

**HOLY CROSS EDUCATIONAL
FOUNDATION**

**MEMORANDUM
OF ASSOCIATION**

**Durjoynagar
Agartala
TRIPURA**



Registrar of Societies
Government of India

MEMORANDUM OF HOLY CROSS EDUCATIONAL FOUNDATION

1. NAME OF THE SOCIETY

Holy Cross Educational Foundation

2. ADDRESS OF THE SOCIETY

Holy Cross Educational Foundation
C/O The Society of the Fathers of Holy Cross
Durgoinagar P O
Agartala - 799 009
W Tripura

3. AIMS AND OBJECTIVES OF THE SOCIETY

- 3.1 The prime purpose of the establishment of Holy Cross Educational foundation is the education of catholic children in the catholic faith and principles. However, children of other faiths irrespective of caste, creed and community are also accepted.
- 3.2 As catholic schools they are also a learning community, which have Christ as their central motivation force. His values as expressed in the beatitudes and summed up in the virtues of love, sincerity, justice and freedom will also permeate the atmosphere so that children of all social backgrounds, even the most deprived, and of all religions, feel welcome in the loving warmth which cherishes even as it challenges.
- 3.3 The schools will foster the all round growth and development of students to their fullest potential spiritually, intellectually and physically; it will guide them in the development of a sound value system and will inculcate in them a deep love and appreciation for their culture and country, which will be conducive to national integrity.
- 3.4 The education imparted is characterized by thoroughness, high principles and freedom. The students are helped to grow in responsibility, self-reliance and human maturity so that they find meaning and purpose in their lives and are inspired to live and work for building up a just and fraternal society. Hence the idea of service is set before them so that they are trained to develop concern for others, to become aware of their needs and to make sacrifices when necessary, to share what they have with the less privileged. Efforts will, therefore, be made to instill a sense of community living rather than a spirit of competition.
- 3.5 Therefore, it is hoped that a community spirit will be built up between students and teachers, staff and the management. The school is not only a place for imparting knowledge, but it is also primarily oriented towards the formation of the child helping him/her to grow to his/her full potential. It will seek to accompany the child through her/his problems and struggles as she/he grows to maturity. It will also ensure that a correct and healthy value system, based on mutual cooperation and assistance and avoiding unrestrained competition, will be the prized possession of the students of

Holy Cross Schools.



18/11/2000
Registrar of Societies,
Government of Tripura

Holy Cross Schools are Minority Institutions created under the Constitution of India. The guaranteed Rights of the Indian Constitution will help catholic children to grow within the tenets and ethos of the catholic faith. However, children of all communities are eligible to get admitted to these institutions subject to their suitability and acceptance of the discipline and rules of the school. It is to be noted that respect for religious belief of every student is an essential element of Holy Cross Schools.

- 3. This society envisages to work in close collaboration with other societies which have similar objectives.
- 4. The names and addresses given below are the office bearers of the Holy Cross Educational Foundation at the initial constitution of the foundation as per the resolutions passed at the General body meeting of the Fathers of Holy Cross, held in May 2000. The names are as follows:



Registrar of Societies,
Government of Tripura
Signature

No.	Designation	Name and Address	Occupation	Signature
1	President	Fr. Ray Thalackal Holy Cross House Duroynagar P.O. Agartala - 799 009	Educator	<i>[Signature]</i>
2	Vice President	Fr. Jose C V Holy Cross House Duroynagar P.O. Agartala - 799 009	Educator	<i>[Signature]</i>
3	Secretary & Treasurer	Fr. Emmanuel K Holy Cross School Duroynagar P.O. Agartala - 799 009	Principal	<i>[Signature]</i> 25/10/2000
4	Asst. Secretary	Fr. Davis Konuran Bl. Andre High School Budjungnagar P.O. Agartala - 799 210	Principal	<i>[Signature]</i> 25/10/2000
5	Member	Paul Pudussery Holy Cross School Kathalcherra Nepalthilla P.O. - 799 288	Teacher	<i>[Signature]</i>
6	Member	L. Sahayraj Good Shepherd School C/O Brookdene, Jowai Rd Shillong - 793 003	Teacher	<i>[Signature]</i>
7	Member	Simon Fernandes St. Joseph's School Khawzawl P.O. Mizoram - 796 310	Teacher	<i>[Signature]</i>
8	Member	Kanikkai Jeyaraj Holy Cross School Dholubari, Panisagar N Tripura	Teacher	<i>[Signature]</i>
9	Member	Benny Kavumkattayil ASHA, Lembucherra P.O. Damdania, W Tripura	Social Worker	<i>[Signature]</i>

