भारतीय गैर न्यायिक

भारत

पचास रुपये रु.50

FIFTY RUPEES Rs.50

सत्यमेव जयते

INDIA

INDIA NON JUDICIAL

தமிழ்நாடு तमिलनाडु TAMILNADU

K 120372

T.S. NAGARAJAN
STAMP VENDOR
L. No. 17079 / B7 / 96
High Court Campus,
CHENNAI-104.

Rajasthani Association,
Ch. 79.

11241
3.7.2008

THIS DEED OF DECLARATION OF PUBLIC CHARITABLE TRUST executed at Chennai this 5th Day of September 2008 by **RAJASTHANI ASSOCIATION TAMILNADU**, having its office at present at New No. 220, (Old No.128), N.S.C Bose Road, Golden Complex, 4th Floor, Sowcarpet, Chennai – 600 079, represented by its President **SHRI N. SUGAL CHAND JAIN**, son of Shri I. Nathmal aged about 64 years, No. 170, Triplicane High Road, Triplicane, Chennai – 600 005 hereinafter called the FOUNDER.

WHEREAS the Members of Rajasthani Association Tamilnadu are desirous to form a Public Charitable Trust for objects, intents and purposes hereinafter mentioned; and

Document No. 844
Page No. 1 Total Pages 1

844
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Document No. 844
Page 42 Total
No. 2 Pages

Presented in the office of the
Sub Registrar of Sowcarpet
and fee of Rs. 200/- paid between
the hours of 3-4 on the 15 DEC 2008.

Document No. 844 of 2008 of
Book 4 Contains 41 Sheet
1 Sheet

Sub Registrar

LEFT THUMB

Institution Admitted by

SUB-REGISTRAR
DISTRICT REGISTRAR CADRE
SOWCARPET, CHENNAI-1

LEFT THUMB

Kishan amuthain S/o Sri J. Nathmal
residing at 170, Triplicane High Road
Triplicane Chennai - 600005
Pan no. - AABPJ6721A

Kishan amuthain S/o Sri J. Nathmal
residing at 170, Triplicane High Road
Triplicane Chennai - 600005
Pan no. - AABPJ6721A

Identified by

Jinbaraj S/o M. ARUMUGAM 11, PONNAPPASANE TRIPLICANE CH-5

T. Rajkumar S/o R. Thirunavukarasu 45/22, Vaidyaraabhai Street, Saidapet, CH-79

15 DEC 2008

Registered as No. 844 of 2008 of Book IV

Date 5-12-08

Sub Registrar

SUB-REGISTRAR
DISTRICT REGISTRAR CADRE
SOWCARPET

भारतीय गैर न्यायिक

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தமிழ்நாடு तमिलनाडु TAMILNADU

K 120373

T.S. NAGARAJAN
STAMP VENDOR
L. No. 17679 / B7 / 96
High Court Campus,
CHENNAI-104.

11292
3.7.2008

Rajasthani Association,
Ch.19.

AND WHEREAS the Executive Committee of Rajasthani Association Tamilnadu held on 12.06.2008 has passed a resolution to appropriate a sum of Rs.1000/= (Rupees one thousand only) and authorized its president to utilize the said sum for initial donation for the purpose of this foundation;

AND WHEREAS the sum of Rs.1000/= (Rupees one thousand only) as aforesaid has been vested by the Founder herein for the objects of this Foundation; No immoveable property involved in this document.

AND WHEREAS it is desirable to reduce the terms and conditions of this Foundation in writing hereinafter mentioned;

Document No. 8824
Page 2 Total No. 3 Pages

Document No. 841 of 2005
Book 4 Contains 41 Sheet
Sheet

Sub Registrar

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INDIA

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தமிழ்நாடு तमिलनाडु TAMILNADU

H 257640

RAJSTHANI ASSOCIATION
Chennai - 79

S.SIVASUNDAR
STAMP VENDOR
L.No 12144/ 1/96 Dt 30.9.97
159, ARCOT ROAD, FORUR, CH - 116

NAME

2. The Name of the Foundation shall be "**RAJASTHANI EDUCATIONAL FOUNDATION TAMILNADU**" and the principal place of the Foundation shall be at present at New No. 220, (Old No.128), N.S.C Bose Road, Golden Complex, 4th Floor, Sowcarpet, Chennai – 600 079. The Foundation shall be entitled to have its office or offices at such other place or places as the Governing council may decide from time to time.

