



Scott. II-29-27,004-25-11-26.

Edn

(192 6) Department.

mi SERIES.

G.O. No. 16 / 0

DATED 24. 8. 1926

[Despatch Abstract.]

Endowment -

Sir P.S. Sivaswami Ayyar's Charities - Vested in
the Treasurer of Charitable Endowments.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.



1346B
Law Com. no. 1705
Sudharma, 2.6.26
Edward Elliot Road,
Mylapore, Madras,
2nd June 1926

From

Sir P.S. Sivaswamy Aiyer, K.C.S.I., C.I.E.

To

The Education Secretary

to the Government of Madras,

Ootacamund.

Sir,

I enclose herein copy of a trust deed which I intend to execute for the management of my school charities. Under sections 4 & 6 of the Charitable Endowments Act (VI of 1890) I, as the author of the trust, submit this application for an order that the immovable properties described in schedule 1 of the draft trust deed and the Government securities of the three-and-a-half per cent loan of the face value of one lakh, as per list given below, be vested in the Treasurer of Charitable Endowments for the territories subject to the Government of Madras, to be held by him on the terms set forth in the draft trust deed regarding the application of the income from the properties.

2. As I have myself settled a scheme for the administration of the trust properties, I do not ask the Government for the settlement of any scheme for the administration of the properties. On intimation of the order of Government, I am prepared to endorse the Government Promissory notes in favour of the Treasurer of Charitable Endowments and send them to you for transmission to that officer.

I have the honour to remain,

Sir,

Your most obedient servant,

Miradwamy Aiyer

12
Government of Madras.

Law (Education) Department.

MEMORANDUM No. 1346.B-1 dated the 7th June 1926.

Referred to the Director of Public Instruction
for remarks. He is requested to submit in consultation with the
Government Solicitor a draft notification under section 4(1) of
the Charitable Endowments Act, 1890.

V.T. Krishnama Achariyar.
Secretary to Government.

To the Director of Public Instruction (with current to be
returned).

F o r w a r d e d.

(By Order)

S. Krishna Aiyar
Superintendent.

DNI.



2
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③
Deed of Charitable Trust executed on the
day of June 1926 by SIR P. S. SIVASWAMY
AIYER, K.C.S.I., C.I.E., son of Palamarneri
Sundaram Aiyer, Brahmin, Saivite, retired
Member of the Executive Council, Madras,
residing at Sudharma, Edward Elliot Road,
Mylapore, Madras.

WHEREAS an Anglo-Vernacular Lower Secondary School
with Forms I to III was being carried on in Tirukattupalli in the
Tanjore Taluk of the Tanjore District by (1) V. A. Ramaswamy
Aiyer and (2) R. Gopalakrishna Sastri; WHEREAS an Upper
Secondary School was proposed to be started by A. Sundaralingam
Aiyer and I laid the foundation-stone thereof on the 14th of April
1906 and three rooms were built by Mr. Sundaralingam Aiyer and
completed in May 1907; WHEREAS the Lower Secondary School
was amalgamated with the Upper Secondary School in April 1907;
WHEREAS from the inception of the Upper Secondary School, Mr.
Sundaralingam Aiyer applied for and received financial help from
me; WHEREAS the said three persons were unable to meet the
growing requirements of the school without a largely increased
subsidy from me and considering the inexpediency of subsidizing
a private proprietary school, I acquired in pursuance of an
agreement of the 5th January 1908 the said school with all the
school buildings and sites and the then existing furniture,
library, gymnastic apparatus and all other appliances and appur-
tenances and all rights of proprietorship and management from
the said three persons as proprietors for a sum of Rs. 7,969
paid to them as consideration therefor; WHEREAS the High
School including the lower secondary and elementary depart-
ments has been ever since maintained, extended and carried
on by me without any other help than the usual grants-in-
aid from the Government; WHEREAS considerable acquisitions

of land have been made by me from time to time for the purpose of the school and extensive buildings have been erected including a hostel for boys and all these constructions and acquisitions have been made by me at my own cost and with the grants-in-aid received from the Government except a small sum of Rs. 3,405 received by me by way of building donations from some of the persons resident in the neighbourhood; WHEREAS the original cost of acquisition of the lands more particularly described in schedule 1 attached hereto and the cost of the buildings, furniture, library, apparatus, equipment, etc., have amounted to a sum of Rs. 1,66,260 of which the amount spent out of my pocket is Rs. 87,000 or there abouts; WHEREAS over and above the said capital expenditure I have up to date since 1906-7 been obliged to spend a sum of over Rs. 70,000 out of my pocket to meet the recurring deficit in the maintenance of the school; WHEREAS it is necessary to make a permanent endowment for the maintenance of the school and for raising the school, if possible, to the status of a Second Grade College giving instruction up to the standard of the Intermediate Examination in Science and Arts of the University of Madras and it is my intention to make a suitable endowment of funds; and WHEREAS it is necessary to make suitable provision for the due and proper management of my educational charities by a duly constituted board of management;