President
[Signature]

Vice-President
[Signature]
Agartala, dated 25th Oct. 2000

Secretary
[Signature]



Registrar of Societies
Government of Tripura

- 1. The governing body for the Holy Cross Educational Foundation is the Society of the Fathers of Holy Cross, North-Eastern District, Agartala - Regd No 330-77. The society of the Fathers of Holy Cross can supersede the decisions of the Foundation.
- 2. The Chairman of the Society of the Fathers of Holy Cross will be the ex-officio chairman of the Educational Foundation.
- 3. The policies, Rules and by-laws of the Educational Foundation shall apply to all primary schools, junior / senior, high schools, colleges, hostels, boarding houses and other educational bodies or institutions of every description, whether aided by the govt or unaided but founded or owned or managed by The Society of the Fathers of Holy Cross, Agartala.

2. LAWS AND BYE-LAWS OF HOLY CROSS EDUCATIONAL FOUNDATION

(Registered under the Societies Registration act XXI of 1860)

1. NAME OF THE SOCIETY

The name of the Society shall be Holy Cross Educational Foundation

2. Definitions

In this memorandum unless the content otherwise requires:

- a "The founder body" means "The Society of the Fathers of Holy Cross", which is the founder of the schools or which at least manages the school
- b "The governing body" means the body instituted for running the administration of the Holy Cross Educational foundation constituting the office bearers of the foundation.
- c "School committee" / "College committee" means the executive body, which manages the ordinary affairs of the particular institution concerned and it will be a subordinate body comprising such members as may be appointed by the governing body of the foundation.
- d "The principal or headmaster" means the head of an educational institution by whatever name he may be called
- e "Employee" means a member of the teaching staff or a member of the non-teaching staff employed in the institution concerned.
- f "Employer" means the person authorized by the governing body to appoint the employees

3. REGISTERED OFFICE AND AREA OF OPERATION

- a The registered office of the foundation will be situated at Durjoynagar, Agartala, Tripura.

H. Wilson
Secretary

The area of operation of the foundation will be the area of North Eastern District of the Fathers of Holy Cross. The area of operation may be altered from time to time as may be decided by the Founder Body.

4. Aims and Objectives:-

- a. The prime purpose of the establishment of Holy Cross Schools is the education of catholic children in the catholic faith and principles, however. Children of other faiths irrespective of caste, creed and community are also accepted.
- b. As catholic schools they are also a learning community, which have Christ as their central motivation force. His values as expressed in the beatitudes and summed up in the virtues of love, sincerity, justice and freedom will also permeate the atmosphere so that children of all social backgrounds, even the most deprived, and of all religions feel welcome in the loving warmth which cherishes even as it challenges.
- c. The schools will foster the all round growth and development of students to their fullest potential spiritually, intellectually and physically; it will guide them in the development of a sound moral value system and will inculcate in them a deep love and appreciation for their culture and country which will be conducive to national integrity.
- d. The education imparted is characterized by thoroughness, high principles and freedom. The students are helped to grow in responsibility, self-reliance and human maturity so that they find meaning and purpose in their lives and are inspired to live and work for building up a just and fraternal society. Hence the idea of service is set before them so that they are trained to develop concern for others, to become aware of their needs and to make sacrifices when necessary, to share what they have with the less privileged. Efforts will, therefore, be made to instill a sense of community rather than a spirit of competition.
- e. Therefore, it is hoped that a community spirit will be built up between students and teachers, staff and the management. The school is not only a place for imparting bookish knowledge; but it is also primarily oriented towards the formation of the child helping him/her to grow to his/her full potential. It will seek to accompany the child through her/his problems and struggles as she/he grows to maturity. It will also ensure that a correct and healthy value system, based on mutual cooperation and assistance and avoiding unrestrained competition, will be the prized possession of the students of Holy Cross Schools.
- f. Holy Cross Schools are Minority Institutions protected under the Constitution of India. The 'Guaranteed Rights of the Indian Constitution' will help catholic children to grow within the tenets and ethos of the catholic faith. However, children of all communities are eligible to get admitted to these institutions subject to their suitability and acceptance of the discipline and Rules of the school. *It is to be noted that respect for religion belief of every student is an essential element of Holy Cross Schools.*

