



மெலனாடு TAMILNADU  
27227 / 30.11.2009 RS.100  
சிவன் குருகுமார் சிவன்  
சுருதி பஞ்சவர்ணம், மருத்துவ

N 366148

**K.நாச்சிமுத்து**  
**RC A.3 11960/1955**  
 மத்திரைதாள் விற்பனையாளர்  
 கச்சேரி வீதி, கடை வீதி.  
 மணலாறு, தமிழ் நாடு.

## SIVAN EDUCATIONAL &amp; CHARITABLE TRUST

### DEED OF CONSTITUTION OF TRUST

THIS DEED OF PUBLIC CHARITABLE TRUST is executed on this 30<sup>th</sup> day of November 2009 between.

**FOUNDER TRUSTEES:**

Know all men by these presents, that we, (1) Sri R. MARACHI Aged 61 years, Son of Ramasamy of 161, Gandhi Nagar, Kovilpatty Road, Manapparai - 621 306, Manapparai Taluk, Trichy District. (2) Sri M. BLANCHILLIAN Aged 58 years, Son of P. M. Marachi of 7, Dindugul Road, Manapparai - 621 306, Manapparai Taluk, Trichy District hereinafter called the Founder Trustees.

1. Pingachhi  
2. Melani





BK 463  
09



புத்தகம் 2009-ம் ஆண்டின்  
எண் 463-ம்  
13-ஆம் பக்கம் கொண்டது  
வது தன்

சார்பதிவாளர், மணப்பாறை

2009-ம் ஆண்டு நவம்பர்  
2 நாள் 11.12 மணிக்கு கீழ்க்கண்ட  
பண்பாறை சார்பதிவாளர் அலுவலகத்தில்  
ரக்கல் செய்து ~~பட்டி~~ ~~பட்டி~~ ~~பட்டி~~  
செய்தது

50+100

இடது பெருவிரல்



*Ramachandran*

Son of Ramasamy  
161 Nandhi Nagar  
Kovilpatty Road  
Nemappore T.L.  
Savelur Village  
கிணற்று  
000630



இடது பெருவிரல்

*Ramachandran*

இடது பெருவிரல்

*Mulam*

P. Ramachandran & D. Dindugal  
Road Nemappore T.L.  
Savelur Village.

கீழ்க்கண்டவர்கள் குறிப்பிட்டுள்ளவர்கள்

P. R. 8/0 Paruthuram 52 Madan St. Madanban.

சிலிரியத்தை 20 சமரத்தி, மணப்பாறை

2009-ம் ஆண்டு நவம்பர் 2 நாள்



புத்தகம் 2009-ம் ஆண்டின் எண்ணாக  
பதிவு செய்யப்பட்டது  
2009-ம் ஆண்டு திங்கள் 2-ம் நாள்



சார்பதிவாளர், மணப்பாறை



भारतीय गैर न्यायिक

एक सौ रुपये

Rs. 100

रु. 100



सत्यमेव जयते

ONE  
HUNDRED RUPEES

भारत INDIA  
INDIA NON JUDICIAL



27226 / 30.11.2009 Rs.100  
சிவன் சூழகோணம் சங்கம்  
சென்னை - 600001

N 366147

க.நாச்சிமுத்து  
RCA.311960/1955  
முத்தியாதர் விற்பனையாளர்  
கனகம் ரோடி, கடை வீதி,  
மதுரைப்பாளையம், தமிழ்நாடு.

2

PREAMBLE :

WHERE the said (1) Sri.R.MARACHI and (2) Sri.MELANCHELIAN, the founder Trustees above named desire to found an Educational and Social Welfare Trust under the name and Style of SIVAN EDUCATIONAL & CHARITABLE TRUST for the objects and with the constitution set forth in these presents.

And whereas above said founder Trustees have transferred to the said SIVAN EDUCATIONAL & CHARITABLE TRUST a sum of Rs.1,000/- ( Rupees One Thousands) in case as the Trust fund and the Trustees have agreed to hold the same in Trust for the purposes and object set out here under.

R. Marachi  
Melanchelian



1. The Founder Trustees (1) Sri.R.MARACHI and (2) Sri.M.ELANCHELIAN above named hereby declare and constitute the Educational and Social Welfare Trust which shall be known as **"SIVAN EDUCATIONAL & CHARITABLE TRUST"** with the objects and with Trusts and Constitution and on the terms and conditions herein after set forth.