Document No. 844
Page No. 5 Total Pages 4

NAME

2. The Name of the Foundation shall be "RAJASTHANI EDUCATIONAL FOUNDATION TAMILNADU" and the principal place of the Foundation shall be at present at New No. 220, (Old No.128), N.S.C Bose Road, Golden Complex, 4th Floor, Sowcarpet, Chennai – 600 079. The Foundation shall be entitled to have its office or offices at such other place or places as the Governing council may decide from time to time.

Document No. 844 of 2005
Book 4 Contains 4 Sheet
Sheet
Sub Registrar

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தமிழ்நாடு तमिलनाडु TAMILNADU

H 257639

RAJSTHANI ASSOCIATION
Chennai-79

S.SIVASUNDAR
STAMP VENDOR
L.No 12144/ 1/9c Dt 30.9.97
155, ARCOT ROAD, PORUR, CHI - 116

NOW THIS DEED OF TRUST WITNESSETH AS FOLLOWS:-

TRUST FUND

1. The Founder do hereby settled upon the Foundation on the Trustee hereinafter mentioned the said sum of Rs.1,000/= (Rupees One Thousand only) upon the Foundation and Trustees shall stand possessed of the said amount and shall utilize the said amount and the income there from and also accumulations and accretions thereto by way of contributions, donations, subscription or otherwise for forming the Foundation Fund for the objects, intents and purposes hereinafter mentioned;

Document No. 844
Page No. 3 Total Pages 47

Serial No. 844 of 2025
Book I Contains 4 Sheet
3 Sheet

Sub Registrar

OBJECTS

3. The Foundation shall run educational institutions, within the meaning of Section 10(23C) of the Income Tax Act, 1961 and have for its objects public charitable purposes, relating to education as provided under section 10(23C) of the Income Tax Act, 1961 as amended from time to time and its benefits shall be open to all irrespective of caste, creed or religion so that the income of the foundation, including Donations would be eligible for exemption and concessions under the provisions of the Direct Tax Laws as amended from time to time. Subject thereto, the objects of the Foundation shall be :-

(a) To establish, maintain, run, develop, takeover, manage and sponsor educational institutions including schools, colleges, research institutions, polytechnics, professional management institutions, medical colleges, medical research and para medical institutions, engineering colleges, arts and science colleges, residential schools, vidyapeeths, industrial training centers and other technical institutions for the promotion of education in all its forms without any profit motive;

(b) To donate either in cash or in kind, support, help, aid, subsidise and render financial assistance to institutions existing solely for educational purposes and not for the purposes of profit;

(c) To supply books, school uniforms, school or college fees to poor students or grant of financial assistance to students for pursuing education, in the form of donation, scholarships or loan scholarships;

(d) To institute, establish, run, aid and maintain libraries, book banks, existing libraries run by the educational institutions;

Document No. 849
Page No. 5 Total Pages 6

Document No. 8414 of 2006
Book 1 Contains 41 Sheet
5 Sheet

Sub Registrar

(e) To engage teachers, professors, instructors and experts of good moral character;

(f) To establish, maintain and run boarding houses and residential accommodation for students and those connected with the institutions without any profit motive;

(g) To publish or assist in the publication of books, literature, periodicals, journals and other materials for advancement of education and moral values.

(h) The activities of the Foundation shall be purely charitable in nature without any intention of making profit and the benefits of this Foundation shall be open to all people irrespective of any caste, creed or religion.

(i) To do all such activities in addition to the above objects and in furtherance and advancement of educational cause for poor and deserving students without any profit motive.

(j) The above objects of the Foundation are independent of each other and the Foundation may carry out any one or more of the aforesaid objects independently of each other or others at a time.

(k) The activities of the Foundation will not be carried outside India.