NOW THIS DEED WITNESSETH;

1. That the value of the properties hitherto owned by me and hereby declared as dedicated to Charitable Trusts is set forth for the purposes of this instrument at Rs. 3,000 only.

2. The immovable properties mentioned in schedule I hereto shall, upon the order of the Local Government applied for by me, be vested in the Treasurer of Charitable Endowments for the Presidency of Madras as bare trustee and the management, administration and control of the same and of the educational institution (which term includes the present High School and the Second Grade College, if any, which may be hereafter opened) and the ownership and custody of all the movable properties now belonging to the school and consisting of furniture, library, laboratory equipment, tools, utensils, appliances, appurtenances etc., and all other movable properties which may be hereafter acquired for the school shall be legally vested in a Board of Trustees to be constituted as hereinafter provided and to be called "The Board of Trustees for Sir P. S. Sivaswamy Aiyer's Charities". The Board of Trustees shall take steps for the vesting of any immovable properties which may be hereafter

acquired by them for these charities in the Treasurer of Charitable Endowments.

3. The income accruing from any funds which may be transferred by me to the Treasurer of Charitable Endowments shall be paid over to the Trustees under this deed. The said income and the income derived from the immovable properties shall be received and collected by the Trustees and applied by them for the purposes of the educational institution.

3 4. The Board of Management shall consist of five Trustees.

The first set of Trustees shall be the following:—

- (1) T. R. Venkatarama Sastri, High Court Vakil and Advocate-General, residing in Madhava Bagh, Mylapore;
- (2) P. E. Subramania Aiyer, M.A., Professor of Physics, St. Joseph's College, Trichinopoly;
- (3) K. S. Vaidyanatha Aiyer, M.A., L.T., Professor of English, Kumbhakonam College;
- (4) V. Guruswami Sastri, Head Master, High School, Tirukattupalli; and
- (5) Sir P. S. Sivaswamy Aiyer, K.C.S.I., C.I.E.

5. As the founder of the charities, I shall be one of the Trustees for my life-time, or such shorter period as I may find convenient and after me my place shall be taken by my brothers (1) Dr. P. S. Chandra Sekar, retired Director of the Tuberculosis Institute, Madras, residing in Lloyd Road, Royapettah, Madras; (2) P. S. Sitarama Aiyer, retired Sub-Judge, residing in West Main Street, Tanjore Fort; (3) P. S. Subramania Aiyer, District Munsif; and (4) my sister's son P. N. Ramaswami Aiyer, I.C.S., son of P. R. Narayanaswami Aiyer, in succession one after the other. Each of the said persons shall be a Trustee for life with the option of retirement sooner and after the life-time or retirement of the last survivor of these persons, a Trustee shall be appointed in his place by co-optation by the remaining Trustees on the Board as hereinafter provided.

6. The Head Master of the School, or in case the institution develops into a College, the Principal of the College, shall *ex-officio* be a member and Secretary to the Board of Trustees and shall be in possession of the records and proceedings of the Board.

7. The other three original Trustees named in paragraph 4 *supra* shall respectively hold office for the term of three, four and

five years in the order named therein. In the event of any of the said three original Trustees failing to accept the office, or disclaiming it, his place will be filled up by me as the author of the trust and any person so appointed shall hold office for the same period as the person in whose place he has been appointed.

8. Save and except my ^{the persons} brothers and nephew named in paragraph 5 above and the Head Master or Principal for the time being, and subject to the provisions of paragraph 7 *supra*, every trustee shall hold office for a term of five years.

9. Any Trustee whose term of office has expired may be re-elected by the continuing Trustees on the Board.

10. All vacancies in the office of Trustee whether arising from death, efflux of term, resignation or otherwise shall, subject to the exception in favour of my brothers and nephew aforesaid and the Head Master or Principal, be filled up by co-optation by the Board of Trustees within a period of two months from the occurrence of any vacancy or forfeiture.