H. Kumar
Secretary

This society envisages to work in close collaboration with other societies which have similar objectives

5. Regarding managing committee of the School, the Foundation shall have the power

- 5.1 To constitute the managing committees of all Holy Cross Schools as per composition of special rules or code that applies to them and to appoint its office bearers
- 5.2 To determine the constitution and composition of the managing committees of Holy Cross Schools those are unaided and are not under any special rules or code and to appoint its office bearers.
- 5.3 To determine and specify the role, function and the powers of the managing committee and its office bearers
- 5.4 To decide about other matters relating to the managing committee, such as filling up of the casual vacancies, supervision of managing committee quorum, number of meetings in the year etc

6. The Foundation is the authority in respect of the following acts:

- 6.1 To appoint headmaster/headmistress and Assistant headmaster/headmistress
- 6.2 To appoint religious personnel as Members of teaching and non-teaching staff
- 6.3 To lay down policies and procedures for recruitment of the members of the teaching and non-teaching staff and to assign to authority for their appointments except those in point No-9.5.1.
- 6.4 To determine the rules relating to terms of employment and service conditions of the staff
- 6.5 To determine the scales of pay and allowances of staff according to certain pattern
- 6.6 To frame rules for the payment of management share of Provident fund keeping in view Government and / or other Statutory rules wherever applicable
- 6.7 To prescribe the age of employment and retirement keeping in view the government policy
- 6.8 To frame directives and guidelines for the on-going formation of staff appointed on probation during their probationary period.
- 6.9 To frame directives and guidelines for the in-service training of existing confirmed staff.
- 6.10 To determine the procedures for the setting up of any council or body and to approve of its role and function.
- 6.11 To determine procedures for election of Teachers representatives in the managing committee
- 6.12 To approve any welfare scheme proposed by the managing committee for the staff
- 6.13 To establish at its discretion an appeal board and lay down procedures for appeal in case of termination of services and major penalties in respect of the employees.
- 6.14 To appoint an inspector of Holy Cross Schools and to specify his role and responsibility
- 6.15 To appoint and specify the role of the secretary
- 6.16 To constitute one or more sub-committees or any other bodies and to specify their role and responsibility

7. Regarding financial administration - the Education Foundation shall:-

7.1 Exercise supreme control of finances, monies, fixed deposits etc -

73. Approve proposals regarding the administration of finances and specify the role and areas of responsibilities in dealing with financial matters of the managing committee, secretary, Principal, auditors, etc.

74. Prescribe the rates for tuition fees, fines, terminal, annual and any other charge and decide on any proposal forwarded by the managing committee relating to the same.
75. Prescribe scales of pay and allowances of staff according to a certain pattern and decide on any proposal forwarded by the managing committee relation to the same.
76. Have the right to make inquiries and seek clarification from the secretary or the institution regarding the items contained in the audited accounts.
77. Authorize the opening of a new bank account in the name of the school. The said account will be operated jointly by the secretary and the president of the managing committee or any other person recommended by the managing committee.

2. Regarding School Education Policy

The education foundation shall determine and approve the educational policies relating to all aspects of school education e.g. school atmosphere, admission, value education, academic matters (syllabus, evaluation, retention, standards, rewards and punishment, school discipline, etc.) non-formal education, family-school relations etc.

3. Regarding any other matters.

The education foundation have the power to deal with any other matter as may be necessary according to the exigencies of the circumstances and for the furtherance of the objectives of the institution and its proper administration.