TRUSTEESHIP

4. Every individual person who has attained the age of 18 years and is capable of entering into a contract and subscribing to the aims and objects of the Foundation and who is a Rajasthani irrespective of race, religion, caste or community shall be eligible to become Trustee of the

Document No. 8414 of 10
Book No. Contains 4 Sheet
Sheet

Sub Registrar

Foundation, but no person shall be entitled to become trustee as a matter of right but only as provided here under :-

a. A Rajasthani is a person who is a native or of Rajasthani origin i.e who, or his or her parent(s) or grandparent(s) or their forefathers were born in areas constituting the State of Rajasthan.

b. A person desiring to become a trustee shall apply in the prescribed form, giving all the information required therein and enclosing the requisite trusteeship donation.

c. Every application must have one proposer and one seconder, from amongst the existing trustees of the foundation.

d. The Governing Council shall on receipt of any application for trusteeship, either admit or reject the trustee so proposed by a majority of votes cast by the trustees present at the meeting duly convened.

e. The decision of the governing council shall be final and no reason need be given for the rejection of any application for trusteeship.

CLASS OF TRUSTEES

5. The Foundation shall consist of the following five classes of Trustees:
   - A. Founder Hereditary Patron Trustees
   - B. Hereditary Patron Trustees
   - C. Donor Trustees,
   - D. Life Trustees, and
   - E. Nominated Trustees

Document No. 844 of 2008
Book ..... Contains 41 Sheet
..... Sheet

Sub Registrar

(A) FOUNDER HEREDITARY PATRON TRUSTEE

(i) The persons whose names have been separately listed in attached schedule shall donate the requisite amount as may be decided by the Governing council either in one lump sum or in two instalments on or before 31.09.2010 shall be a Founder Hereditary Patron Trustee of the Foundation.

(ii) The names of those persons who have agreed to become Founder Hereditary Patron Trustee are separately listed in attached schedule, which shall be part of this trust deed.

(iii) Founder Hereditary Patron Trustee shall be hereditary trustee of this foundation.

(iv) The Founder Hereditary Patron Trustees along with Hereditary Patron Trustees shall constitute among themselves into an electoral college and shall elect a maximum of 15% from among themselves as trustees to the governing council to represent them in the Governing council.

(v) There will be no addition to this class of Founder Hereditary Patron Trustees after the date of registration of this trust deed.

Document No. 8445 of 2005 a
Book 1 Contains 41 Sheet
Sheet 48

Sub Registrar

(B) HEREDITARY PATRON TRUSTEE

(i) Any Person who donates the requisite amount as may be decided by the Governing council either in one lump sum or in two instalments within one year from the date of payment of first instalment shall be a Hereditary Patron Trustee of the Foundation, subject to the approval of the Governing council. However, provided further that the Governing council may revise the amount of trusteeship from time to time as and when they deem fit.

(ii) Hereditary Patron Trustee shall be hereditary trustee of this foundation.

(iii) The Hereditary Patron Trustees along with Founder Hereditary Patron Trustees shall constitute among themselves into an electoral college and shall elect a maximum of 15% from among themselves as trustees to the governing council to represent them in the Governing council.

(C) DONOR TRUSTEE

(i) Any Person who donates the requisite amount as may be decided from time to time by the Governing council either in one lump sum or in two instalments within one year from the date of payment of first instalment shall be a Donor trustee of the Foundation, subject to the approval of the Governing council. However, provided further that the Governing council may revise the amount of trusteeship from time to time as and when they deem fit.

(ii) Three generations of a Donor trustee shall be trustee of this foundation for life. Three generations shall consist of his lifetime and the lifetime of his next two lineal descendent or his nominee as the case may be.

(iii) The Donor Trustees shall constitute among themselves into an electoral college and shall elect a maximum of 10% from among themselves as trustees to the governing council to represent them in the Governing council.

(D) LIFE TRUSTEE

(i) Any person who donates the requisite amount as may be decided from time to time by the Governing council shall be a Life Trustee of the foundation, subject to the approval of the Governing Council. However, provided further that the Governing Council may revise the amount of trusteeship from time to time as and when they deem fit.

(ii) The Life Trustees shall constitute among themselves into an electoral college and shall elect a maximum of 5% from among themselves as trustees to the governing council to represent them in the Governing council.

(E) NOMINATED TRUSTEE

The President, the Incoming President, the Secretary and two more members as nominated by the Executive Committee of Rajasthani Association Tamilnadu shall be ex-officio nominated trustees in the Governing Council.