TRUST PROPERTY :

2. The Assets and the Funds of the said Trust shall consists of
  - a). The Cash amount of Rs.1,000/- donated by the said Founder Trustees standing in the name of the Trusts as narrated above.
  - b). Such sums, assets as may hereafter be contributed, gifted endowed donated or bequathed by any persons and by the government Foreign donors, Institution etc., Including the Board of Trustees No.1 & 2 herein to the said Trust for the purposes of Implementation of the objects and purpose of this Trust.
  - c). All Income or Income out of the said and assets.
  - d). All interest that may be purchased or acquired from out of the said funds or otherwise acquired for the said Trust and also construction and additions that may be made in the Trust property.
  - e). All Investment and realization there from and income earned out of the said Funds and Assets
  - f). There is no movable or immovable property without Corpus Fund.
  - g). All income by way of Fees etc.
  - h). All Loan amount raised from other sources.
  - i). All sums and assets which have by any means become the property of the Trust items as A to G (Hereinafter called the "THE TRUST PROPERTY")

*Rongachchi*  
*Melancheli*





3. **OPERATION OF FUNDS :**

The funds of each institution may be operated in the name of each institution itself. The Operation of the funds of each institution shall be the president of the executive committee or by the persons authorized by him in this behalf.

4. **GOVERNING COUNCILS FOR EACH INSTITUTION :**

The Trust Board will appoint separate Governing Council for each Institutions started by the Trust. Such Governing Council shall consist of 4 Members of which at least 2 Members shall be from the Trust Board. The Governing Councils so appointed will have their own office bearers and they will frame rules and regulations for the proper administration and functioning of the institution subject to the approval of the Board of Trustees of the trust. The Governing Council of each Institution will move the respective university, Government and other concerned authority for getting sanction and approval for establishing in the minutes book of the said Trust.

5. All Income and all assets of the Trust, the trust property, shall be utilized in the manner and to the extent herein after provided for one or more of the following objects namely, the advancement of knowledge , education, health safety, Medical Relief, Establishment of student Homes, Hotels, Orphanages, Destitute Homes, Crèches, Women Welfare, Cultural advancement and any other Objects beneficial to the mankind as may be determined from times to time by the Trustees 1 to 5 respectively annexed to this deed of Trust and without prejudice to the generality of the foregoing in the objects namely.

6. **OBJECTS OF THE TRUST :**

- a). The establishment, running in the name of **SIVAN EDUCATIONAL & CHARITABLE TRUST** now situated in 88, Kovilpatty Road, Manapparai, Manapparai Taluk, Tiruch District and Maintenance of the Education of all kinds for the object of the Public without distinction of caste, race or creed.

*Ranganathan*  
*Melam...*



- b). To establish running and maintenance of educational institution of all kinds for the benefit of the Public without distinction of caste, race or creed.
- c). To establish, maintain, run develop, improve, extend, grant donations for and to aid, assist in the establishment, maintenance, running, development, improvement and extension, elementary school, secondary schools, Higher secondary schools, College, Workshops, Industrial, technical, Computer education, Training and software development, other Fine arts, art craft and science schools and institutions, Medical, Para medical and Courses such as Diploma in general Nursing and Midwifery / Psychiatry, B.SC., Nursing Hostels for the benefit of students and generally all kinds of educational Institutions whatsoever for the welfare and uplift of general Public and institute and award scholarship to Indian Citizens, for study, research, apprenticeship either in India or abroad or to enable them to proceed overseas for study and for all or any of the said purposes.
- d). To establish, maintain, run, develop, extend, grant donations for and to aid and assist in the establishment maintenance running development improvement and extension of libraries, reading rooms, recreation centers and all other facilities as are calculated to be of use in improving education to the public.
- e). To Provide assistance by grants gifts, or otherwise to poor persons, destitute persons, orphans, widows and to poor young persons, requiring or deserving of assistance in education, without distinction of race or creed.
- f). To apply for and obtain assistance from the Government Financial Institutions, Companies, Charitable Trusts, Societies or Industries whether in India or from abroad for developing all or any of the objects of the Trust.
- g). To apply for and obtain recognition affiliation from the Government Educational Boards, Universities for schools, colleges, Technical Institutions run by Trust. To do all that is necessary for the aforesaid objects for the benefit of the Public without any distinction of caste creed or race and in any part of Indian Union.

