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# TRUST DEED

THIS DEED OF TRUST executed on this 27th day of March 2012 by Smt. R.Thulasiammal, Wife of P.Arukutty@ounder(Late) aged about 58 Years, residing at 79D, Avinashi Road, Anuur 641653 of Coimbatore District of Tamil Nadu (hereinafter referred to as the SETTLOR of ONE PART

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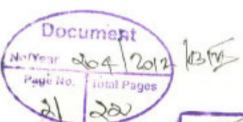
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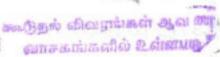




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## IN FAVOR OF

- 1. Sri S.A. Nandakumar , (D.L.No.TN-4019920000972) aged about 40 years , son of
- P.Arukutty Gounder (Late), residing at 79D, Avinashi Road, Annur 641653
- Smt C.Sumathi , (D.L.No.TN40Z20020000017) aged about 35 years, wife of S.A. Nandakumar, residing at 79D, Avinashi Road , Annur 641653

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- 3) Smt R.Thulasiammal, (E.L.ID.No.TN/18/102/0072543) aged about 58 Years, wife of Sri P.Arukutty Gounder, residing at 79D, Avinashi Road, Annur 641653
- 4) Sri K.C.Sundaram (D.L.No.F/TN/40/Z/000107/1999) aged about 40 years, Son of Sri Chinnasamy Gounder, residing at 29D, Nallankattu Thottam, A.Kumarapalayam. Annur 641653
- 5) Sri M.Velusamy, (E.ID.No.TN/18/102/0027047) aged about 65 years, Son of Sri G.Muthusamy Reddy, residing at 1/186, Sathy Main Road, Pasur - 641653

(hereinafter referred to as 'THE TRUSTEES' which expression wherever the context so requires or admits shall mean and include their legal heirs, successors, executors, administrators and assigns of the SECOND PART.

WHEREAS THE SETTLOR above named has been desirous of creating and establishing an educational and a charitable Trust.

AND WHEREAS THE SETTLOR above named has settled a sum of Rs Ten thousand only (Rupees Ten Thousand only) as a fund,

AND WHEREAS THE SETTLOR above named has settled the assets and properties mentioned in the Schedule hereunder,

in favor of the TRUSTEES upon Trust with a view to give effect to her desire of creating and establishing a Trust for undertaking charitable and religious activities for the benefit the public, for the objects set out in this trust deed and for fulfillment of which, the terms and conditions are more particularly set out hereunder.

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AND WHEREAS THE TRUSTEES named are willing to accept the office of the Trustees for the purpose of carrying out the wishes of the SETTLOR of the Trust under the provisions and directions set forth herein, so as to enable to pursue its vowed objects.

#### THIS INDENTURE WITNESSETH AS FOLLOWS

- The SETTLOR above named hereby establishes a Public Charitable Trust by the
   ame of SRI ARUKUTTY
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  TRUST for the purpose and upon the conditions set forth hereunder
- The TRUSTEES named above shall be the first trustees and have given their consent to be appointed as the trustees and as token thereof, they have set their hands to this instrument.
- 3) The SETTLOR hereby conveys, transfers and assigns to the TRUSTEES the above referred sum of Rs. 10,000 (Rupees Ten thousand only) as corpus to the TRUST, the receipt of which, the TRUSTEES do hereby admit and acknowledge
- 4) The SETTLOR of the Trust hereby conveys, transfers, assigns to the TRUSTEES the assets and properties mentioned in the Schedule hereunder, the possession of which the Trustees hereby admit and acknowledge, to have and to hold the same in trust as corpus of the Trust, to be used by the Trustees to carry out and fulfill the objects of the Trust set forth herein, and the SETTLOR of the Trust hereby relinquishes for all time any claim to or interest in the said assets and properties or fund forming the subject matter of the Trust.
- 5) The office of the Trust for the time being shall be at <u>SF No. 257/2</u>, <u>Sathy Main Road</u>
  <u>Annur 641653 of Coimbatore District of Tamilnadu</u>, with the power given to the Trustees to shift the same to any other place as they may mutually agree upon.

