

DEED OF DECLARATION OF  
THE BHAKTAVATSALAM EDUCATIONAL TRUST



2172  
10.9.1958

*Refers to...*  
G. V. Alagesan  
*Chairman*  
M. Ramakrishna  
S. V. Thangaraj



PA No 759  
2/5/58/2/24.1960/10



THIS DEED OF DECLARATION OF TRUST  
executed this 15th day of September 1958, by  
Sri O.V.ALAGESAN, son of Viswanatha Mudaliar,  
Chairman, Ship Repairs Committee, residing at  
No. 53/8, Edward Elliots Road, Mylapore, Madras,  
hereinafter called the "FOUNDER" in favour of

- (1) Sri O.V.Alagesan, the Founder  
aforesaid;
- (2) Sri C.S.Loganathan,  
Tarapore & Co., residing at  
No. 7, Vasu Street,  
Madras-10;
- (3) Sri K.J.Lingam,  
Managing Director,  
Associated Transport  
(Madras) Private Ltd., residing at  
No.5, Venkatnarayana Road,  
T.Nagar, Madras-17;
- (4) Sri N.Ramakrishna Iyer, M.P.,  
residing at  
'Sundar Ashram',  
Adambakkam,  
Madras 16,

*G.V. Alagesan.*

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860 of 1958 of Book 4  
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As per receipt  
presented

Presented to the Office of the Registrar of  
Indras-Changapet and fee of Rs. 20.00  
on the 17th September 1958 by

G.V. Aiyer.

\*Certificate submitted by

G.V. Aiyer, Son of  
Vikramata Kudalim Chairman  
Ship repairs Committee No. 53  
Advan K. M. K. Road Mysore  
Madras.  
Kudalim personally to the  
Joint Sub-Registrar I

17th September 1958

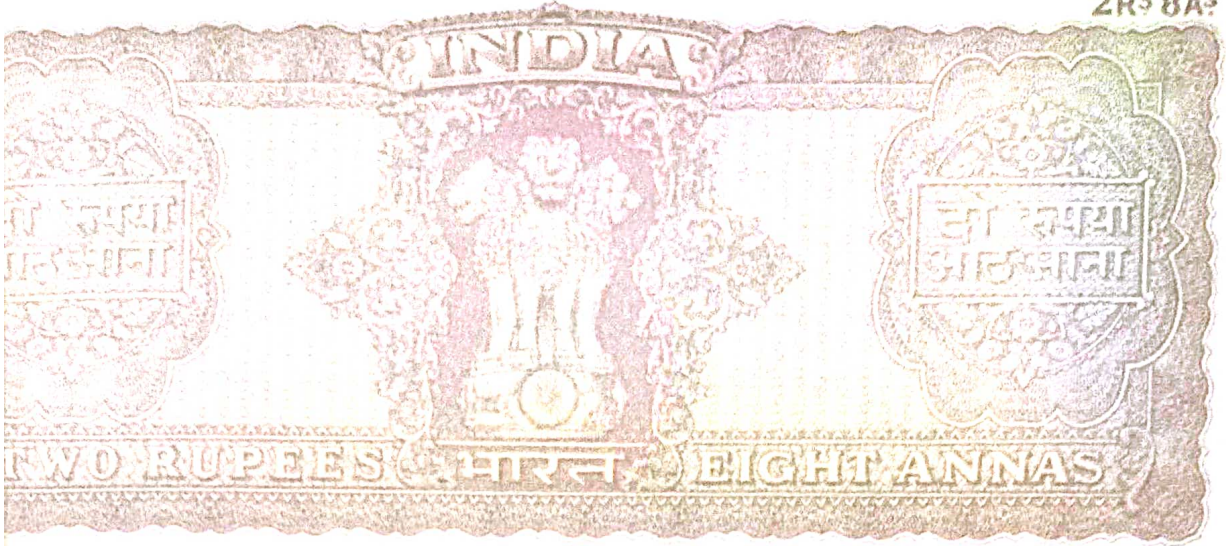
As per receipt  
presented

222  
184 to 194

Registered as No. 860 of 1958 of Book 4  
Volume 222, Pages 184 to 194

22nd September 1958  
As per receipt  
presented





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10-9-1958

*Respectfully signed and attested by*  
*G. V. Alagaram*  
*Attorney*  
*M. Arumugam*  
*S. S. Srinivasan*