*D. Jayaraman*  
*Mulani* →



- h). To promote, start, establish, or take part in any business for the purpose of strengthening the Financial soundness of the Trust provided separate books of accounts are maintained and for each and every business carried on by the, Trust and no portion of the profit earned is utilized for the purpose other than that of fulfillment of all or any of the objects of the Trust.
- i). To establish own, run erect, construct, manage, take on lease or otherwise acquire building structures, apartments premises and other fixed assets for the purpose of carrying on the object of the Trust.
- j). And such other educational objects as the Trustees may from time to time decide upon.

7. **MANAGEMENT :**

The affairs of the Trust shall be managed by the Board of Trustees of the said Trust. The Board of Trustees shall consist not less than two and not more than five as the Board of Trustees shall from time to time resolve.

8. **BOARD OF TRUSTEES :**

The Founder Trustees and Three Trustees annexed to this deed and every person who may hereafter be appointed Trustee, shall constitute the Board of Trustees and word Trustees in these presents, except when the context otherwise requires shall include the Founder Trustees numbered (1) and (2) above and other three Trustees numbered 3, 4 and 5:

- (1) **Sri. R.MARACHI** Aged 61 years, Son of Ramasamy of 161, Gandhi Nagar, Kovilpatty Road, Manapparai – 621 306, Manapparai Taluk, Trichy District.
- (2) **Sri. MELANCHELIAN** Aged 58 years, Son of P.M.Marachi of 5, Dindugul Road, Manapparai – 621 306, Manapparai Taluk, Trichy District.
- (3) **Sri.J.VASANTHAKUMAR** Aged 41 years, Son of Jayaram of 161, Gandhi Nagar, Kovilpatty Road, Manapparai – 621 306, Manapparai Taluk, Trichy District.

*Ramarachi*  
*Melanchelian*





2

(4) **Sri.E.ARUNKUMARAN** Aged 31 years, Son of M.Elanchelian of 7, Dindugul Raod, Manapparai – 621 306, Manapparai Taluk, Trichy District.

(5) **Smt.M.SUDHA** Aged 35 years, Wife of Vasanthakumar of 161, Gandhi Nagar, Kovilpatty Road, Manapparai – 621 306, Manapparai Taluk, Trichy District.

9. **EXECUTIVE COMMITTEE :**

The Trust Board shall have an Executive Committee consisting of one president one Secretary and one Treasurer. The term of the Member of the Executive committee shall be life Time.

President :	Thiru. <b>M.ELANCHELIAN</b>	No.(2) of the Trustee
Secretary :	Thiru. <b>R.MARACHI</b>	No.(1) of the Trustee
Treasurer :	Thiru. <b>E.ARUNKUMARAN</b>	No.(4) of the Trustee

10. **MEETINGS :**

The President of the Executive Committee shall, if present, preside over all meeting of the Board of Trustees.

11. **TERM OF OFFICE :**

The said Trustees numbered 1 to 5 to this Trust Deed shall hold office as such till their life time.

12. **FILLING UP VACANCY OF TRUSTEE :**

On any Vacancy occurring in the Board of Trustees by the death or by the resignation of a Trustee or due to any other cause it shall be competent and lawful to appoint any person or persons in the place of the person who ceased to Trustee. The power of appointment of Trustee shall be exercised by a resolution of the Board of Trustees.

*R. Marachi*  
*M. Elanchelian*





### 13. QUALIFICATION OF TRUSTEES :

- a). So long as any person belonging to the family of the deceased Trustee or resigned Trustee is available and willing to be Trustee and suitable for appointment the Board of Trustee, the Board of Trustees shall appoint only such persons.
- b). When so appointing any person or persons to be Trustees, the Board shall have regard to the availability of the persons to be appointed from the point of view of integrity, ability culture, business capacity and charitable mindedness and of his being in a position to devote attention to the affairs of the trust being taken in to account, No person shall become a trustee unless he is a citizen of India.