10. School Managing Committee

10.1 Constitution and composition

- 10.1.1 In exercise of the rights and powers guaranteed to religious and linguistic minorities by the constitution of India, every school established and or administered by the founder body shall have a school managing committee.
- 10.1.2 The School managing committee shall be deemed to be duly constituted when it receives the written approval of the Educational Foundation.
- 10.1.3 The composition of managing committees of all aided/unaided schools will take into account all provisions laid down by the founder body for the purposes and will be constituted as per special rules/ code applicable to such schools.
- 10.1.4 The terms of functioning and powers of the managing committee is set by the Education Foundation keeping in view of the statutory rules applicable to various categories of schools.

10.2. Composition of Managing Committee under special rules

10.2.1

The junior-high, high and higher secondary schools recognized by the Tripura Board of Secondary Education (TBSE) will have a managing committee as per the notification issued by the Tripura Board of Secondary Education notification no. F.10(28-12)- DSE/88 dated Agartala, the 16th may, 1990, not exceeding 12 (twelve)

members and shall be appointed by the founder body and will be constituted/reconstituted as follows:-

- 10.2.1 Representatives of the founder body, to be nominated by the founder body from the category of the founder 1
- 10.2.2 Donors/benefactors 1
- 10.2.3 Persons interested in education subscribing to the aims and objects of the founder body, to be nominated by the founder body 2
- 10.2.4 Medical practitioners 1
- 10.2.5 Guardians representative to be nominated by the founder body 4
- 10.2.6 Teachers' representatives to be elected triennially from amongst the wholesome permanent members with a minimum of 4 years service in the school 2
- 10.2.7 The Headmaster/Principal (ex-officio) 1
- 10.2.8 One officer of the state government to be nominated by the director of the school education of Tripura or by an officer authorized by him to nominate 1

10.2.2

Provided that in case of institutions having students from far-off places, the teachers and wardens looking after the students in their respective hostels may also be nominated as guardians' representatives.

10.2.3

The founder body shall appoint from amongst the members of the school committee nominated by the founder body, a president, a vice-president, and a secretary. The headmaster of the school shall be ex-officio joint secretary.

10.3. Term of office of the school committee

10.3.1

The school committee shall be constituted at the end of every three years or earlier if necessary, as may be determined by the governing body of the Foundation. The meeting of the school committee shall be called at least once in every four months.

10.3.2

In case of a vacancy of the school committee caused by retirement, resignation, death or removal, the same shall be by nomination by the chairman of the governing body.

10.3.3

Persons so appointed shall hold office for the remainder of the term of office of the school committee.

10.4. Power to supersede the school committee

The Foundation may, for reasons of its own, supersede school committee and appoint an ad-hoc committee or a suitable person to discharge the functions and exercise the powers of the school committee pending its re-constitution within this period.

10.5. Powers of the school committee

Subject to orders issued by the foundation the school committee shall exercise powers in respect of the following matters:

- a) Appointment of employees other than head and Assistant head
*of the institution and prescribe scale
of pay and allowance*



- d) Confirmation, promotion, extension of services beyond the date of super annuation and disciplinary action against the employees
- e) Management and regulation of the finances of the school subject to the control of the foundation.
- f) Consideration of audited accounts and preparation of budgets for the approval of the foundation
- e) Sanction of deputation facilities to teachers for training when such training is felt necessary
- f) Framing rules and regulations regarding the attendance and conditions of services subject to the approval of the foundation
- g) To deal with all such matters in respect of which authority has been delegated to the school committee by the foundation.

II. Quorum.

- Seven members present shall constitute the quorum
- The secretary of the school committee shall call the meetings, maintain the records, conduct the official correspondence and keep the minutes of the committee meetings


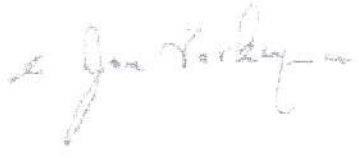
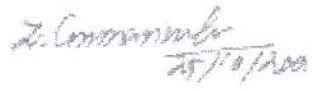








- b) Confirmation, promotion, extension of services beyond the date of superannuation and disciplinary action against the employees
- c) Management and regulation of the finances of the school subject to the control of the foundation
- d) Consideration of audited accounts and preparation of budgets for the approval of the foundation
- e) Sanction of deputation facilities to teachers for training when such training is felt necessary
- f) Framing rules and regulations regarding the attendance and conditions of services subject to the approval of the foundation
- g) To deal with all such matters in respect of which authority has been delegated to the school committee by the foundation.

