



A.P. Karayalar  
 श्री 255  
 11.7.92  
 A.P. Karayalar  
 श्री 20/-

This Declaration of Trust executed and delivered at Shencottah, Shencottah Taluk, Tirunelveli-Kattabomman District, Tamil Nadu, this the 9th September One Thousand Nine Hundred and Ninety two

By

Sri A. Mohanakrishnan, son of Sri A. Appaswamy Karayalar, Indian, Hindu, aged 33 years, residing at No.19, Dr.S.S.Pillai Street, Shencottah - 627 809, Tirunelveli-Kattabomman District, Tamil Nadu, hereinafter called and referred to as the 'Author' of the 'TRUST' which term shall, wherever the context so permits, mean and include his successors, assignees and representatives as the case may be.

*A. Mohanakrishnan*

Doc: NO 43 of 1992 of BK4

Contains 18 sheets

1st sheet

~~Document~~  
Sub Regr.

43  
4  
10-

Presented in the office of the Sub Registrar of Shencottah and fee of Rs 10.00 paid between the hours of 4 PM and 5 PM on 9th September 1992 by

W. Mohanani

Execution admitted by.

(1) W. Mohanani

Son of Appasamy Karayalar Advocate  
No 19, Dr. S. S. Pillai St. Shencottah

(2) M. Kanthimathi

wife of Mohana Krishna No 19 Dr.  
S. S. Pillai St. Shencottah

Identified by.

V. Thirumalaiah s/o Vandimutt Chava, Shencottah, Ryot

K. Kuruppu Mudali s/o Kuthalingu Madhavan  
Melod, Shencottah, Ryot.

9th September 1992

~~Document~~  
Sub Registrar.

23  
149 158

Registered as no 43 of 1992 of Book 4  
Volume 23. pages. 149 to 158

11th. September 1992.

~~Document~~  
Sub Registrar





अतिरिक्त  
 नंबर - 2590  
 तारीख 11.7.82

कलम

2590

*A. P. Karayalar and Son*  
*Shencottah*  
*11.7.82*

श्री गणेशाय नमः  
 श्री गणेशाय नमः  
 श्री गणेशाय नमः

= 2 =

TO AND IN FAVOUR OF

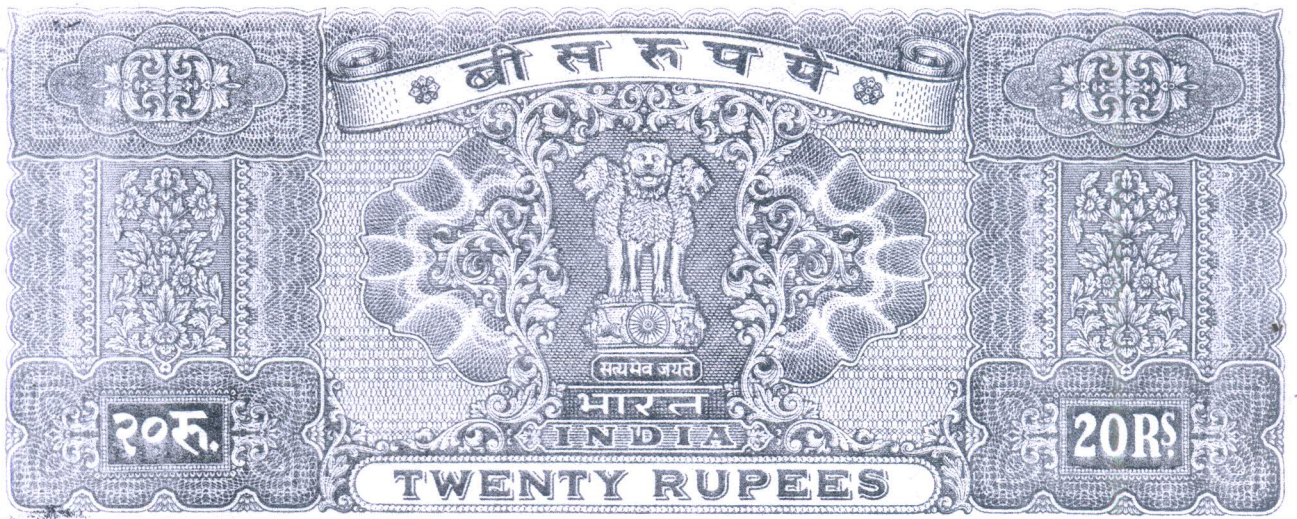
APPASWAMY KARAYALAR Charitable Trust, a Trust represented by  
 1. Sri A. Mohanakrishnan, son of Sri A. Appaswamy Karayalar,  
 Indian, Hindu aged 33, residing at 19, Dr.S.S.Pillai Street,  
 Shencottah - 627 809, Tirunelveli District.