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6) The TRUSTEES do hereby agree that they shall hold and stand possessed of the said trust assets, properties and funds (which expression shall include all investments in cash or kind or in any nature whatsoever into and for which, the said property or a part or parts thereof may from time to time be converted, varied or exchanged) and/or such investments as may be held by the TRUSTEES from time to time in relation to these presents together with all income, profits, additions and accretions thereof, upon trust for the object set out herein with and subject to the provisions and conditions hereinafter contained in these presents.

#### I. OBJECTS:

The objects of the Trust are:

- Establishing, Maintaining and running of Schools, colleges, educational institutions, free dispensaries, Centres for poor feeding and homes for the aged for the benefit of the public.
- Providing for grants, scholarships, fellowships and other forms of financial assistance to the needy and deserving students for pursuing education, vocational training, skill development etc.
- Granting of financial assistance to any educational institution for granting scholarships, prizes, medals, awards for excellence in studies, sports and scientific research, distribution of books and note books for poor and deserving students.
- Establishment, conduct, maintenance of clinical laboratories, hospitals, nursing homes, dispensaries and institutions of similar nature and providing financial assistance to the deserving persons for medical treatment, in any medical institution.

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- 5. Providing financial assistance for performing annadhanam and feeding the poor directly and through other institutions.
- 6. Establishment, conduct, maintenance of old age homes, homes for physically challenged men, women and children and persons with similar disabilities and also for granting financial assistance to institutions performing similar activities.
- 7. Grant of donation to any Temple, Mosque, Church, Gurudwara and other places of worship and / or religious institutions. However, the Trust shall not undertake any religious activities.
- 8. Providing for or contributing to education and scientific research and development.
- 9. Providing relief to the poor and advancing any other object of general public utility.
- 10. The Trust will not carry out any activities with the intention of earning profit and will perform with service motive only.
- No activities of the Trust will be carried out outside India.

#### II. BENEFICIARIES OF THE TRUST:

The Trust is established for the benefit of citizens of India and the class of people mentioned above without discrimination of caste, religion, creed or sex.

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#### III. PROPERTIES:

The Trust properties shall consist of

- 1. The amount Transferred by the SETTLOR as mentioned above, towards the Corpus fund of the Trust.
- 2. The immovable properties and other assets transferred by SETTLOR as mentioned above.
- 3. Any cash, kind, properties, movable and immovable that may be acquired by purchase or otherwise or all manner of rights, title or interest in or over any property movable or immovable
- All additions and accretions to the Trust properties and the income there from.
- 5. All donations, gifts, legacies or grants, in cash or kind accepted by the Trustees upon Trust.

The properties of the Trust shall be utilized for the objects set forth herein above and subject to the provisions and conditions herein mentioned.

# IV. NUMBER OF TRUSTEES, THEIR TERM AND POWER TO CO-OPT:

The Trust will be managed by a Board of Trustees consisting of not less than 2 trustees and not more than 9 trustees. The parties of the Second Part will be First Trustees and they shall automatically form the Board of Trustees.

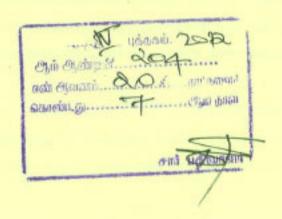
The first Managing Trustee shall be Sri S.A. Nandakumar and he will hold office for his life time. After the demise or relinquishment of office of the Managing Trustee or in the event of the first Managing Trustee failing to nominate his successor in office, the remaining trustees shall elect one of the other Trustees as Managing Trustee.

The term of office of First Trustees shall be for their respective lives. The Board of Trustees shall have the power to increase the total number of Trustees upto the maximum number stated above and fix their term as per provisions contained herein.

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Any Trustee, including the Managing Trustee may retire from the Trusteeship hereof by giving two calendar months notice in writing of his or her intention to do so, to the Board of Trustees and after the expiry of the period of notice, the Trustee giving the notice shall ipso facto cease to be a Trustee of these presents.