HONORARY TRUSTEE

6. It shall be competent for the Governing council to invite prominent members and citizens, believing and subscribing to the objects of the foundation to be the Honorary Trustees. Such honorary trustees shall be in addition to the above-mentioned categories of trustees and shall hold office for a period as decided by the governing council. The governing council shall have power to invite a maximum of 5 (five) honorary trustees.

CONTRIBUTION BY OTHERS

7. Any person including Individual, Partnership Firm, Companies, H.U.F's, Trusts, Association of persons, Body of Individuals etc., contribute on behalf of any other person. Such contribution shall be deemed to have been contributed by the latter provided a declaration is given in writing by the former declaring that he/they shall not claim any right or benefit from the Foundation.

FOREFITURE ON NON-PAYMENT OF INSTALMENT

8. Any Person who fails to pay any of the instalments within the stipulated period or fails to pay the full amount, shall forfeit any amount paid by him and shall not have any rights or claims whatsoever. However, the Governing council shall have the discretion to condone any delay in payment.

CONVERSION OF TRUSTEESHIP

9. Any Trustee who wants to convert its trusteeship from Life Trustee to Donor/Hereditary Patron Trustee or from Donor Trustee to Hereditary Patron Trustee shall do so within the period of five years from the date of becoming trustee of this foundation. In such a case the Governing council shall have power to convert such trustee, provided the trustee pays the appropriate balance amount.

10. The Governing council may consider converting the application of Life/ Donor Trustee to that of either Donor/Hereditary Patron Trustee on a written application from the Trustee concerned that his application may be considered for appropriate Trusteeship provided full subscription has been paid for the applied class of trusteeship.

RIGHT OF HEREDITARY PATRON AND DONOR TRUSTEES

11. In case of Death of any Founder Hereditary Patron/Hereditary Patron/Donor Trustee his first lineal descendent, or any other lineal descendent nominated by the Trustee in writing or if none is available either the wife of the deceased trustee or wife of the deceased lineal descendent provided other conditions are satisfied by the Hereditary Patron/Donor Trustee of the Foundation. In case if the lineal descendent at the time of the death of Trustee is a Minor he will be entitled to become Trustee when he attains Majority, subject to the approval of the governing council.

12. Any Founder Hereditary Patron Trustee or Hereditary Patron Trustee shall have the right to withdraw as trustee during his/her lifetime. In such a case his/her appointed nominee shall become the hereditary trustee in his/her place as applicable in Clause 11 above shall apply. Such a right is exercisable by any Founder Hereditary Patron Trustee/ Hereditary Patron Trustee only once in his/her lifetime.

Document No. 844 of 2008
Book ... Contains 41 Sheets

Sub Registrar

CESSATION OF TRUSTEESHIP

13. A Person shall cease to be a Trustee of the Foundation:

(a) on the death of a Life Trustee

(b) on resigning from Trusteeship

(c) on declaration as insolvent or on conviction for a criminal offence involving moral turpitude or on any Trustee committing any act which in the opinion of the Governing council renders unfit to subscribe to the aims and objects of the Foundation or whose continuance is detrimental to the interest of the Foundation, he shall cease to be a Trustee from the date on which a resolution terminating the trusteeship is passed by two-thirds majority of the trustees present at a duly convened meeting of the Extra-Ordinary General Body for the purpose.

REGISTER OF TRUSTEES

14. A Register of Trustees shall be maintained containing the names and addresses of the Trustees under various categories.

OFFICE BEARERS OF THE GOVERNING COUNCIL

15. The Governing council shall elect from among themselves the following Office Bearers :

1. One President
2. Two Vice - Presidents
3. One Secretary
4. Two Joint Secretary
5. One Treasurer

Document No. 844 of 2005
Book 4 Contains 44 Sheet
13 Sheet

Sub Registrar

POWER AND DUTIES OF OFFICE BEARERS

16. The powers and duties of office bearers are :-

(a) **PRESIDENT**

The President shall preside and conduct all the Meetings. In the event of equality of votes he shall have casting vote.

(b) **VICE – PRESIDENT**

In the absence of the President, the first Vice-President shall preside over all the meetings and shall have all the powers of the President.

(c) **SECRETARY**

(A) The Secretary shall be in charge of all correspondence, files, minute books, books of account, properties and assets belonging to or in possession of the Foundation.