AND

2. Smt. M. Gandhimathi, wife of Sri A. Mohanakrishnan, Indian,  
 Hindu, aged 29 residing at 19, Dr. S.S. Pillai Street, Shencottah  
 Pin 627 809, Tirunelveli-Kattabomman District, hereinafter  
 called and referred to as the "TRUSTEES" which term shall, wherever  
 the content so permits, mean and include their successors in  
 office as Trustees.

WHEREAS the Author of the Trust has set apart Rs.1,000/= (Rupees One thousand) only in cash for Public charitable purposes and objects of General Public utility and

*V. Mohanahani*



25/11/73

11.7.73

11.7.73

Quant

ent

all proceeds of  
the trust shall be  
used for the objects  
mentioned in the  
trust deed.

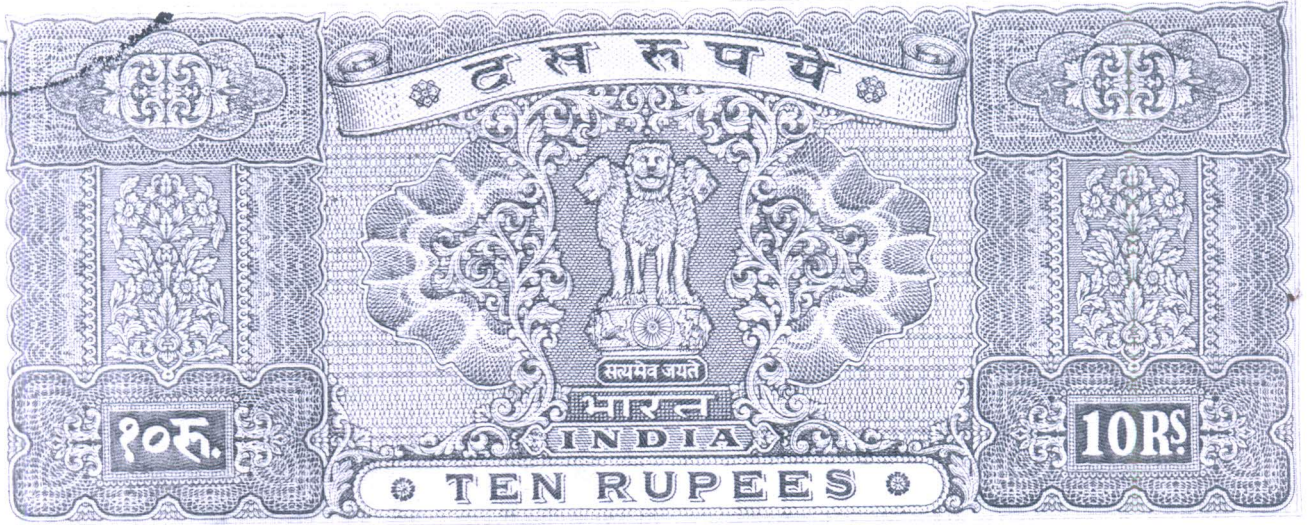
= 3 =

WHEREAS the Author of the Trust is desirous of executing these presents declaring the objects, purposes and other matters with regard to management of the charitable Trust.