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*1/5 2/5 A-80 No*



- (5) Sri T.G. Balasubramaniam,  
residing at No.5, Venkatesa  
Perumal West Street,  
Tanjore;
- (6) Sri C.N. Varadappan,  
Agriculturist, residing at  
Nazarathpet,  
Poonamallee;
- (7) Sri R. Srinivasan,  
Advocate,  
"Farm House",  
Athur,  
Chingleput;
- (8) Sri Palanivel Rajan,  
Advocate, residing at  
Palayam House,  
Madurai;
- (9) Srimathi Sarojini Varadappan,  
residing at  
15, Warren Road,  
Mylapore,  
Madras

hereinafter called THE TRUSTEES:

*G. V. Alagaram.*



1. WHEREAS Sri M. Bhaktavatsalam has attained his 61st year of age this year and his friends and admirers are desirous of commemorating the said auspicious occasion in an appropriate manner, in keeping with his life of sacrifice in the cause of freedom of the country including many incarcerations and other privations as well as his unbroken record of service to the nation as a Member of the Government of Madras from 1937 and otherwise and now as the Hon'ble Minister for Home in the Government of Madras.

2. AND WHEREAS the Founder is desirous of combining the form of commemoration with a purpose appropriate to the needs and aspirations of the Welfare State.

3. AND WHEREAS with the said object in view, the Founder has decided to create a Trust and to endow the said Trust a nucleus of Rs.3,000/- in cash.

4. AND WHEREAS the Trustees above-named have agreed to accept the said Trust on the terms and conditions hereinafter appearing and to conduct the affairs of the said Trust on those terms and according to the Rules and Regulations framed from time to time:

*R. V. Rajaram*



NOW THIS DEED WITNESSETH AS FOLLOWS:

(5) In these presents the following terms shall have the meanings set out below, namely:-

- (a) The 'Trust' means "The BHAKTAVATSALAM EDUCATIONAL TRUST".
- (b) The 'Founder' means 'O.V. Alagesan'.
- (c) The 'Trustee or Trustees' means "The Trustee or Trustees as the case may be, for the time being of the Bhaktavatsalam Educational Trust".
- (d) 'The First Trustees' mean "the nine Trustees above named or any of them as the case may be".
- (e) 'Nominated Trustee or Trustees' means "any Trustee or Trustees nominated under clause 9 below".

CONSTITUTION OF THE TRUST BOARD

6. The Founder doth hereby affirm that the Trustees of the Bhaktavatsalam Educational Trust shall be the persons hereinbefore referred to as Trustees.

7. The number of Trustees shall be not less than three and not more than twelve exclusive of the three nominated Trustees referred to in clause 9 below.

*O.V. Alagesan.*



8. The Founder shall be a Trustee and also President of the Board of Trustees for life. In the event of his ceasing to be Trustee for any reason, the Trustees shall elect from among themselves a President who shall hold office as such President for three years from the date of his election.

9. The Government of the Union of India, the Government of Madras and the University of Madras shall be entitled to nominate each one member to the Board of Trustees. The President shall call for such nominations at any time he deems appropriate.

10. The said First Trustees shall hold office as such Trustees for their respective natural lives unless they resign their said respective offices.

11. On any vacancy occurring in the Board of Trustees by the death or by the resignation of a Trustee or any other cause, it shall be competent and lawful for the remaining members of the Board to appoint any person or persons to be Trustee or Trustees in the place of the person or persons who had ceased to be Trustee or Trustees.