(B) The Secretary shall convene all the meetings of the Foundation/ Governing Council and shall give due notice of these meetings to the trustees/ members concerned. He shall record the minutes of the proceedings of all the meetings in the appropriate minutes book and shall get the minutes signed by the Presiding Officer of the meeting

(C) The Secretary shall circulate the minutes to of the Governing council to all the members of the Governing Council within 15 days of the meeting.

(D) He shall carry on all correspondence in the name and on behalf of the Foundation and shall promptly carry out the orders and resolutions of the Foundation duly passed by the Governing Council at the duly conveyed meeting.

Document No 844
Page 12 Total
No. 15 Pages

Document No. 8544 of 2018
Book ... Contains 41 Sheet
Sub Registrar

(E) In all proceedings in Courts of law, the Secretary shall be the person to sue or to be sued in the name of the Foundation.

(F) The Secretary shall on receipt of a requisition in writing by any Trustee asking for permission to inspect any books, documents or records, of the Foundation, permit him to do so after obtaining the orders from the President. He shall not however allow any Trustee to take the records out of the Office of the Foundation or take copies thereof under any circumstances.

(d) **JOINT SECRETARY**

The Joint Secretary shall act for the Secretary during his absence. He shall assist the Secretary in the discharge of his duties and do such other work as may from time to time be delegated by the Governing council or the President, or the Secretary.

(e) **TREASURER**

The Treasurer shall cause to keep records and accounts for all receipts and payments of money. He shall issue receipts for all monies received and obtain vouchers for all payments disbursed by and on behalf of the Foundation.

FORMATION OF THE GOVERNING COUNCIL AND ITS MANAGEMENT

17. The formation of the Governing council and its management shall be :-

(a) The affairs of the Foundation shall be managed by the Governing council.

(b) The Founder shall convene the first General Body meeting of the foundation and elect members of the Governing Council out of Founder Hereditary Patron Trustees and they shall be members of Governing Council till 31.03.2011 or till new trustees are elected.

Document No. 824
Page No. 12 Total Pages 16

Sequence No. 844 of 2008
Book 4 Contains 41 Sheet
15 Sheet

Sub Registrar

(c) The 15%/10%/5% elected members of the Governing Council from the electoral colleges of Founder Hereditary Patron/ Hereditary Patron, Donor, Life Trustee as per the membership sub-clause A(iv)/B(iii), C(iii) and D(ii) respectively of Clause 5 of trust deed, shall represent them in the governing council for a period of three years.

(d) The President, Incoming President, Secretary and two more members as nominated by the Executive Committee of Rajasthani Association Tamilnadu shall be ex-officio nominated trustees in the Governing Council.

(e) The following three persons viz., (a) **SHRI S. PRASAN CHAND JAIN** son of Shri N. Sugal Chand Jain No170, Triplicane High Road, Triplicane, Chennai – 600 005, (b) **SHRI S. VINODH KUMAR** son of Shri N. Sugal Chand Jain No. 170, Triplicane High Road, Triplicane, Chennai – 600 005 and (c) **SHRI S. DILIP KUMAR SANKLA** son of Shri Shantilal Sankla residing at 50, Kondamapuram Street, Thiruvallur, Thiruvallur District – 602 001, Tamilnadu, shall be Founder Hereditary Patron Trustees of the foundation. In addition to the various trustees elected from different electoral colleges, these three persons mentioned shall be trustees in the governing council for life. They shall not be subjected to election to the governing council.

(f) The Governing council shall have the power to invite a maximum of 5 (five) honorary trustees in the Governing council. The Honorary Trustees shall hold office for a period as decided by the Governing Council. However, they shall be eligible for re-appointment by the Governing council. They shall not have any voting rights.

Document No 8324
Page No. A2 / 17 Total Pages

Document No. 844 of 2016 in
Book 1 Contains 41 Sheet
16 Sheet

Sub Registrar

(g) Election of Trustees in the Governing council shall be held once in three years.

(h) There shall be at least 4 (four) meetings of the Governing council in a financial year.

(i) The first elected members of Governing Council including office bearers as per Clause 17(b) shall constitute the first Governing Council of the Foundation till 31.03.2011 or till new members are elected. The subsequent elected members including office bearers so elected shall constitute the Governing council for a period of three years.

(j) Any office bearer shall not hold the post continuously for more than two terms. This clause will come into effect from 01.04.2011 onwards.