Any vacancy caused by death of any one of the First Trustees, or any vacancy caused by the resignation of any of the Trustees, may be filled up by co-option by the Board of Trustees.

The Trustees who are not First Managing Trustee or First Trustees shall hold office for a period of one year from their date of appointment by the Trustees. At the end of this one year period, the Board of Trustees may reappoint them for subsequent term or appoint other persons as Trustees in such a manner that the total number of Trustees does not exceed the approved maximum number of Trustees.

The Managing Trustee shall have the power to remove a Trustee suffering from physical or mental disability or if he is accused of misfeasance of trust funds or property or misconduct, after satisfying himself on enquiry and such action of the Managing Trustee shall be final.

The proceedings of the Board of Trustees shall not in any way be invalidated due to any post or posts remaining vacant. During the time when a vacancy is yet to be filled up, the remaining Trustees shall act as "Full Board", subject to the presence of Quorum in the meetings. Any vacancy in the Board of Trustees or illegality in the appointment of Trustees or their proceedings shall not invalidate any prior act or decision of the Board.

## V. TRUST ADMINISTRATION AND POWER TO THE BOARD:

A. The Board of Trustees shall have power to:

To administer the Trust, its properties and affairs and do all the things which will fulfill
the performance of the objects for which the Trust is established and for this purpose the
Board can apply the whole or any part of the Trust property towards the payment of the

expenses of the Trust.

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- The income and the properties of the Trust will be solely utilized towards the objects of the Trust and no portion of it will be utilized for payment to the Settler, or Trustees or their relatives by way of salary, allowances, profit, interest, dividend etc.
- To open one or more bank accounts and operate the same or provide for operation of the said accounts by any two among them authorized on their behalf.
- To invest the Trust funds in the manner not prohibited by any provisions of the Income Tax Act, 1961.
- To buy, sell, mortgage, grant, lease, hire or otherwise alienate all or any of the properties of the Trust in its discretion for adequate consideration
- To execute power of attorney or powers of attorney to any person for the purpose of executing, administering or managing the whole or any part of the Trust for the purpose of all or some among the objects of the Trust.
- To borrow money with or without security and to repay the same.
- To receive, collect and enforce recovery of all monies due or payable to the Trust and grant receipts and discharges therefore.
- To settle, compromise or compound any disputes or refer the same to arbitration or litigation.
- 10. To receive voluntary contributions from any person or persons from India after complying with the statutory formalities, by way of donation, gifts or in any other manner and to hold the same upon Trust for the objects set forth herein.

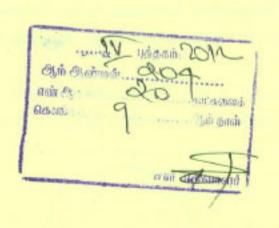
11. To appoint, suspend, dismiss or otherwise deal with the staff required for the administration of the Trust, to frame rules relating to their salaries and other benefits and generally to exercise all powers ancillary and incidental to effectively carry out the objects of the Trust.

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- 12. The Board shall have power to make and rescind rules and regulations for the management and administration of the Trust.
- 13. No Trustee shall commit any act or breach of Trust of the Trust fund or property or cause any loss to the Trust property or commit fraud in the administration of the Trust fund / property.
- 14. The Trustees shall hold honorary office and shall not be entitled to any Salary, allowances or perquisites, except for the reimbursement of actual expenses incurred in connection with attending to the Trust matters.
- 15. The Board of Trustees will follow the instructions given by any donor who makes substantial contribution towards furtherance of the objects of the Trust, so long as such instructions are not detrimental to the attainment of the objects of the Trust and are in conformity with the provisions of the Income-tax Act, 1961.
- 16. For the management and administration of the Trust, the Trustees shall elect one amongst themselves for each of the offices of Vice President, Secretary and Treasurer. The term of office for Vice President, Secretary and Treasurer shall be for a period of one year from their date of appointment and they may be reelected for further terms. No Trustee including the Managing Trustee shall hold more than one of the above offices at the same time. The persons holding these offices of Vice President, Secretary and Treasurer shall be under the administrative guidance and supervision of the Managing Trustee and will report to him directly.