### 14. VACATION OF THE OFFICE TRUSTEE :

The Office of Trustee or of an Office bearer shall be vacated if the Trustee or office Bearer :

- a. Is Adjudicated Involvement.
- b. Has become incapable of carrying out of his / her function on account of change in balance of mind.
- c. If he /she asserts any claim to any property claimed by the Trust as Trust Property.
- d. If he /she is convicted of any offence involving moral turpitude or
- e. If he /she is requested by all the other Trustees not being less than fifteen in number, to resign.
- f. If any Trustee carried out any action elemental to the interest of the Trust, notice will be given to the Trustee asking for his explanation. If the Board is not satisfied with the explanation, such a Trustee shall be removed from the Board of Trustees by a majority of vote in the meeting of the Board and the fact shall be initiated to the trustee in writing.

15. The Board of Trustees shall be entitled to act and to exercise all their power notwithstanding any vacancy or vacancies in the Board, provided that the total number of Trustees, shall not, at any time, be less than two then the continuing members may act for the purposes of increasing the number of Trustees and to appoint Trustees for filling up any or all such vacancies and not for any other purposes.

*Pragathi*  
*Melani*



**16. APPLIACATION OF FUNDS :**

The Board of Trustees may at their absolute discretion apply the funds to any other objects of the Trust either by directly carrying out or in conjunction and co- operation with any other person or body or subscribe any contribution, subscription endowment or other payments to any other Trust, or institution from out of the Trust Fund for carrying out any of the above objects. Notwithstanding the foregoing clause the Trustees may Co-operative with any institution or body whether educational or not for the establishment of any Trust having as its objects one or more of the above objects of this Trust.

- 17.** All the properties assets and funds of the Trust shall vest with and be held in the name of the Trustee on behalf of the Trust and shall be held in such name only. The Board of Trustees shall not be entitled to vary, alter or change this position.

**18. POWER TO INVEST FUNDS OF THE TURST:**

Although the Trust Board has power to invest the Trust funds for running the various institutions, should be borne in mind that the investment pattern provided in accordance with the provisions of section 13(I)(d) read with section 11(5) of the Income Tax Act, 1961, shall be followed.

**19. BAR FROM UTILISATION OF THE TURST FUNDS BY THE TRUSTEES FOR THEIR OWN ENDS:**

The Trust Board shall utilize the income and funds of the Trust solely for the objects of the Trust and no Trustee shall in any manner be entitled to receive any portion of the income or funds of the Trust by way of distribution as dividend or interest of profit or income or in whatever manner. The Trust shall not carry on any activity with the intension of earning profit for itself or for any of the trustees thereby.

**20. CONTROL OF FUNDS:**

The Board of Trustees shall have full control over the management of all the affairs of the Trust and the properties, assets and transactions of the Trust without prejudice to the generality of the foregoing and they may exercise any or all of the powers and discretions namely.

*Ramachandran*  
*Mulani*





a) To appoint a Governing Council for the institutions under it to assist in the matter of education and the Governing Council will be purely an advisory body. The final decision in all the matters shall be vested with the Board of Trustees. The Governing Council will elect its office bearers from among its members for a term of three years each except for the post of President. The President of the Board of Trustees shall also be the Secretary of the Governing Council permanently. The Board of Trustees, has powers to drop/expel any member of the Governing Council.

i) Whenever it is found necessary without assigning any reason.

ii) Whenever his conduct is found detrimental to the objects of the Trust and/or to affiliated institutions.

- b) To determine from time to time, to commence, to take up, to abandon to vary and to add to the educational objects and purpose for which the funds of the Trust shall be used and to allot and allocate to each of the objects such portion of the funds as it deems fit.
- c) To invest funds of the Trust in any of the following modes, by depositing in any Nationalised or scheduled banks or Co-Operative Banks in the name of the Trust and or its affiliated institutions.
- d) The Board of Trustees shall from out of the income realized from this "Turst Properties" expend such sum or sums of money as they may deem fit and proper towards maintenance of the properties of the Trust in good condition and meet all expenses which the Board of Trustees may, and their best discretion those necessary for the proper management of the Trust and for carryout its programs efficiently.
- e) To incur all expenditure necessary or in their opinion useful for carrying out the object of the Trust for its administration.
- f) To enter into contract with any person or body or for any of the purposes of the Trust.
- g) To sell, lease or otherwise dispose of any immovable properties and goods of the Trust in fair manner, on fair price and fair conditions and to reinvest the sale proceeds amount in any better manner in order to carry out the objects of the Trust and for the Trust.