(k) In the case of any vacancy in the Governing council arising by death, resignation or otherwise, the remaining members of the Governing Council shall have full powers to represent the Governing council. The Governing council in such an event shall have power to co-opt a member among the trustees to represent at the Governing Council to fill up the vacancy within the respective Electoral College.

POWERS OF GENERAL BODY

18. All categories of Trustees (except the nominated and Honorary Trustees shall constitute the general body of the foundation). The General Body shall be the supreme body of the Foundation. The General Body shall meet once in year at such place and time as may be determined by the Governing council to consider the following subjects:

(a) To confirm the minutes of the previous Annual General Body Meeting or Extra- Ordinary General Body Meeting;

(b) To consider and adopt the annual report;

Document No. 844 of 200 8
Book 4 Contains 44 Sheet
17 Sheet

Sub Registrar

(c) To consider and adopt the audited accounts of the Foundation and Auditors Report thereon;

(d) To Appoint auditors to hold office until the next annual General Body Meeting and fix their remuneration;

(e) To consider any other subject or any other matter upon a resolution being moved by a trustee provided that such trustee has lodged with the Secretary at least seven days before the date of the meeting, a notice in writing of the intention to move such resolution or to discuss any other matter;

(f) To consider any other matter with the consent of the President.

EXTRA ORDINARY GENERAL BODY MEETING

19. Extra – Ordinary General Body Meeting may be called for at any time by the President suo moto or by the Governing council or by the Secretary within 30 days of the receipt of the requisition in writing from not less than 1/10th of the Trustees of the Foundation or from a minimum of not less than 15 (fifteen) trustees whichever is higher.

20. If the Secretary fails to convene the Extra – Ordinary Meeting within 30 days of the receipt of the requisition, the trustees who made the requisition may themselves call the meeting after giving a notice of 14 days.

21. The meeting called by such trustees shall be legally valid and decisions taken at such meeting shall be binding as per the trust deed.

QUORUM

22. Twenty One Trustees present in person shall constitute the quorum for General Body Meeting and Extra-Ordinary General Body Meeting.

Document No. 84
Page 12 Total No. 19 Pages

Document No. 844 of 2008 in
Book 4 Contains 41 Sheet
18 Sheet

Sub Registrar

23. The quorum of the Governing council Meeting shall be 11 (Eleven) members.

24. If there is no quorum for the General Body Meeting or Extra – ordinary General Body Meeting or for the Governing Council, the meeting shall be postponed by an hour and after an hour if no quorum is present, then the trustees present shall constitute the quorum. The meeting shall take place and the trustees present in the meeting shall carry on the proceedings of the meeting and those proceedings shall be binding and valid.

NOTICE

25. Clear 14 (Fourteen) days notice shall be given for calling a General Body Meeting or Extra-ordinary General Body Meeting.

26. Clear three days notice shall be given for calling a Governing council meeting.

27. Such notice shall be given by ordinary post, courier, hand delivery, certificate posting or registered post and it shall be addressed to the Trustee/trustees to his last known address. Accidental non-receipt of notice shall not invalidate the proceedings of any meeting.

28. An emergency Governing Council meeting can be called giving 24 hours notice to its members. Apart from Clause 27 above, such notice can also be given by telephone, fax, e-mail etc. and is applicable to emergency governing council meeting only.

29. A written resolution signed by all the members of the Governing Council, who are for the time being entitled to receive notice of a meeting will be valid and effective, even though it has not in fact been passed at a formal meeting. No objection for want of notice or the like would arise to invalidate such resolution. A resolution passed by circulation as aforesaid would be recorded in the minutes of the next General Council meeting.

Document No. 8444 of 2008
Book 4 Contains 44 Sheet
Sheet

Sub Registrar

ELECTION, WITHDRAWL AND ITS PROCEDURE

30. The Governing Council in its meeting shall appoint a Returning Officer from among its trustees of the Foundation to conduct the elections. The returning officer shall not contest the elections.

31. The Returning officer appointed by the Governing Council shall complete the election procedure within 60 days of his intimation of appointment.

32. The returning officer shall draw an election schedule in consultation with the President and Secretary. The election shall be conducted at least 7 days before the date proposed for Annual General Body Meeting.