# B. ROLES AND RESPONSIBILITIES AND POWERS

The Roles, Responsibilities and powers of all these officers is defined below. In addition to these, the Managing Trustee may grant additional roles, responsibilities and powers to any of the Trustees.

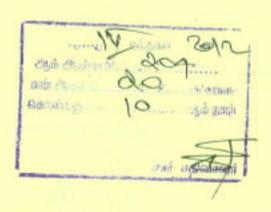
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## a) MANAGING TRUSTEE:

In addition to discharging normal duties of a trustee, the Managing Trustee shall preside over meeting of the Board of Trustees. The Managing Trustee is authorized to sign all documents, including bank documents, acknowledgements for the contributions received, and agreements with individuals, Government Institutions and other organizations, on behalf of the Board of Trustees. The Managing Trustee shall have all the residuary powers, not explicitly assigned to any of the other officers in these presents.

The Managing Trustee is empowered to remove any Trustee from the Trust and its offices, if he/she finds that his/her activities are not congenial to the activities of the Trust.

## b) VICE PRESIDENT:

The Vice President shall discharge the duties of the Managing Trustee, in the absence of the Managing Trustee of the Trust and shall have the power and authority delegated and assigned to him/her by the Managing Trustee.

## c) SECRETARY:

The Secretary shall maintain the records of the organization prepare and circulate agenda and minutes of Board of Trustee meeting for the approval of the Managing Trustee. The Secretary shall be also responsible for the day to day administration activities of the Trust.

# d) TREASURER:

The Treasurer is responsible to maintain cash book and prepare vouchers for the payments made, receive contributions, sign acknowledgements for the amounts or articles received by the Trust and prepare monthly and yearly statements of revenue and expenditure, as well as, the register of assets of the Trust and place them before the Board of Trustees for their approval.

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# VI. MEETING OF THE BOARD OF TRUSTEES:

The Board of Trustees should meet atleast once in every calendar quarter and may meet more often when required.

- 1) The meeting of Board of Trustees shall be convened by the Managing Trustee and he shall preside over the meetings. In his absence, the Managing Trustee may authorize the Vice President to be the Chairman of such meetings. In the event the Managing Trustee or Vice President are not able to attend the meeting already convened, any of the Trustees present in the meeting may elect one amongst themselves to be the Chairman of the meeting.
- One half of the Board of Trustees or a minimum of two trustees, whichever is higher, shall constitute the QUORUM for the Board of Trustee meetings.
- 3) All decisions shall be carried out by the majority decision of the Board but in the event of equality of votes, the Chairman presiding over the meeting shall have a casting vote.
- 4) Any resolution in writing signed by all the Trustees by circulation shall have equal force as though it has been passed at a meeting of the Board of Trustees.
- 5) The meeting of the Board shall be conveyed after giving at least a week's notice unless all the Trustees agree to accept a shorter notice.

## VII. BANK ACCOUNT:

The Trust shall open current / saving account(s) with any of the Nationalised/
Scheduled / Commercial Banks. It shall also avail any loan from any of these banks or from
any other financial Institutions for the purpose of achieving its objects. The Managing
Trustee and the Vice President shall individually operate the Bank Accounts on
behalf of the Trust. In their absence, any of the Trustees may be authorized by the Board of
Trustees, by a resolution, to operate the bank accounts.

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## VIII. INVESTMENT OF TRUST FUNDS:

- 1) The Board of Trustees shall have the power to invest the funds, assets and properties of the Trust at their discretion in accordance with the provisions of the Income Tax Act, 1961.
- 2) The Board shall also determine from time to time, the amount it shall spend on the various activities of the Trust.

