

भारतीय गैर न्यायिक

एक सौ रुपये

Rs. 100

₹. 100

ONE HUNDRED RUPEES



सत्यमेव जयते

भारत INDIA

INDIA NON JUDICIAL

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CH 886820

AFFIDAVIT

I, Dr. Joseph Mar Thoma Metropolitan, aged 88 years, Metropolitan of Malankara Mar Thoma Syrian Church, residing at Poolatheen, Thiruvalla village, Thiruvalla Taluk, Pathanamthitta district, Kerala do hereby swear in the name of God as follows:-

1. That I am the Metropolitan and the Chairman of the Board of Trustees of the Malankara Mar Thoma Syrian Church.

Joseph Mar Thoma

Deponent: Dr. Joseph Mar Thoma Metropolitan
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Comm. Thomas
COMMEN THOMAS, B.Sc., LL.B.
ADVOCATE & NOTARY
MAVELIKARA, KERALA, INDIA
RQI NO: K/43/1984
4.2.2020

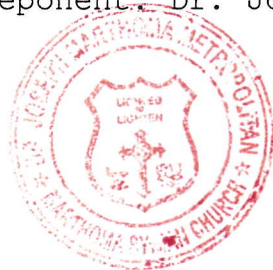
No: 12371
03.02.2020
Dr. Rev. Dr. Joseph Mar Thoma
Metropolitano Malankara.
Mar Thoma Syrian Church
of Malabar. Poolatheen
Thiruvalla.



2. That the Malankara Mar Thoma Syrian Church is an indigenous Episcopal Christian church with organizational 3-tier structure having the Metropolitan as supreme head of the polity of whole church with an Episcopal Synod comprised of all Bishops, presided by the Metropolitan. As the Head of the Apostolic/Episcopal Church, the Metropolitan is the original repository of constitutional/governmental power of the Church.
3. That the Malankara Mar Thoma Syrian Church is governed by a written Constitution made in the year 1969, in substitution of an earlier pre-existing constitution, which had been amended from time to time. The polity of Church consists of 13 diocese and more than 1200 Parishes following democratic Episcopacy.
4. That 7 hectors 54 Ares 50 Sq. Meters of land was purchased as per Sale Deed No.2299 of 1067 ME (AD 1892) registered before Thiruvalla Sub- registry in the name of the then Trustees for the purpose of starting Educational Institutions also. The recitals of the said Sale Deed shows the purpose for which the land was purchased.
5. The above land is comprised in old survey No.178/3 and in Re- Survey 8 in block 218 of Thiruvalla village with TP No.4320. The property is mutated in the name of the Trustees of the Church and is regularly paying the land Tax.
6. That the Malankara Mar Thoma Syrian Church had first started a school in the above land for the education of the pupils in this area. Later in 1957 Malankara Mar Thoma Syrian Church started Titus II Teachers college, Tiruvalla for B.Ed course, demarcating 4 acres of land, in another part of the above 7 hectors 54 Ares 50 Sq. Meters of land. The M.Ed. course was also started in the year 2007.

Deponent: Dr. Joseph Mar Thoma Metropolitan

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Dommen Thomas
Dommen Thomas
DOMMEN THOMAS, B.Sc LL.B
ADVOCATE & NOTARY
MAVELIKARA, KERALA, INDIA
REG. NO: K/43/1980

4.2.2020

7. The college was initially under Kerala University and since 1985 it is under Mahatma Gandhi University. The college had fulfilled all the requirements specified by the university before getting the recognition. B.Ed Course is running under aided sector and M.Ed course is under self financing, under the same management, for 'not for profit'.
8. That Titus II Teachers college from inception till today is under the management of Malankara Mar Thoma Syrian Church headed by Metropolitan, the Chairman of the Board of Trustees. The Board of Trustees consists of myself in the official capacity as Metropolitan of the Malankara Mar Thoma Syrian Church and a lay Trustee elected by the General Body consisting of representatives from Parishes and institutions.
9. That the management had set apart sufficient well demarcated 4 acres of land, as stipulated by the University and other controlling offices, for the use of the college in the south east corner of the entire property with separate entrance from the main road.
10. That the management had initially constructed, as required by the University, built up area for getting recognition and subsequently added with new buildings and at present there is a built up area of 3519.53 Square meter. The area of land available at the time of recognition was 4 acres and is still available there for the use of the college.
11. The evidence regarding the area of land allotted to the use of the college at the time of recognition can be seen from the resolution Dt. 4&5.12.2005, by the Council, reaffirming the area, when College applied for getting M.Ed course.



Deponent: Dr. Joseph Mar Thoma Metropolitan

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Joseph Mar Thoma
4.2.2020
OOMMEN THOMAS, B.Sc., LL.B.
ADVOCATE & NOTARY
MAVELIKARA, KERALA, INDIA
PQ# NO: K/43/1984

12. That the NCTE regulation Clause 8(7) (iv) provides that the society sponsoring the institution shall be required to transfer and vest the title of the land and building in the name of the institution within a period of six months from the date of issue of formal recognition order under sub-regulation (160 of regulation7 and the society fails to do so due to local laws or rules or bye-laws it shall intimate in writing with documentary evidence of its inability to do so.
13. The regulation clause mentioned in paragraph 12 above of this affidavit is not applicable to Titus II Teachers college since the property and the management vests in one person. All the properties of the Malankara Mar Thoma Syrian Church and the institutions is having the status of a Trust property and I being the Chairman of the Board of Trustees, in the official capacity is holding the property in title and possession and using the demarcated property for the use of Titus II Teachers college.
14. The management of the Titus II Teachers college is vested with me, the Metropolitan, and for convenience a Governing council headed by one of the Bishops is designated for a particular period.
15. That as per the NCTE regulation the transfer is required when the property is owned by society. Here the 4 acres of land with building therein and the college vest in one person, who is none other than myself.
16. That to make a transfer of property there must be a transferor and transferee and also passing of consideration. Any individual or a legal person can only be either transferor or transferee. An educational institution cannot be classified as a legal person and so a transfer cannot be made in the eye of law of registration.

Deponent: Dr. Joseph Mar Thoma Metropolitan

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Joseph Mar Thoma
OOMMEN THOMAS, B.Sc LL.B. 4.2.2020
ADVOCATE & NOTARY
MAVELIKARA, KERALA, INDIA
PQ1 NO: K/43/1984



17. That apart from the above, with regard to Titus II Teachers college, the transferor and the transferee are one and the same person and thus the NCTE regulation 8(7) (iv) is not applicable.

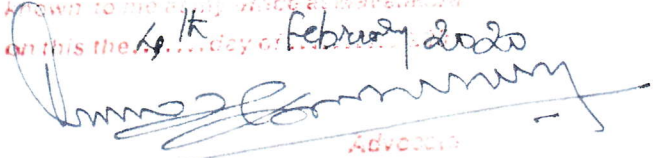
18. That I again affirm that the well demarcated 4 acres of property and the building therein available from the time of recognition continues to be as such for the use of the Titus II Teachers college and I will not make any change regarding the area of land or the management in future.

The facts stated above are true and correct.

Deponent: Dr.  Metropolitan



Solely and lawfully signed and attested by me by the deponent, a Notary Public known to me as Dr. Joseph Mar Thoma on this the 14th day of February 2020


Advocate

OOMMEN THOMAS, B.Sc., LL.B.
ADVOCATE & NOTARY
MAVELIKARA, KERALA, INDIA
PQ# NO: K/43/1984