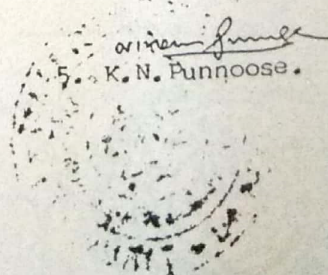
3. K. P. Yohannan

4. K. C. Punnoose

5. K. N. Punnoose.

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To be



- d) To accept as constituents congregation of Christians who wish to become a part of 'Believers Church in India' and provide them with necessary leadership.
- e) To provide spiritual and administrative leadership to constituent Churches and to regulate their working.
- f) To work for the spiritual and social upliftment of Christians in general.
- g) To aid, help and provide necessary funds for the native evangelists for pursuing their public religious activities by means of support to their families or otherwise.
- h) To acquire, contract, maintain, run and/or manage Church buildings, Chapels, prayer halls and associated structures like parsonages and also to help and aid such activities.
- i) To establish, set-up, take-over and run Bible Schools, colleges, Lecture halls, and training centres for imparting knowledge of all kinds, in particular christianity.
- j) To conduct audio visual programmes and acquire and use equipments necessary for conducting and recording such programmes which promote Gospel awareness.
- k) To organise conventions, meetings and other congregation of Christian believers and other public interested in hearing the teaching of Jesus Christ.
- l) To give aids and helps to alleviate human suffering whether it is to needy students or to the ill and bedstricken or to victims affected by natural calamities or for solemnising marriages of girls from poor families or to the aged and destitutes.
- m) To aid and help institutions which are having similar or substantially similar objects as of this trust.

1. Samuel Mathew

Samuel Mathew

2. Jacob T. Antony

Jacob T. Antony

3. A. P. Mohannan

A. P. Mohannan

4. K. C. Punnoose

K. C. Punnoose

5. K. N. Punnoose.

K. N. Punnoose

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n) To establish proper office administration and other management machinery necessary for ensuring proper utilisation of funds towards one or more of the above purposes and to acquire adequate properties and construct buildings therein to house such administration/management offices and for other functional aspects, and incur all expenses related thereto.

o) To accept contributions and donations so far as it is not given with any condition which contradict the objects of this trust.

4. The trust shall be administered by a Board of trustees and its strength shall not be less than two and more than ten persons. However, the upper and lower limits can be changed by a decision of the Board of trustees with two-third majority as and when they deem necessary. The first trustees for administering the trust shall be the same as the settlors.

5. This will be a public religious trust which include in its fold a wide section of the Public as its beneficiaries.

6. Shri Jacob T. Antony, party of the second part shall be the first managing trustee and he shall hold such office till such time he opts out of the Board of Trustees by himself or by operation of article number eight of this deed. The Managing Trustee shall also be called Chief Functionary which post is synonymous with that of the Managing trustee for all the purposes of this trust.

7. The trustees shall have the power to appoint additional trustees to the Board of trustees, so long as the total number does not exceed the upper limit and they may fill up any vacancy that arises in Board of trustees as and when they deem necessary. All trustees newly appointed, whether on a casual vacancy or as additional trustees shall have the same powers as that of the existing trustees as at the time of such appointment.

1. Samuel Mathew

2. Jacob T. Antony

3. K. P. Yohannan

4. K. C. Punnoose

5. K. N. Punnoose.

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8. The trustees may by two-third majority remove any person from the board of trustees and also appoint new persons as trustees and/or additional trustees. A trustee against whom a removal/dismissal action is being contemplated by the Board of trustees, shall not have voting power on resolutions proposed for his removal/dismissal.

9. All decisions in the Board of trustees shall be taken by vote with two-third majority unless otherwise specifically stated in this Deed.

POWERS OF THE BOARD OF TRUSTEES.

10. The administration of the trust hereby constituted and the entire control, supervision, regulation, and management of the trust property and the application of the entire or a part of the income and profits hereof as also of all the donations and contributions, and all other receipts shall vest in the discretion of the Board of trustees.

11. The Board of trustees may frame rules and regulations for the administration of the trust and for carrying out the purpose and objects thereof, and the same may be varied, altered, deleted substituted or added to, from time to time by a majority decision of the Board of trustees, with a view to introduce more effective administration.

12. In addition to the administrative powers mentioned elsewhere in this deed the trustees will also have the powers to :-

- (a) Decide whether to admit any assembly as a constituent church.
- (b) Expel any constituent Church from the trust fold, if it does not abide by any direction whatsoever given by the trustees.
- (c) To give directions regarding eligibilities of any individual to become a member of the constituent Church.
- (d) Require any constituent Churches to expel any individual member therefrom and ensure compliance of such directive.