12. Any Trustees other than the first Trustees shall hold office for a period of five years from the date of their respective appointments and at the expiry of the said period, shall vacate the said office as such Trustee but shall be eligible for re-appointment.

G. V. Alaperum.



13. On any vacancy arising in the office of the President at any time, the Trustees shall elect from among themselves a President who shall hold office as such President for a period of three years from the date of his election.

14. The Board of Trustees shall be entitled to act and exercise all their powers notwithstanding any vacancy or vacancies in the Board, provided that the total number of Trustees shall not at any time be less than three. If the total number of Trustees shall be less than three, then the continuing Trustee or Trustees may act for the purpose of increasing the number of Trustees and for appointing Trustees to fill up any or all casual vacancies but not for any other purpose.

OBJECTS OF THE TRUST.

15. The objects of the Trust shall be, to cater to the educational and cultural needs of the people and the advancement of knowledge and education and without prejudice to the generality of the foregoing, the following objects, namely:-

- (a) To take over, to carry on and continue the High School known as Sri Bhaktavatsalam Shastri-abdhapurthi High School at Athur village, Chingleput District.

*G.V. Alayman.*



- (b) To establish, run and maintain polytechnics.
- (c) To establish, maintain, run, develop, improve, extend, grant, donate for and to aid and assist in the establishment, maintenance, running, development, improvement and extension of general, commercial and technical education, Elementary schools, Secondary schools, High schools, Colleges, Workshops, Industrial, Technical and other art, craft and science schools and institutions or seats of learning, hostels for the benefit of students and generally all kinds of educational institutions of general, technical, vocational, professional or of any other description whatsoever for the welfare and uplift of the general public and to institute award scholarships to Indian citizens for study, research, apprenticeship either in India or to enable them to proceed overseas for study and for all or any of the said purposes.

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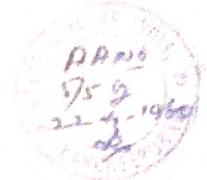
(d) To do all such acts in addition to and in furtherance of the above purposes and in advancement of any other charitable object of general utility.

TRUST FUNDS.

16. The assets of the Fund shall consist of:

- (a) The said sum of Rs.3,000/- paid by the Founder to the Trustees as a nucleus for the said Trust and received by the Trustees for purposes of the Trust.
- (b) Any grants and contributions that may be made to the said Trust by the Government of India, or by the Government of Madras, or by any other Government or authority or body.
- (c) Such sums or assets as may be contributed, gifted, donated or bequeathed by any person, Society, firm, company or Trust to the said Trust.
- (d) All interest or income arising out of the said sums and assets.
- (e) All assets that may be purchased or acquired from out of the said funds or otherwise acquired for the said Trust.

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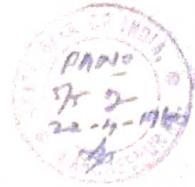
(f) All investments and realisations therefrom or out of the said funds and assets.

(g) All sums and assets which by any means become the property of the Trust.

17. The Trustees shall receive and hold the said funds on the Trusts and for the purposes set out in paragraph 15 above and the funds of the Trust shall vest in the Trustees who shall administer the same in accordance with and for the purposes set out in these presents.

18. The Trustees may apply the funds of the Trust for any of the above said objects and institutions, either by the Trust itself establishing or running such institutions or by the Trust making contributions to Trusts, Committees or institutions carrying out any of the aforesaid objects including the management or Committee in charge of such schools or any educational institution of any kind, and in particular, it shall be lawful for the Trustees to hand over the management of the School and other institutions to any Committee constituted in any manner which the Trustees may consider suitable and to pay over the whole or part of the monies and income and capital of the Trust Funds to such Committee and to transfer or vest in such Committee or other body any of the Trust assets for the said purpose.