11. Any Trustee may during the term of his office resign the Trusteeship by giving two months' previous notice in writing by registered post to the Secretary to the Board of Trustees and he shall cease to be a trustee on the expiry of the two months.

12. In filling up vacancies in the Board of Trustees, the following principles shall be followed:—

- (a) Not less than three of the Trustees shall be Brahmins.
- (b) At least one of the Trustees besides the Head Master or Principal shall be an educationist living or employed in the District of Tanjore or Trichinopoly, in touch with modern ideals and methods of education and then or previously connected with one or other of the Colleges in the Tanjore or Trichinopoly District.
- (c) One Trustee at least shall, if possible, be a well-educated representative of the area whose educational needs are served by the school and preferably a past student of the school, provided that such representative is living in the Tanjore or Trichinopoly district and is a fit and proper person.
- (d) If there is any member in the male line of the families of my brothers or my nephew P. N. Ramaswami,

qualified by education and character and fit and proper in the opinion of the Board, such member shall be appointed by co-optation by the continuing Trustees on the Board.

(e) Not more than two members of the Board may be persons living or employed outside the Tanjore or Trichinopoly district.

(f) No member of the teaching staff of the School or College except the Head Master or Principal, shall be a Trustee.

13. In the event of any Trustee leaving the Madras Presidency for purposes of residence abroad and being absent therefrom for a continuous period of nine months, or failing to attend three consecutive quarterly meetings, or being declared an insolvent, or accepting an inconsistent Trust, or becoming personally incapable of acting in the Trust, a new Trustee shall be appointed in his place by the continuing Trustees.

14. The Trustees shall meet at least once a quarter for the transaction of business.

15. The first permanent chairman of the Board of Trustees shall be myself and after me the Board shall elect one of their number as permanent chairman. In the absence of the permanent chairman, the chair shall be taken by a person to be nominated by the members of the Board present at a meeting.

16. Three members of the Board shall constitute a quorum.

17. All questions shall be decided by a majority of the members of the Board present and voting and when the members are equally divided, the chairman shall have a second vote.

18. Travelling allowances may be paid to the Trustees attending the meetings of the Board at the rate of one second class railway fare and one third class railway fare from the place of residence of the Trustee to Tirukattuppalli and back for every meeting.

19. The Board shall frame rules for the conduct of business and for the control and management of the educational institution not inconsistent with the provisions of this deed and shall have power to alter them from time to time and the Secretary to the Board shall see that the orders and instructions of the Board are duly carried out.

20. The immovable properties belonging to the Trust shall be managed by the Trustees who shall be competent to lease out such lands and buildings as may not be required for the immediate use of the school.

21. All income not required for immediate expenditure shall be deposited by the Trustees in the Postal Savings Bank, or the Imperial Bank of India, or the Tanjore District Co-operative Bank.

22. The corpus of the Trust fund shall be invested in Government Securities, in debentures or other securities issued by Local Governments in British India under the authority of an Act of the Legislature or in co-operative banks subject to the supervision of Government provided, however, that no investment shall be made hereafter in any irredeemable securities.

23. The properties hereby dedicated to the Trust shall form the nucleus of an endowment for the charities mentioned herein. Any further properties or funds which may be dedicated by me hereafter to charitable uses shall be held, managed and controlled by the Board constituted hereby, subject to any special provisions which may be made by me in connection with such future endowments.

24. As the author of the trust, I reserve to myself liberty to change the investments during my life-time and to modify or add to the provisions of this deed provided, however, that the funds are not diverted to any objects other than charitable.

25. The objects of the Trust are to carry on and maintain the High School in efficiency and, if funds permit, to raise it to the status of a Second Grade College and to maintain the said School and College in a high state of efficiency so that they may serve as models to other educational institutions. The educational institution should aim at the cultivation of sound knowledge, character, physique and the spirit of citizenship.

26. It shall be competent to the Trustees to take such steps as may be necessary to maintain and improve the facilities for education and the quality of education now imparted. If funds permit, the Board may provide residential quarters for the teaching staff on some suitable and convenient site and on terms like those on which quarters are provided by Government for their servants.

27. In the management of the educational institution, in the appointment of the teaching staff and in the award of scholarships and free studentships, ability and merit shall be the sole guiding principles and no preference shall be shown on communal grounds.