*Rangasathi*  
*M. S. S. S.*



21. **OPERATION OF BANK ACCOUNTS:**

At present Bank accounts have to be operated by the Secretary and Treasurer of the Trust.

22. The Board of Trustees shall have full powers to employ staff of all kinds necessary or useful for carrying out of the objects of the Trust and for running the several institutions to fix such scales of pay and remuneration and allowance as they think fit.
23. The Board shall have power to accept contributions in money or by way of property either by way of addition to the Trust Funds generally or for any one or more of the specified objects of the Trust Funds generally or for any one or more of the specified objects of the trust in so far as they are not inconsistent with any of the provisions of this Trust and in either case such Contributions shall be dealt with either as capital receipt or as income according to the directions of the donors but subject to the condition that in the opinion of the Trustees, it must be conducive to the beneficial administration of the Trust.
24. It shall be lawful for the Trustees to carry out any of the objects of the Trust either directly by themselves or by the institutions run by the Trust jointly or in co-operation or by making contributions to or by way of subsidising any institutions carrying out any similar objects or aims.
25. The Trustees may by a majority decision exercise all the powers vested in them under these presents or by law frame by resolutions passed at meetings of the board of Trustees by a majority. Any resolution passed at meetings of the board of Trustees holding office as such for the time being and agreed to by them in writing by a majority of them, shall be valid and binding and a valid exercise of the power of the Trustees as if the same had been passed in a meeting.
26. The Board of Trustees shall meet at least once in 3 months or as often as necessary at the registered office of the Trust or at such other place or places as they may decide any business requiring urgent approval by the Board of Trustees shall be circulated among the Trustees and their approval may be obtained by correspondence. The quorum for the meeting shall be three or 1/3 of the total number of Trustees. Proper and correct accounts of the Trust, its funds, receipts and expenditure shall be maintained in such form and in such MANNER as is considered necessary.

*Rajaram*  
*M. L. S. S. S.*





27. **THE ACCOUNTING YEAR OF THE TRUST:**

The accounting year of the Trust shall be from the 31<sup>st</sup> March of the next year. As regards the current accounting year it shall commence from the date of these presents end with 31<sup>st</sup> March 2010. As soon as the accounts are closed every year, the Trustees shall cause accounts of receipts and payment, income and expenditure statements and also the balance sheet audited through the Chartered Accountant appointed by the Board of Trustees. The Board of Trustees have got power to dispense with the services of the Auditor if it so deem fit.

28. The President of the Trust shall be in custody of the assets of the Trust to hold properties and assets of the Trust in the name and on behalf of the Trust, to sue and be sued in the name of the Trust to institute, conduct or defend all suits and legal proceedings for and on behalf of the Trust and to sign pleadings, plaints, vakalats, statements and affidavits for and on behalf of the Trust in respect of any proceeding before any court or other authority. In his absence, either by demise or retirement, or ceasing the secretary of the Executive Committee shall do so.
29. The income of Trust shall be applied for Charitable purpose in INDIA ONLY.
30. This Deed of Trust hereby made shall not be REVOCABLE.
31. The accounts of the Trust shall be maintained regularly. The amounts shall be audited by Chartered Accountant every year and the accounts will be closed by 31<sup>st</sup> March every year.
32. No amendments to the Trust deed shall be made which may prove repugnant to the provisions of Sections 2(15), 11 to 13 and 80G of the Income Tax Act, 1961, such amendments of the deed would not altering basic character or object of the Trust.
33. The amendments of the Trust deed will be carried out only with the previous approval of The Commissioner of Income Tax.
34. In the event of dissolution or winding up of the Trust the assets remaining as on the date of dissolution shall under no circumstances be distributed among the Trustees/Members of the Managing Committee/Members of Governing Body, but the same shall be transferred to another charitable Trust whose object are similar to those of this trust and which enjoys recognition under section 80G of the Income Tax Act, 1961.



*Rupnandan*  
*Melam*

**Witnesses:**

1. ~~P-R-2~~ S/O paraturunan  
52 Maston Street  
Merrigrove

Doparachi  
melamini

2. பெருகுச்சாறு எல. சாம்பா கலாம் பி. ஏ. சிவசாமி

Prepared my