NOW THIS DEED WITNESSETH AS FOLLOWS:

1. The author of the Trust do hereby create a Charitable Trust. The name of the Trust is 'Appaswamy Karayalar Charitable Trust'.
2. The Office of the Trust shall be situate in the State of Tamil Nadu and for the present at No.19, Dr. S.S. Pillai Street, Shencottah - 627 809, Tirunelveli-Kattabomman District.
3. The objects of the Trust shall be those treated as Public Charitable and exempt for the purposes of exemption under the Income Tax Act, 1961 and subject to the above, the objects of the Trust shall be
  - a) To establish, maintain, run, develop, acquire take over, improve, extent, grant donations for and to aid and assist in the

W. Mohanahari



தமிழகம்

எண் -

நாள்

2552

11.7.52

பெயர்  
காள்

A. Balasubramanian  
*[Handwritten signature]*

சி சாமையகம்  
கல்வியுத்தர விநியோககர  
செய்தகரகல்

= 4 =

establishment, maintenance, running, development, acquisition, take-over, improvement and extension of elementary schools, including Kindergartens, Secondary Schools, High Schools, Higher Secondary Schools, Colleges, Industrial, Technical, Technological, Vocational, Pharmaceutical and other art, craft and Science Schools and Colleges and Institutions of English, Tamil, Telugu, Hindi, Canarese, Sanskrit or any Indian Language learning, hostels for the benefit of students and generally all kinds of educational institutions, whether general, technical, technological, pharmaceuticals, vocational, professional or other description whatsoever, for the welfare and uplift of the general public and to institute award scholarships, stipends and to advance loans without interest or at nominal rates of interest for study, research and apprenticeship for all or any of the said purposes and award prizes to students for proficiency in any subject or language by the creation of an Endowment or otherwise;

*W. N. Sankaranarayanan*

b) To provide assistance in cash or in kind to poor and deserving students to prosecute their studies in Educational Institutions including technical, technological and vocational Institutions;

c) To conduct, institute and carry on discourses, lectures and classes for the propagation of ~~adult~~<sup>adult</sup> education;

d) To bring out, encourage and develop inventive and research faculties of the pupils and teachers and to afford opportunities for research work in art, Science and Industrial undertakings;

e) To establish, maintain, run, develop, acquire, take over, improve, extend, grant donations for and to aid and assist in the establishment, maintenance, running, development, acquisition, take over, improvement and extension of Libraries, Reading Rooms, Recreational Centres, Research and Development Institutions and all other facilities as are calculated to be of use in imparting education to the Public;

f) To provide physical education and encourage sportsman and adventurous spirit in the pupils and those connected with the institution and coming in contact with them and to participate in games of skill and prowess;

g) To establish, construct, maintain, run, develop, acquire, improve, extend and to aid and assist in the establishment, construction, maintenance, running, development, acquisition, improvement and extension of hospitals, clinics, dispensaries, maternity homes, Sanitaries, health centres, wards and such other institutions as will afford treatment, cure, rest, <sup>recreations</sup> ~~recreation~~ and other allied advantages for the relief of the sick and the incompetent;

W. Mohanani

h) To establish, construct, maintain and to aid and assist in establishing, constructing and maintaining drinking water facilities for the Public, such as storage tanks, water pumping and distribution lines, digging wells and tanks free of cost;

i) To build, erect, construct, establish, maintain and to aid and assist in the building, erection, construction, establishment and maintenance of old age Homes, Orphanages, institutions for Physically handicapped, Community Halls and other similar institutions and to take over any such existing institutions and immovable properties and to conduct, run, maintain develop and improve the same. Community Halls will be made available to the Public Subject to charging of nominal rent for maintenance, electricity charges and incidental expenses thereto without any profit motive;

j) To aid and assist and grant donations to the poor;

k) To feed and support the poor, blind, decrepit, diseased and disabled lives and generally to give food, clothing and maintenance to the poor, needy and defectives and to afford relief to people in distress and affected by earth-quake, flood, famine, Pestilence, other accidents and natural calamities;

l) To make contribution to or provide assistance by way of grants or otherwise in cash or in specie to any other public Charitable Trust or Individuals having all or any of its objects similar to those of this Trust.

m) To accept donations, grants, presents and other offerings and to deal with the same for the purposes of the TRUST: AND

n) The above objects shall be independent of each other and the Board of Trustees as hereinafter constituted may, from time to time apply the funds of the Trust in carrying out all of the aforesaid objects of the Trust as it may deem fit.