22. Quorum.

- Seven members present shall constitute the quorum
- The secretary of the school committee shall call the meetings, maintain the records, conduct the official correspondence and keep the minutes of the committee meetings

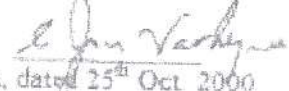
Designation Name and Address Occupation Signature

1	President	Fr. Roy Thalackal Holy Cross House Durjoynagar P.O. Agartala - 799 009	Educator	
2	Vice President	Fr. Jose C.V. Holy Cross House Durjoynagar P.O. Agartala - 799 009	Educator	
3	Secretary & Treasurer	Fr. Emmanuel K. Holy Cross School Durjoynagar P.O. Agartala - 799 009	Principal	
4	Asst Secretary	Fr. Davis Komran Bl. Andre High School Budjungnagar P.O. Agartala - 799 210	Principal	
5	Member	Paul Pudussery Holy Cross School Kathalcherra Nepalhill P.O. - 799 288	Teacher	
6	Member	I. Sahayaraj G.S. Shepherd School C/O Brookdene, Jowai Rd Shillong - 793 003	Teacher	
7	Member	Simon Fernandes St. Joseph's School Khawzawl P.O. Mizoram - 796 310	Teacher	
8	Member	Kanikkai Jeyaraj Holy Cross School Dholubari, Panisagar N. Tripura	Teacher	
9	Member	Benny Kavumkattayil ASHA, Lembucherra P.O. Dandamia, W. Tripura	Social Worker	

President



Vice-President



Secretary



Agartala, dated 25th Oct 2000

17.3 If a meeting (whether it is a general meeting or a meeting of the Governing body) fails to reach a Quorum, then the adjourned meeting shall take place on the second day after the date of the said meeting at the same place and time, then the Quorum shall not be needed and no notice will be required.

17 GOVERNING BODY

17.1 The governing body shall consist minimum of 9 (nine) members and maximum of 15 (thirteen) members including the office bearers. On expiry of the term of office of the governing body, the general body will elect new members. The term of office of the Governing body shall be for three years.

17.2 The Governing body thus formed will assume charge within 5 (five) days from the date of election.

17.3 The office bearers will consist of the following -

President	-	01
Vice-President	-	01
Secretary/Treasurer	-	01
Joint Secretary	-	01
Members	-	05

17.4 The President, Vice President, Secretary, Joint Secretary, Treasurer and the Executive members will be elected by the Governing Body.

18 POWERS OF THE GOVERNING BODY

The Governing body shall have full powers and authority to do all acts, matters, things, and deeds which the Foundation is authorized, to do under law, conventions or otherwise and which may be necessary in fulfillment of aims and objectives of the foundation and in particular the following -

- i) To look after, manage and supervise the management of the Foundation, its properties and assets and to spend money for the purpose.
- ii) To pay all rents, rate, taxes, salaries and remunerations to employees
- iii) To invite and accept donations, subscriptions and gifts with or without any consideration, term and condition.
- iv) To do all such acts, deeds and things as are incidental or conducive to the attainment of the objects of the Foundation stated in the Memorandum of Association
- v) To frame, modify and amend from time to time, bye-laws and rules of business for the conduct of the Foundation.
- vi) To delegate and sub-delegate all or any of the powers of the Secretary of the Governing Body or any of the members of the body jointly or severally.

19 POWERS OF THE PRESIDENT, VICE-PRESIDENT, SECRETARY:

19.1 The President of the Foundation shall preside over all the meetings of the Foundation and exercise control over the General Activities of the Foundation.

19.2 The Vice-President, in the absence of the President, shall preside over all the meetings of the Foundation and discharge all the functions of the President.