*P.V. Alagesan*



19. All the properties, assets and funds of the Trust shall vest in and be held in the name of the Board of Trustees and shall be held in such manner as the Board shall direct or in the name of one or more of the Trustees as the Board may deem fit.

20. The Board of Trustees shall have full control and management of all the affairs of the Trust and of the properties, assets and transactions of the Trust and without prejudice to the generality of the fore-going to exercise any or all of the following powers and discretion, namely:

(a) to determine from time to time, to commence, to take up, to abandon any of the objects and purposes 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 they deem fit.

(b) to invest funds of the Trust in any of the following modes:-

(i) In Trust Securities or in any manner authorised by law in force for the time being for the investment of Trust Funds;

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(ii) By investment in share(s), stocks, debentures of any company by fixed deposits or otherwise with any Bank, by loans to any person, firm or concern or in any manner whatsoever that the Trustees may deem fit, notwithstanding that the said investments are not investments authorised for investment of Trust funds;

Provided that the powers conferred under this sub-clause shall be exercised only by the unanimous consent of all the Trustees for the time being in office;

(iii) In purchase of or acquisition by lease or in any other manner, any immoveable properties or interest in immoveable property of any kind by the Trustees deemed to be useful for the objects of the Trust or as a source of income for the Trust;

(iv) An investment in any manner authorised by this clause shall not be improper by reason only of the fact that anyone or more of the Trustees are interested as Directors, Managing Agents, Shareholders or Partners in the Bank or Company or institutions in which part of the Trust funds may be invested.

[Signature] A. V. Alapam.

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- (c) to equip, furnish or otherwise fit up and conduct educational institutions, necessary or useful for the carrying out the objects of Trust.
- (d) by unanimous consent of all Trustees for the time being holding office as Trustees, to sell or dispose of any immoveable properties belonging to the Trust.
- (e) to sell any securities or other assets belonging to the Trust.
- (f) to incur all expenditure necessary or in their opinion useful for carrying out the objects of the Trust.
- (g) to open one or more Bank accounts for the Trust in its name with any Bank or Banks as the Trustees may deem fit and deposit monies of the Trust in such accounts and to give instructions to the Bankers as to persons entitled to operate thereon provided that until such instructions are given, the President shall be entitled and is hereby authorised to open one or more Bank accounts for the Trust and to operate thereon and to draw cheques thereon.
- (h) to enter into contracts with any person or body or for any purposes.

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- (i) to sell, lease or otherwise dispose of any moveable properties, and goods of the Trust.
- (j) to employ staff of all kinds necessary or useful for the carrying out of the objects of the Trust.
- (k) to pay such sums as may be found necessary in discharge of any borrowings by the Trustees.
- (l) to meet any deficit in the expenditure on the salary of teaching, clerical and administrative staff as well as the wages of the menials in all the institutions of the Trust.
- (m) to pay towards the contribution by the management to the Provident Funds of the staff, for the purchase of all furniture and other equipment for sports, laboratory etc., for award of prizes and scholarships, and for meeting the expenses incurred in connection with all student activities.
- (n) to incur such other items of expenditure as may seem appropriate to the Board of Trustees in relation to the objects of the Trust.
- (o) to institute, conduct, defend, compound, withdraw, compromise, adjust, refer to arbitration or abandon any legal or other

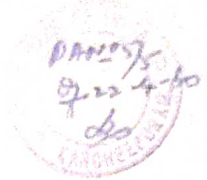
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proceedings, claims or disputes by or against the Trust or Trustees or against its officers or employees concerning the affairs of the Trust and to sign and verify vakalats, pleadings, affidavits and other papers.