W. Mohammed

4) The number of Trustees shall be neither less than two not more than Ten; of whom not more than five members shall hold the office of life trustees. In case the descendants in the family exceed ten then the eldest members of the branch shall become eligible to act as the trustee and represent that branch.

5) The Author hereby affirms that the First Trustees of the Trust shall be the two persons herein before referred to as the Trustees.

6) All the Trustees who are, for the time being and from time to time, in office, shall be referred to collectively as the Board.

7) The aforesaid first Trustees may appoint Trustees in addition, but subject to the limits fixed in Clause 4 supra.

8) A trustee must be an individual and no corporate body shall be appointed as Trustee of this Trust.

9) Sri A. Mohanakrishnan, shall hold office of Trustee of this Trust for his lifetime or until he resigns and he shall be known as 'Life Trustee'. Other than Sri A. Mohanakrishnan who is hereby appointed as Life Trustee, Smt. M. Kanthimathi, wife of the Author of this Trust is also hereby appointed to act as Life Trustee of this Trust and she shall also be known as 'Life Trustee' and hold the Office of Trustee of this Trust for her life time or until she resigns.

10) Sri A. Mohanakrishnan shall be the first Managing Trustee of the Trust and shall hold office of the Managing Trustee of this Trust for his Life or until he resigns. The next Managing Trustee shall be chosen from among the Trustees representing the male and female lineal descendants of the family of the Author of this Trust by election.

V. Mohanani

11) The Trustees and the Managing Trustees shall be appointed and chosen in the manner hereinafter set forth.

a) Subject to the life Trustees mentioned in clause 9 Supra, ~~no person other than~~ a male and female lineal descendant in the line of Sri. A. Mohanakrishnan shall be eligible to be the Life Trustee of this Trust.

b) A Trustee, other than the life Trustees shall hold office of Trustee of this Trust for a period of three years from the date of appointment as a Trustee of this Trust.

c) Any vacancy in the Board other than that of the Life Trustees referred to above may be filled up by the Board.

12) If the number of Trustees of the Trust falls below the minimum prescribed in clause 4 supra, the Board can meet for the purpose of filling up the vacancy and the Board shall not be competent to transact any business unless and until the minimum is brought to the number fixed in clause 4 supra.

13) No person shall hold or continue to hold office or be appointed as a Trustee for the Trustee's Office shall be vacated ipso facto.

- a) If he is found to be or becomes a person of unsound mind;
- b) If he is convicted of an offence involving moral turpitude;
- c) If he is adjudged insolvent;
- d) If he is or becomes deaf, mute or is suffering from bodily infirmity which renders him unfit for active work;
- e) If he is, in the ~~opinion~~ opinion of his co-trustees, after due enquiry by them found guilty of breach of trust, gross neglect or dereliction of duty; or
- f) If he is otherwise disqualified to act according to law for the time being in force.

V. Mohanakrishnan

14) The administration, direction and management of several institutions and establishments in terms of the Trust hereby created shall, subject to the Supervision, control and direction of the Board, be with the Managing Trustee.

15) The Author hereby sets apart, gives, grants, makes over and delivers to the Trust, the said sum of Rs.1,000/= (Rupees One thousand) only in cash to form the nucleus and corpus of the fund of the said Trust viz., "<sup>Appaswamy</sup> ~~A.A.S.~~ Karayalar Charitable Trust", the receipt thereof, the Trustees do hereby admit and acknowledge.

16) The funds and properties of the Trust shall be the said sum of Rs.1,000/- (Rupees One thousand) only set apart by the Author of this Trust and all and every other moneys and properties gifted, conveyed or transferred by any person to the Trust for the Purpose of carrying out the Trust hereby created and all or any additions, accretions and accumulations to the aforesaid sum and investment of the said funds as set out in this Trust Deed.

17) The Board shall have power to accept contributions in money or property from any person either by way of addition to the Trust funds generally or for any one or more of the specified objects of the Trust and in either case such contributions shall be dealt with either as capital according to the directions of the donors specified at the time of making the gift or contribution.