33. All nominations from the respective electoral colleges for the election to the Governing Council shall reach the returning officer in the prescribed form set out for the purpose at least 9 days before the proposed date of election. The candidate shall be duly proposed by one trustee and seconded by another trustee of the foundation and the candidate shall also give his consent.

34. After the last date of filing nominations is over, the returning officer shall scrutinize and verify the nominations and his decision regarding the validity of the nominations shall be final. The list of valid nominations under each electoral colleges shall be displayed in the notice board of the office at least 7 days before the proposed date of election.

35. The nominations can be withdrawn 5 days before the proposed date of election.

Document No. 844 of 2011
Dt. ..... Contains 41 Sheet
..... Sheet

Sub Registrar

36. In case sufficient valid nominations have not been received, then nominations for filing up the balance post shall be made as per the requirements of the respective electoral colleges on the floor of the General Body meeting.

37. In the event there being more nominations from the respective categories of trustees representing Electoral College, the election to the Governing council shall be held by secret ballot. The trustees from the respective electoral colleges securing the highest number of votes shall be declared elected. In the event of tie, lots will be drawn.

38. For the purpose of fixing number of trustees to be elected percentage wise out of the respective electoral colleges as per clause 17(c), if the percentage so worked out as above is coming in fraction, then the nearest number to the fraction should be considered.

39. The Returning Officer shall be responsible for proper conduct of the elections. He may nominate any two trustees to assist him in conducting the elections.

40. The returning officer shall conduct the election, if necessary by secret ballot and his decision shall be final and binding on all.

41. In the eventuality of Returning Officer not being able to perform his duties for any reason and on his informing President or Secretary as such, the President, Secretary in consultation with office bearers are hereby authorized to appoint a new Returning Officer.

POWERS OF THE GOVERNING COUNCIL

42. The Power of the Governing council shall be :-

(a) To make use of the Foundation property including the income of the Foundation for all or any of the objects of the Foundation.

Secretion No. 844 of 200..
Book ..... Contains ..... Sheet
..... Sheet

Sub Registrar

(b) To appoint, if necessary, committees, Advisory Boards, Governing Body for carrying out the objects of the Foundation.

(c) To make rules and byelaws for the proper management and administration of the Foundation.

(d) To determine if necessary, the terms and conditions on which any donations, subscriptions, scholarships or prizes or medals are to be given by the foundation.

(e) To expand the funds of the Foundation in such manner as they consider most beneficial for the objects and purposes of the Foundation.

(f) The trustees shall have power to enhance the subscription of becoming a trustee of this foundation if they think proper and in the interest of the Foundation.

(g) The trustees shall not apply any income of the foundation for any religious purposes.

(h) The Governing council shall have full power of supervision and control of the foundation properties, institutions and establishments of the foundation and shall be entitled to take all steps that may be necessary or required for the preservation of the foundation properties and title.

(i) To appoint attorneys to represent the foundation before the Court of Law or any judicial or quasi-judicial authorities and other statutory bodies.

Document No. 824 of 2008
Book 1 Contains 241 Sheet
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Sub Registrar

(j) To buy or take on lease or on rent or on hire immovable property for carrying out the objects of the Foundation and/or put up building or structures on such property belonging to or under the control and possession of the Foundation.

(k) To sell, donate charge, mortgage, hypothecate any immovable property with the approval of ¾th majority of trustees present at Extra-Ordinary General Body Meeting duly called for the purpose. The Trustees shall also have to intimate to the Director of Income Tax (Exemptions) of such alienation.

(l) To institute, conduct, defend, compound or abandon any legal proceedings by the foundation or against the foundation or trustees and allow time and indulgence for payment or satisfaction of any debts, dues or any claim or demand by the foundation or against the foundation.

(m) To obtain payment or money from all Courts, Bankers, Government Official, Treasury Official, Official, Receivers, Official, Assignees, post offices and all other officers of the Central, State or Local authorities.

(n) To borrow monies for the purpose of the Foundation on such terms and conditions as may be agreed to by the Governing council and to authorize anyone or more of them to execute as may be necessary for the said purpose.

(o) To employ clerks and other Employees, Agents, Bankers, Lawyers, Accountants, and others and at such remuneration as they may think fit.

(p) To withdraw or to revoke any appointment of any employee or attorney.