- (p) to appoint from time to time members of the teaching, clerical, administrative and menial staff, with such powers and duties and upon such terms as to duration of office, remuneration or otherwise as the Trustees shall think proper and at any time to suspend, dismiss, remove or discharge them.
- (q) to levy such fees from the students and deal with the said proceeds in such manner as they think proper.
- (r) to insure and keep insured, if deemed expedient all or any of the buildings and other assets of the Trust.
- (s) to delegate all or any of the powers, authorities and directions vested in the Trustees to any individual or committee and generally to carry out such transactions as they consider expedient in the interest of the Trust and to make all such arrangements and do such acts and things on behalf of the Trust as may be usually necessary, desirable or expedient in the management of the affairs of the Trust or in carrying out its objects.

*P. V. Alaguman.*



(t) to mortgage or charge any property or asset 'moveable or immoveable' of the Trust or vested in the Trustees in favour of the Government or any department in pursuance of the rules of the Government for the purpose of obtaining grants from the Government or any Department thereof.

(u) to frame rules and bye-laws for the conduct of the business of the Trust and of its transaction and for establishing any Committee of Management and to determine who shall be entitled to operate on the Bank account or accounts of the Trust and draw cheques thereon.

21. The Board shall have power to accept contributions in money or property either by way of addition to 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 or as income according to the directions of the donors but subject to the condition that in the opinion of the Trustees it is conducive to the beneficial administration of the Trust.

22. (a) The President shall preside over all the meetings of the Trustees

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and in his absence the Trustees may elect any of their body to preside over the meetings.

- (b) The meetings of the Trustees may be convened by the President or under his directions by any other Trustee or any other person.
- (c) Any two Trustees may require a meeting of the Trustees to be convened and thereupon the President shall convene a meeting of the Trustees.
- (d) The quorum for a meeting of the Trustees shall be three Trustees personally present.
- (e) In the event of the equality of the votes, the President or in his absence the Chairman shall have the casting vote.

23. (a) The Trustees may act by a majority. The Trustees may exercise all the powers vested in them under these presents or by law, by resolutions passed at meetings of the Board of Trustees by a majority.

(b) Any resolution in writing sent to all the Trustees holding office for the time being as such and agreed to in writing by a majority of them shall be

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valid and binding and a valid exercise of the power of the Trustees as if it had been passed at a meeting and the President shall have, in the event of an equal division, a casting vote in addition to his vote as Trustee.

(c) All acts done by a resolution of the Trustees shall be valid and binding as if agreed to and done by all the Trustees.

24. The Trustees shall cause to be prepared and shall lay before a meeting of the Trustees the annual accounts and statement of income and expenses of the Trust within three months of the close of the year of account. The Trustees shall appoint one or more Chartered Accountants to audit the accounts of the Trust. The accounts of the Trust shall be audited every year. The Trustees shall pay the annual remuneration for the Auditor(s). Every appointment of the auditors shall be for one year at a time but the retiring auditors shall be eligible for reappointment.

25. The Trustees may nominate one or more persons either by name or otherwise to be in custody of any of the assets of the Trust, to hold properties and assets of the Trust in his or their names for and on behalf of the Trust and/or to execute all documents, contracts and deeds for and on behalf

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of the Trust. The Trustees shall specify and nominate one or more persons who shall be entitled to institute, conduct or defend all suits and legal proceedings for and on behalf of the Trust and to receive service of summons and processes 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 proceedings before any Court or other authority.

26. All expenses of the management of the Fund shall be incurred by the Trustees at their discretion and shall be paid out of the funds and shall be a first charge thereon.

27. The Trustees shall not be bound personally to administer or manage the Fund and such administration and management may, subject to the control of the Trustees, be delegated by them to such person or persons as they may deem fit.

28. No Trustee shall be liable for any loss not attributable to his own dishonesty or of commission by him of an act amounting to a breach of trust, and in particular he shall not be made liable for failure to take any proceedings against any co-trustee for any breach or alleged breach of trust committed by such co-trustee.