18) The funds of the Trust shall be invested

a) In one or more of the forms and modes and in the manner specified in the Income-Tax Act, 1961 and the rules made thereunder as amended from time to time.

and b) in the purchase of Building or land or getting lease or in the construction of building

or any immovable

property provided that no such investment shall be made except with the previous sanction of the Board recorded by means of a resolution passed at a meeting of the Board.

W. Mohanahani

19) If, in the opinion of the Board, any property belonging to the Trust is in deteriorating in value, or is not yielding reasonable income, or that its sale or conversion into property of any other kind would be advantageous to the Trust, the Board may exchange the same for property of any other kind or sell the property and invest the proceeds in the manner herein provided.

20) The Board shall have power from time to time and at all times to call in and convert, sell or otherwise dispose of the Trust properties and realise any or all of the Securities, investments and assets and reinvest the same in other permissible forms as may be deemed fit by the Board. The Trustees shall have power to borrow from time to time from Banks, individuals or other, whether by giving security or otherwise, such sums as they may deem necessary for the purpose of the Trust or, if any institution maintained or managed by it and to execute such documents as may be required in that behalf.

21) The Board shall have full power and management of the Trust properties and funds and they shall have full control over the finances of the Trust. They shall likewise have full powers of supervision over hospitals, clinics, dispensaries, maternity homes, sanatoria, health centres, medical and Educational Institutions, Schools, Colleges, Water Storage tanks, orphanages, old age homes, community Halls and all other establishments falling within the objects of the Trust that may be maintained and managed in terms of the Trust hereby created.

22) The Board shall, however, have power to levy any fees or charges from patients, students, apprentices or other benefiting from the institutions and establishments maintained and conducted by the Trust towards reimbursement of the expenses of the expenses

V. Mohanbani

incurred by the Trust and the Board shall have the Power to exempt poor and deserving patients, students, apprentices and others, from payment of any fees and charges that may be fixed by the Board from time to time.

23. The Board shall be entitled to take all steps that may be reasonably necessary or required for the preservation of Trust, the Trust properties and of the title to the Trust properties.

24. The Board shall have power from time to time to declare the whole or a portion of the surplus income, if any, resulting from the carrying out of the various objects of the Trust, to be part of Capital of the Trust and thereupon the amount so declared to be a capital shall form part of the Trust fund and be treated thence-forth for all purposes as forming part of capital money. Any surplus remaining after meeting the expenses of carrying out the Trust and which has not been converted as Capital as aforesaid may be utilised for meeting the expenses of the subsequent years in respect of the Trust.

25. The Board shall have power to apply for and obtain grants-in-aid or loans from Governments or other authorities on such terms and conditions as they may think fit in regard to security and interest and shall for this purpose be entitled to execute such mortgages or charges on the properties of the Trust as may be necessary. The Board shall have power to fix remuneration to working Trustee or Trustees for their executive functioning.

26. The Managing Trustee shall, if and when so authorised by the Board by means of a resolution passed at a meeting of the Board, have power and authority to execute such documents as are necessary in favour of any Government ~~or~~ for and on behalf of the Board in respect of mortgages or charges to be created on all

M. Nakamahi

or any of the properties of the Trust as the Board may from time to time decide.

27) Except as otherwise, provided herein, none of the Trustees for the time being of the Trust shall have power jointly or severally to manage or charge or alienate any of the Trust properties.

28) In the professed execution of the Trust and Powers hereto no trustee shall be liable for any loss to the Trust properties arising by reason of any investments made bonafide and in good faith except for wilful or deliberate fraud or wrong-doing on the part of the Trustees for which they may be made liable.

29) Subject to the Superintendence of the Board and subject to the express provisions herein contained, the Managing Trustee shall have every power for the purpose of managing, conducting and administering the affairs of the Trust and hospitals, clinics, dispensaries, maternity homes, sanatoria, health-centres, medical and educational institutions, hospitals, orphanages, old age homes and all other establishments maintained or managed by the Trust.