1. Samuel Mathew

2. Jacob T. Antony

3. K. P. Yohannan

4. K. C. Punnoose

5. K. N. Punnoose.

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- (e) Replace any constituent church managing committee in-t-o-to or in part.
- (f) Appoint, Consecrate, and install priests, pastors, evangelist and spiritual leaders to constituent Churches and decide on their remuneration and other conditions of service, as also dismiss, suspend, dispense with their services for any reason whatsoever.
- (g) Apply for and obtain on behalf of the churches, cemetery and burial lands and help them in getting all sanctions and approval required.
- (h) Give powers on behalf of 'Believers Church in India' to pastors, and evangelist to conduct marriages, funeral rites, baptism and all other spiritual proceedings required, as also withdraw such powers from any person for whatsoever reasons.
- (i) Ensure that all constituent churches are known as 'Believers Church' with only the place name to distinguish one from the other.

13. The Board of trustees or any person authorised on that behalf by them is empowered to accept donations, contributions, in cash or in kind, and any other receipts, with or without any special conditions attached thereto provided that such conditions do not contravene in any manner the objects of the trust. Without prejudice to the general powers bestowed upon the trustees, they shall also have the powers to :

1. Samuel Mathew

Samuel Mathew

2. Jacob A. Antony

Jacob A. Antony

3. K. P. Yohannan

K. C. Punnoose
4. K. C. Punnoose

K. N. Punnoose
5. K. N. Punnoose.

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- (a) apply the trust property or income arising or accruing therefrom or the donations and contributions received from the trust to effectuate one or some of the objects, in preference to other object or objects.
- (b) To discontinue the application of trust funds to any one or more objects and divert such funds to any other object/objects.
- (c) To decide on the objects and functions of the institutions to be established by the trust and to take over existing Christian institution which are having objectives similar to any one or more objects of the trust as and when deemed fit and necessary to do so, and also to take disciplinary action such as dismissal and suspension, or other punitive measures on pastors, evangelists and other workers of such institutions.
- (d) To decide on terms and conditions upon which financial aids are to be rendered.
- (e) To acquire movable and immovable properties, construct buildings, make alterations, additions to any such buildings.
- (f) To sell, exchange, mortgage, hypothecate or give security of any/all properties of the trust, if felt necessary for the purposes of the trust.
- (g) To enter into contracts and agreements on behalf of the trust.

ELIGIBILITY FOR BECOMING A TRUSTEE.

11. No person shall be eligible to become a member of the Board of trustees, nor does the Board of trustees shall have powers to appoint a person as a trustee or additional trustee, unless such person has completed eighteen years of age and is an individual.

1. Samuel Mathew

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4. K. C. Punnoose

5. K. N. Punnoose.

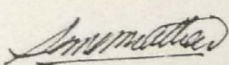
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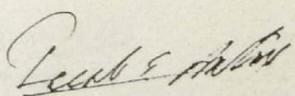
POWER OF MANAGING TRUSTEE/CHIEF FUNCTIONARY.

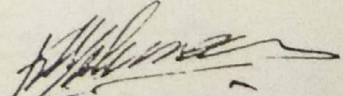
15. The Managing trustee shall have the powers necessary to manage all the routine affairs of the trust. On behalf of the trust, he shall have powers to negotiate bills of exchange, promissory notes, to avail of overdrafts, cash credits, loans from Banks and financial institutions to represent the trust in all suits and other legal proceedings before any public authority or governments.
16. The Managing trustee shall open and operate the Bank accounts in the name of the trust.
17. The Managing trustee shall have the power to appoint consecrate, install, delegate, dismiss or dispense with the priests, evangelists, pastors and other administrative and functional field assistants including its staff and workers as and when felt necessary by him for the purposes of the trust, but with the concurrence of the Board of trustees.
18. The Managing trustee shall carry out all the decisions of the Board of trustees and make reports to the Board on progress, functioning and other aspects of the working of the trust.
19. The Managing trustee may delegate any/all of his powers to one or more persons for effectively carrying out his duties, with the concurrence of other trustees.

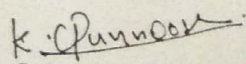
MEETING OF THE BOARD OF TRUSTEES.

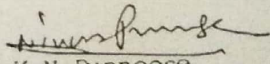
20. One meeting of the trustees shall ordinarily be held in a year after giving ten days notice. In addition, the Managing trustee may call for special meetings with one week's notice, either suo-motu or on a request from any one of the other trustees. The notices shall specify the proposed resolution for the meetings. However, any procedural informalities in calling a meeting or conducting the business shall not invalidate any decisions taken therein. In case of any emergency, a meeting of the Board of trustees may be convened even with a lesser period of notice.


1. Samuel Mathew

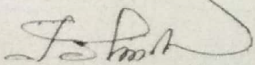

2. Jacob T. Antony


3. K. P. Yohannan


4. K. C. Punnoose


5. K. N. Punnoose.

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21. All meetings of the Board of trustees shall be chaired by the Managing trustee and only in his absence shall, any other trustee be selected to chair a meeting. Such chair shall not have casting vote, which can be exercised only by the Managing Trustee.