29. Every Trustee shall be indemnified out of the Funds of the Trust in respect of any loss arising from or contingent upon any investment made of any of

*P. V. Alapam*

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the monies of the fund unless such loss shall have been occasioned by his own negligence and also every Trustee shall be indemnified out of the Fund against all proceedings, suits, claims, costs, damages and expenses occasioned by any claim in connection with the Trust and in the execution of the Trusts created by these presents or in the exercise of any powers, authorities or discretion vested in them pursuant to these presents.

30. Each of the Trustees covenants with the Trust that he will on vacating office do and execute all such acts, documents, matters and things as shall be necessary to vest the Trust Funds and all securities and investments which may then be standing in his name as representing the Trust or any part thereof in the remaining Trustees or other Trustees as the Board of Trustees may direct.

31. The Trustees shall have power to frame Rules for the proper conduct of the affairs of the Trust as well as of any of its institutions but not inconsistent with the provisions thereof.

32. Should any controversy or doubt arise regarding the purport, meaning or construction, of these presents or of any matter relating to the Trust the decision of the President in respect of the same shall be final.

*R. V. Alaplan.*

REPUBLIC OF INDIA  
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IN WITNESS WHEREOF THE DECLARANT FOUNDER  
abovenamed has set his hand the day and year first  
above written at the Madras-Chingleput Registrar's  
office, 1st Line Beach Road, Madras.

D.V. Alaperum.

Witnesses:--

K.S. Balasubramanian I.C.C.

Tambaram

W. Anandaram

15.9.58.

Electrical Engineer  
Coimbatore Mad.



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 (S.V.)

This Deed of Amendment of the Deed of Declaration of Trust dated 15-9-1958 declaring and constituting "The BAKTAVATSALAM EDUCATIONAL TRUST"

1. WHEREAS a Deed of Declaration of Trust has been executed by Sri O.V. Alagesan, son of Viswanatha Mudaliar, now Indian Ambassador to Ethopia and registered as Document No. 860/58 on 22-9-58 in the then office of the District Registrar, Madras-cum-Chingleput. The value of this deed is Rs. 3,000/-.

2. WHEREAS the said Trust Deed empowers the Board of Trustees under clause 20(t) "to mortgage or charge any property or asset movable or immovable of the Trust or vested in the Trustees in favour of the Government or any Department in pursuance of the rules of the Government for the purpose of obtaining grants from the Government or any department thereof".

3. WHEREAS in the actual functioning of the Board of Trustees, occasions have arisen necessitating creation of mortgage, charge, lease, exchange and other forms of encumbrance over Trust properties in furtherance of the objects of the Trust, this clause 20 (t) has

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to be clarified and amplified to include such power to encumber the Trust property to other persons also besides Government.

4. AND WHEREAS the Board of Trustees have resolved by their resolution to recast the said clause 20 (t) to effectuate the aforesaid object

NOW THIS DEED OF AMENDMENT WITNESSETH AS FOLLOWS:--

5. Read in the place of and in substitution and amendment of the present clause 20(t) to the Deed of Declaration of Trust deed dated 15-9-58 executed by Sri O.V. Alagesan and registered on 22-9-58 as Document No. 860/58, in the then office of the District Registrar of Madras-cum-Chingleput the following amendment as amended clause 20(t):--

"20 (t). To mortgage or charge or lease or exchange or otherwise encumber in any manner any property or asset, movable or immovable of the Trust or vested in the Trustees, in favour of any person, party, institution Corporation Company or Bank for any purposes necessary or beneficial to the Trust; or to

*O.V. Alagesan*



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the Government or any Department in pursuance of the rules of the Government for the purposes such as for obtaining Grants, Loans, or other Accommodation, Assistance, Aid etc., from the Government or any Department thereof."

In witness whereof the Declarant Founder has set his hand hereunto this 3rd day of January, 1970, in the presence of

Witnessess:--

*J.V. Rajan*

*[Signature]*, Farm House, Athur, Chingleput

1. \* *Nit. Sundara ign*, Pensioner, 28 Kuppusami Naidu Street, Chingleput