#### IX. ACCOUNTS AND AUDIT:

- 1) The financial year of the Trust shall be from 1st April to 31st March of the following year, unless otherwise decided by the Board of Trustees.
- 2) The Board of Trustees shall maintain true and correct accounts of the Trust.
- 3) The accounts of the Trust shall be annually audited by a Chartered Accountant appointed by the Board of Trustees and the audited statement of account shall be placed before the Board for its approval within three months of the close of the financial year.

## X. AMENDMENTS:

- 1) While this Trust shall be irrevocable, the Board of Trustees may amend any of the clauses except those relating to objects of the Trust, the First Managing Trustee and First Trustees, at a duly convened meeting of the Board with at least 2 weeks' notice, and by a resolution passed by atleast three-fourths majority of the Board of Trustees present and voting. The amendments to the Trust deed, can only be passed by a resolution of the Board of Trustees in an actual meeting and not by circulation.
- 2) If any alteration or amendment is necessary, the same shall be affected through supplementary deed/deeds with the previous approval of the Commissioner of Income Tax and these shall be read together with the main Trust deed.

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## XI. INDEMNITY:

The Board of Trustees shall be indemnified for any act done by them in good faith in the course of the administration of the Trust.

# XII. APPLICABILITY OF TRUST ACT:

The provisions of the Indian Trust Act 1882 shall apply to all matters not specifically mentioned in these presents.

# XIII. APPLICATION OF INCOME TAX ACT:

All clauses herein are intended to secure exemption from Income Tax on the income of contributions and donations to the Trust and any clause or portion of this Deed of Trust which is inconsistent with or repugnant to the sections of the Income Tax Act, 1961 as amended, substituted or modified from time to time, shall be deemed to be deleted or modified with effect from the date on which the sections to which the clause or part of a clause is repugnant or inconsistent comes into force.

# XIV. THIS TRUST IS DECLARED IRREVOCABLE:

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#### XV. DISSOLUTION:

In the event of dissolution of the Trust, the entire Trust funds shall be realized and first be used for payment of liabilities of the Trust. The assets left if any, shall be disbursed to other Trusts or Associations having similar objectives after obtaining previous approval of Commissioner of Income-tax and in no event it shall be distributed in any manner, to any of the Board of Trustees or their relatives or related concerns.

#### SCHEDULE

At present, the Trust has no property or assets, either movable or immovable, other than the Trust Fund and the immovable properties, donated by the SETTLOR, as described in the Schedule below:

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# Cash contribution to the Corpus Fund of the Trust of Rupees Ten Thousand

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Document Prepared by:

A.M.SELVARAJ, Document writer

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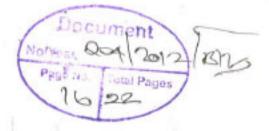
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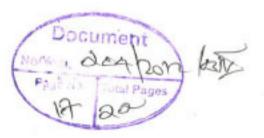
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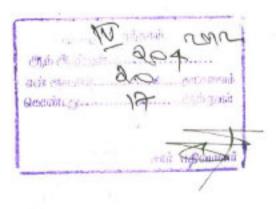
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வாக்களின் பெயர் : நுன்கிவம்களி

Futher | Mather | Husband's Name Elector's Name

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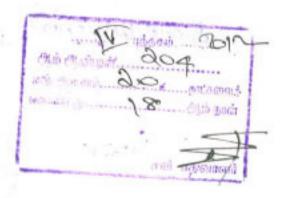
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D.L. No: F/TN/40/Z/000107/1999 Name : K.C. Sundaram

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: Velusamy

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> பத்சி (ஊ) அனினச்சி (வ) கோயர்புத்துள் ( Bassor (P) Avanashi (Tk) Coimbatore (Dt) 180A ugif Address | (yesanfi

Facsimile Signature of the Electoral Registration Officer for 102 - Avenue is (SCI Assembly Constituency

102 - syaliama (safi)

இடம் : அருப்பூர் Date / நாள் : 29.11.1997

under different Government Schemes. This Card may be used as an Identity Card





தற் அடையான அட்கடமாகப் பமன்படுத்தமா

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