19.3 In the absence of both the President and the Vice-President, any member of the

Governing body present in the meeting will preside over the meeting -

19.4 *The Secretary of the Society is empowered to correspond and attend to the day to day affairs of the Society and hire the services of such persons as may be*

necessary. In the absence of the Secretary, the Joint secretary may perform his duties or any other member may do so if the Governing Body decides so.

a) The Secretary shall operate bank accounts or such accounts jointly with the treasurer or any other member if the Governing Body decides so.

c) The secretary shall maintain the records and registers, and shall prepare reports as to the working and other matters relating to the Foundation.

d) In the absence of the Secretary, the Joint-secretary will discharge the duties of the secretary.

13.5 a) The Treasurer shall maintain accounts and keep records of all receipts and payments and assets and liabilities of the Foundation.

b) He shall get the accounts audited every year by a chartered accountant and place before the Foundation within five months from the closure of the accounting year and submit a copy thereof to the registrar of the co-operative societies with the audited report.

c) Bank account in the name of the Foundation shall be opened and operated jointly by the secretary and treasurer or as may be decided by the governing body.

20 LITIGATION

The Association may sue or be sued in the name of the Foundation through the President or the Secretary and shall be under the jurisdiction of the courts where the registered office of the Foundation is situated. In all such matters, the Secretary of the Foundation shall represent the Foundation unless otherwise decided by the Governing Body.

21 EFFECTIVE DATE

The foundation will be deemed to have come into existence on the 25th October 2000 irrespective of the date of registration.

22 FINANCIAL YEAR OF THE FOUNDATION

The Financial year of the Foundation is from the first of April to the thirty first of March.

23 MODIFICATION OF LAWS AND BYE-LAWS

23.1 The General Body has the powers to make addition or alteration by amendment of Laws and bye-laws of the Foundation from time to time in conformity with the provisions of the Societies Registration Act, 1860.

23.2 The Registrar of Societies of the State shall be informed of any additions or alterations in the laws and bye-laws of the Foundation.

24 DISSOLUTION

24.1 Not less than 3/4 (three fourth) of the total members may determine at the meeting convened for the purpose that the Foundation shall be dissolved whether forthwith or otherwise.

24.2 If on dissolution of the Foundation, there shall remain after the satisfaction of all debts and liabilities any property or assets whatsoever the same shall be retained in such a manner as may be decided by the General Body in accordance with the provisions of the Act, 1860.

RESOLUTION

Name of the Society: HOLY CROSS EDUCATIONAL FOUNDATION

Place: Durjoyanagar, Agartala

Date: 23.10.2009

Time: 10.00 AM

The signatures of the members present is attached here with
Agenda


1. To take decision about the registration of the Society/Association under the Societies Registration Act, 1860
2. Formation of Executive Committee
3. Steps be taken to get the society/ association registered
4. Miscellaneous

The General Body meeting was held under the chairmanship of Er Roy Thalackal, CSC
Members present in the meeting resolved the following:

- i) It has been unanimously decided that a Society/ Association with the title, "HOLY CROSS EDUCATIONAL FOUNDATION" be formed.
- ii) The memorandum of the association was proposed and approved to be registered under Societies Registration Act of 1860.
- iii) Its registered address be as follows:
HOLY CROSS EDUCATIONAL SOCIETY,
Durjoyanagar P O
Agartala
W Tripura - 799 009
- iv) It has been unanimously decided that an executive committee of Holy Cross Educational Foundation be formed with the following members who will act as office bearers in the capacity noted against their names:

1. Roy Thalackal	President
2. Jose C. Varkey	Vice-President
3. Emmanuel Kallarackal	Secretary/treasurer
4. Davis Konuran	Joint Secretary
5. Paul Pudussery	Member
6. I Sahayaraj	Member
7. Simon Fernandes	Member
8. Kanikal Jeyaraj	Member
9. Benny Kavumkattayil	Member
- v) It has been unanimously decided that Emmanuel Kallarackal, the secretary of the association will taken all necessary steps and observe all required formalities for submission of a proposal of the society/ association to the Registrar, of the co-operative societies, Agartala to get its registration under the societies act 1860
- vi) Members present in the meeting discussed their role to be played for proper functioning of the societies association. They unanimously decided to abide by the rules and regulations of the association and to do all acts for the betterment of the members as well as the public in general.
- vii) The meeting ended with a vote of thanks
- viii) Certified that the resolution is true and correct


President


Vice-President


Secretary