30) The Managing Trustees shall arrange for maintenance of correct and proper accounts of the receipts and disbursements and of the liabilities incurred and of the Assets acquired and for an audit every year of the accounts of the Trust and of the Income and Expenditure relating thereto and for this purpose, the Managing Trustee shall appoint in consultation with the Board, an Independent Auditor or Auditors, competent to do so appointed in the Board General meeting of the Board.

31) The Managing Trustee shall have power to purchase from time to time such materials and things as may be necessary for the said hospitals, clinics, dispensaries, maternity homes, sanatoria, health-centres, medical and educational institutions and pharmaceutical

V. Mahanani

institutions, hostels, reading rooms, orphanages, oldage homes, recreation centres water tanks and other establishments.

32) The Managing Trustee may, if and when he desires, delegate his authority in respect of the administration of the Trust and the Institutions, belonging to or managed by the Trust to one or more of the Trustees of his choice.

33) No act of the Managing Trustee done in exercise of the powers hereby specifically conferred on him shall be called to question or interfered with by the Board except on the grounds of its manifest impropriety or on the ground that it is gross breach and neglect of duty on the part of the Managing Trustee.

34) The Managing Trustee shall have the custody and control of all the documents of title to the properties of the Trust and all other documents, accounts and other papers, relating to the Trust and the same shall be open to inspection by any Trustee on reasonable notice during Office hours of the Trust.

35) The Managing Trustee shall on request by any trustee, furnish such information as the latter may reasonably require in respect of any matter pertaining to the Trust.

36) The Managing Trustee shall be the Executive Officer of the Board and as such he shall have power and authority for and on behalf of the Board.

- a. to carry out the resolutions of the Board.
- b. to sign papers, receipts and documents.
- c. to pay moneys due by the Trust and demand and get receipts therefor;
- d. to demand and receive moneys due to the Trust and issue receipts for the moneys so received;
- e. to open current and deposit accounts in the name of the Trust with such bank or Banks as the Board may from time to time authorise in this behalf to deposit the funds of the Trust in such accounts on behalf of the Trust.

W. Mahanah

- f) to make, draw, endorse, accept, sign, negotiate or transfer, cheques, promissory notes, hundies, bills of exchange, bills of lading, railway receipts, warrants and other negotiable or transferable instruments, Government Securities, or other securities.
- g) to lease out for a period not exceeding ten years at a time, lands and properties of the Trust which are ordinarily leased out;
- h) to initiate, prosecute, defend, compromise, refer to arbitration or abandon legal proceedings or disputes;
- i) to appoint, employ, remunerate, remove, suspend, discharge, dismiss, re-employ, replace, transfer and accept resignation of staff and workers permanently, temporarily or otherwise;
- j) to call for the meeting or meetings of the Board and
- k) to execute all documents on behalf of the Board;

37) No act on the Managing Trustee requiring the previous sanction of the Board shall be invalid merely by reason of the absence of such previous sanction, if the said act should subsequently be ratified by the Board.

38) The Managing Trustee and other Trustees may reimburse themselves or pay or discharge out of the Trust moneys in their hands all expenses properly incurred by them in or about the execution of the Trust and in discharge of their duties imposed on them under this Trust;

39) The first accounts of the Trust shall be made for the period from 9.9.1992 to 31.3.1993 and thereafter at the end of March every year. The Income and Expenditure Account for the year ending on the 31st day of March every year and the Balance sheet as at the date together with the Auditor's Report

W. N. Mahankar

or certificate thereon shall be placed before the Board not later than the 31st day of July of that year for their consideration and adoption. The Managing Trustee shall give to the Board such information and explanations as the Board may require for a proper understanding of the accounts~~xxx~~ and statements placed before it.

40. There shall be an annual meeting of the Board not later than the 31st day of July every year when the annual audited statement of accounts shall be considered and adopted. The Managing Trustee shall at such meeting place before the Board a report of the working of the several Institutions maintained and managed by the Trust. The Managing Trustee shall give at least 14 days written notice of the meeting to the Trustees specifying the day, date, place, time and agenda of the meeting. Along with the notice, the Managing Trustee shall also send to each one of the Trustees a copy of the audited statement of accounts intended to be placed before the meeting.