(q) Any action of the Secretary requiring the previous sanction of the Governing Council shall not be invalid merely by reasons of the absence of such sanction, if the said action has been subsequently ratified by the Governing Council.

(r) To let any portions of any immovable property forming part of the Foundation Fund at such rent and for such period and on such terms and conditions as they may think fit to accept.

(s) To appoint proxy or proxies for voting at any meeting of creditors, contributories or others.

(t) For removal of doubts, it is hereby declared that the funds of Foundation shall not be utilized for any purposes other than the objects of foundation or shall not be utilized for the benefit of Author of Foundation or any person who has made substantial contribution to the Foundation.

(u) The Foundation shall be entitled and be at liberty to accept gifts or any voluntary contribution from any person, install charity boxes and/or otherwise collect subscription or donation on such terms and conditions as the governing council may decide from time to time to augment the Foundation Fund and use such money for the objects of the Foundation. It shall always be open to the Governing Council in their absolute discretion to accept or refuse any such donations, gifts and/or contributions.

ACCOUNTS AND FINANCE

43. The investment of the foundation fund shall be made according to the income Tax Act, 1961 as amended from to time.

44. The trustees shall keep proper books of account of the Income and Expenditure of the foundation, which shall be closed every year on 31 March. The accounts shall be audited by a Chartered Accountant.

45. The trustees may open, operate and maintain bank account or accounts in the name of the foundation. Such account or accounts shall be operated by any two among the three viz., President, Secretary and Treasurer or by any other person either severally and/or jointly with as authorized by the Governing council.

AMALGAMATION

46. It shall be lawful for the foundation to take over or amalgamate with any other charitable foundation, society, association or institution with similar aims and objects.

AMENDMENTS AND INTERPRETATIONS

47. It is declared and understood that it shall be lawful for the trustees to make rules, amendments, alterations and substitutions as if they have been incorporated in the original foundation hereby created but not repugnant to the objects of the foundation. Prior approval is necessary from the 3/4th majority of the trustees present at the Extra-Ordinary General Body Meeting specifically called for this purpose for such additions, alterations, amendments, substitutions etc.

48. The foundation shall be irrevocable.

49. The trustees shall take the prior approval of the Director of the Income Tax (Exemptions) /Commissioner of the Income Tax before amending, altering, deleting and adding any clause from foundation Deed.

INDEMNITY

50. The Trustees shall at times stand indemnified in respect of any act that may have bonafide done in respect of matters relating to the foundation.

ARBITRATION

51. Should any dispute arise between any trustee or trustees or a former trustee of the association or any office bearer of the Foundation, relating to the membership or to any alleged deviation from the objectives or contravention of the articles, rules framed therein or the expulsion of any trustee from the Foundation or any account whatsoever which cannot be satisfactorily settled under the procedure laid for such purpose the matter in difference shall be settled by arbitration. The Governing Council shall appoint a sole arbitrator who shall be necessarily be a trustee of the Foundation.

52. The decision of the arbitrator will be final and binding on all parties. No trustees of the foundation can have recourse to the Courts of Law without first submitting to the arbitration.

WINDING UP

53. In the case of winding up/ Dissolution of foundation, its net funds shall be disbursed to such Foundation or approved institution who are having similar objects and enjoying exemption u/s 80G of the Income Tax Act, 1961. Prior approval is necessary from the 3/4th majority of trustees present at Extra-Ordinary General Body meeting duly called for the purpose.

Document No. 844 of 20.8
Book 4 Contains 41 Sheet
26 Sheet

Sub Registrar

DECLARATION

54. Neither any immovable property nor any movable property is in the name of the foundation on the execution of this deed. Moreover, no other fund except the aforesaid corpus amount exists in the account of the foundation.

IN WITNESS WHEREOF THE SETTLOR HERE HAS SET HIS HANDS THIS DAY AND YEAR FIRST ABOVE MENTIONED.

WITNESSES

1. A. Kandavel.
   S/O. M. Arumugam.
   11, Ponappan Lane
   Triplicane
   Chennai - 5

Shpcenamudian

(FOUNDER)

2. T. Rajkumar
   S/O R. Thiruganam
   45/22, Vaithyanabban Street,
   Sowcarpet, Sevenwells,
   Chennai - 79.

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