22. Decision on any matter in the meeting shall be taken only if two-third majority is obtained for the decisions. Unless otherwise provided elsewhere in this Deed for the purposes of reckoning two-third majority, the opinions expressed in writing by any trustee not attending the meeting shall also be considered. However, the Managing trustee shall have a casting vote in case of a tie.

23. The Board of trustees shall review yearly, the progress of the activities of the trust and take all such decisions necessary for persuing the objects of the trust.

24. Every meeting of the Board of trustees shall be documented through a minutes book maintained for this purpose at the office of the trust. The trustees attending the meeting shall sign in such minutes book, noting specifically their dissent if any, on decisions taken at the meeting. The minutes book shall be made available by the Managing Trustee on a written demand by any trustee, for verification.

GENERAL.

25. None of the trustees shall take or hold any interest in the property and/or assets of the trust otherwise than as a trustee and for the purposes thereof.

26. Trustees are not entitled for any remuneration whatsoever, but they shall be re-imbursed any expenses they incur in connection with the affairs of the trust. The members of the Board of Trustees are also eligible for receiving travelling and other incidental expenses, limited to actuals, incurred by them, for attending the meetings of the Board of Trustees.

1. Samuel Mathew

2. Jacob T. Antony

3. K. P. Yohannan

4. K. C. Punnoose

5. K. N. Punnoose.

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[Signature]

27. The maintenance and safe custody of minutes books, books of accounts, cash, securities, pass-books and other records, registers and assets of the trust shall be the duty of the Managing Trustee or any person authorised on this behalf by him.

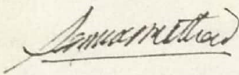
28. The Managing trustee shall arrange to audit the yearly accounts of the trust by a Chartered Accountant in practice and shall place the audited Balance Sheet and Income and Expenditure account, before the Board of trustees for every year, for approval thereof.

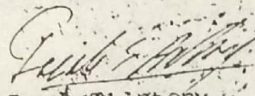
29. The operations of the church shall be all over India and it is empowered to give affiliation to institutions/persons which are engaged in the propagation of the teaching of Jesus Christ.

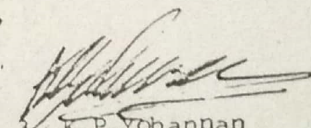
30. If the trustees at any time is of the unanimous opinion that the affairs of the trust cannot be carried on for any reason whatsoever, then they may transfer all the properties and assets to another trust with similar objectives and in no case shall it be distributed among the trustees or the beneficiaries.

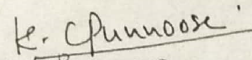
ALTERATIONS.

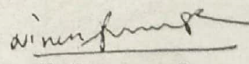
31. Any provision contained in the deed may be altered in order to remove any doubts or any unforeseen obstacles or want of power to the trustees provided that such alteration may be made only for the purpose of giving full effect to the purpose for which this trust is created and such alterations are unanimously approved by the trustees provided however, no amendments will be made to the trust deed without the prior approval of the Commissioner of Income-tax under whose jurisdiction the trust functions.

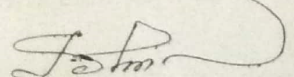

1. Samuel Mathew


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3. K. P. Yohannan


4. K. C. Punnoose


5. K. N. Punnoose.

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32. This document is to be registered in the Sub-Registry Office Tiruvalla.

IN WITNESS WHEREOF the Parties hereto have signed this instrument on the day and year first above mentioned, at Tiruvalla, as settlors settling the trust and as trustees accepting the trusteeship.

1. Samuel Mathew *Samuel Mathew*
2. Jacob T. Antony *Jacob T. Antony*
3. K.P. Yohannan *K.P. Yohannan*
4. K.C. Punnoose *K.C. Punnoose*
5. K.N. Punnoose. *K.N. Punnoose*

IN PRESENCE OF WITNESSES:

1. Georgy P. Cherian, son of Late Cherian George, residing at Chathanthra House, Mepral Muri, Peringara Village, Tiruvalla Taluk, Pathanamthitta District, Kerala State. *Georgy*
2. Smt. Sally Abraham, wife of Abraham P. George, residing at Poothicote Chathanthra House, Mepra Muri, Peringara Village, Tiruvalla, Taluk, pathanamthitta District, Kerala State. *Sally Abraham*

Prepared by- Abraham P. George, Chartered Accountant, T.K. Road, Tiruvalla. *Abraham P. George*

Document is typewritten.

Note of corrections is NIL.

- | | | |
|---------------------------------------|---|---------------------------------------|
| 1. Samuel Mathew <i>Samuel Mathew</i> | 2. Jacob T. Antony <i>Jacob T. Antony</i> | 3. K.P. Yohannan <i>K.P. Yohannan</i> |
| 4. K.C. Punnoose <i>K.C. Punnoose</i> | 5. K.N. Punnoose. <i>K.N. Punnoose</i> | |

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John