41. The Board shall consider at the said meeting the report of the Managing Trustee and that of the Auditor and the audited accounts and if the Board proceeds to approve and adopt them, such approval and adoption shall be by means of a resolution to that effect. The Board shall also transact such other business at that meeting about which due notice and been given as aforesaid. All the resolutions passed by the Board shall be recorded in a separate minute book. The Managing Trustee shall also act as the Chairman of the Board of Trustees. In the absence of the Managing Trustee, any one of the Trustees may be elected at the Meeting to act as the Chairman and to preside over the meeting.

W. Nakamura

42. Any two Trustees for the time being of the Trust may call a meeting of the Board, for the consideration of any specific subject or subjects to be mentioned by the Trustees convening the meeting of the Board. There will be a Notice of at least 7 days for every meeting so convened, the posting of a pre-paid letter to the proper last known address of a Trustee and containing date, day, time, place and the agenda of the meeting shall be deemed to be a proper notice of the meeting and such notice shall be deemed to have been served on the day on which the letter so posted should normally reach the address in the usual course of the post. A notice may also be served on a Trustee in person.

43. The quorum for a meeting of the Board shall be two.

44. The business of the Board shall be transacted either at the meetings of the Board or by resolutions passed in circulation. The resolutions to be passed in circulation shall be set to all the Trustees and the resolutions so circulated shall be deemed to have been passed only when a majority of the Trustees signify their consent in writing.

45. In all matters pertaining to the Trust, the decision of the majority of the Trustees present at a meeting of the Board or passed in circulation amongst them shall be the decision of the Board and shall be binding on all the members of the Board.

46. In the event of the votes being equally divided the Chairman shall have a casting vote in addition to his vote as a member of the Board.

*V. Mohanram*

47) No act or resolution of the Board shall be invalid merely by reason of there being one or more vacancies in the Board. But, no act or resolution of the Board other than an act or resolution appointing or electing a Trustee shall be valid if the strength of the Board at any time is less than two.

48) No act or proceedings of the Board or of the Managing Trustee or of any Trustee shall be deemed to be invalid only by reason of any member thereof or on the ground that any member of the Board was not entitled to hold or to continue in office by reason of any disqualification or by person of such act having been done or proceedings taken during the period of any vacancy in the office of the Managing Trustee or of any other Trustee.

49) The Trust shall conform to the provisions of the Indian Trusts Act, 1882 in all matters not expressly provided for herein but in case any difficulty or doubt arises on any question in respect of the management or administration of the Trust or any matters falling hereunder, the Managing Trustee may, on behalf of the Board, apply to the Court for opinion, advice direction or order and the Trustees acting upon the direction, if any of the Court shall be deemed so far as regards their responsibility to have discharged their duties in respect thereof.

50) The Board is hereby authorised to and it may, from time to time, make and prescribe rules and by-laws regulating its carrying out of the objects of Trust.

51) If at any time the objects of the Trust should become impossible for fulfilment, the properties and funds belonging to the Trust shall be entitled for such other allied purposes as the Board may determine.

*W. Mohanani*

52) Notwithstanding anything contained hereinbefore, the Trust shall not engage in activity which is not in conformity with section 13 of the Income-Tax Act, 1961.

53) It is hereby expressly declared that this Trust is a Public Charitable Trust and the Trust hereby created is irrevocable.

In witness whereof, the Author of the Trust has declared this Trust and executed this Deed and set his hand hereunto this ninth day of July, One thousand nine hundred and ninety two.

W. Mohanahari

Author of the Trust.

The Trustees have signified their acceptance to act as such Trustees as aforesaid and set their hands hereunto on this day above mentioned.

1. W. Mohanahari  
2. M. Ganthiyathi  
Trustees.

Witnesses:

- 1) K. K. Suppa Mudali & S/o. Kuthalinga Mudali  
Melval, Shenoi.
- 2) V. Thiruvizadi s/o Vardimurugan, Shenoi.

Draft Attested by C. KASI. P. RAN Shenoi  
Licence No. B. 1589 TISS 1984.