SCHEDULE No. I.

DESCRIPTION OF IMMOVABLE PROPERTIES.

Lands, dry, situated in the district of Tanjore, registration sub-district of Tirukattupalli, in the revenue village of Tirukattupalli, bearing re-survey Nos. 89/23, measuring 13 cents; 89/24, 7 cents; 89/26, 4 acres 31 cents described as Government dry lands comprised in the Title Deeds 626, 627, 628, 629, 630, 632, marked in re-survey 89/7, 3 acres 24 cents; 89/25, 1 acre 30 cents; 89/27, 22 cents; 89/2, 12½ cents in the south out of 36 cents Inam with the trees, wells and buildings standing thereon and of the total extent of 9 acres and 39½ cents, be the same more or less.

DESCRIPTION OF BUILDINGS STANDING THEREON.

1. The two-storied building, east of Budalur Road, north of school playground, west of Kalyani Hostel described below, and south of building 2 described below, measuring east to west about 250 feet and north to south about 30 feet.

2. The terraced building east of Budalur Road, north of building described above, west of tiffin-shed described below and south of sub-registrar's office, measuring east to west about 145 feet and north to south about 29 feet.

3. Tiled tiffin-shed east of sub-registrar's office, north of building 1, west of school tope and south of school tope measuring north to south about 60 feet and east to west about 15 feet.

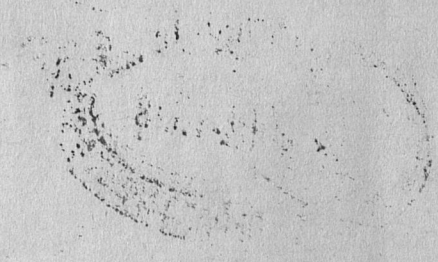
4. Building situated in the Bazaar Street, Tirukattupalli union, partly terraced and partly tiled, east of Budalur Road, north of Police Station vacant site, west of school tope and south of Alamelu Ammal's house, measuring north to south about 100 feet and east to west about 40 feet, bearing union house Nos. 243 and 244.

5. Building in Road No. 50, terraced, east, west and north of school tope and south of Road No. 50, measuring east to west about 30 feet and north to south about 25 feet bearing union house No. 423.

6. The Kalyani Hostel, the two-storied building, east of building 1, south of Taluk Board Elementary School, west and north of school tope, measuring east to west about 150 feet and north to south about 22 feet. //

In witness whereof, I have set my hand hereunto the date, month and year above-named.

Copy



ad
7/6
10/6

10
Law (Edu) Dept.
[No. 1346 B] (8)

Memo. 1346 B-1 d 7-6-26



Referred to the D. P. J. for remarks. He is requested to submit in consultation with the Govt Solicitor a draft notification under section 4 (1) of the Charitable Endowments Act, 1890.

for vesting the property in the trustees of charitable endowments.

DESPATCHED with encl 8th JUN 1926

To
The D. P. J. (to be returned)

CPA
36.26

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4/6

R - after 1 month. 8/4
36.26

CPA



11 2. 8/466B
22/6/26
Elk Hill View,
Ootacamund,
19th June 1926.

From

Sir P.S. Sivaswamy Aiyer, K.C.S.I., C.I.E.,
Elk Hill View,
O o t a c a m u n d .

To

The Education Secretary
to the Government of Madras,
Stonehouse Hill,
O o t a c a m u n d .

Sir,

In my application to you of the 2nd of June 1926
for an order vesting certain trust properties in the Treasurer
of Charitable Endowments, I referred to a list of Government
Securities as given thereunder. I was not, however, able
to subjoin the list for the reason that I did not have full
information from the Bank as regards the numbers of my
securities. I now give hereunder the particulars of the
Government Securities which I desire to transfer to the
Treasurer of Charitable Endowments. I request that the
order applied for may be kindly issued as early as possible.

I have the honour to remain,

Sir,

Your most obedient servant,

P. S. Sivaswamy Aiyer



Enclosure: 1.

List of Government Securities.

Particulars of loan.

Amount.

3½% 1842/43; M 012019..	Rs.5,000/-
„ M 012020..	5,000/-
„ M 012021..	5,000/-
„ M 012022..	5,000/-
„ M 012869..	5,000/-
3½% 1854/55; M 019080..	5,000/-
„ M 019453..	5,000/-
„ M 020021..	5,000/-
„ M 020510..	5,000/-
„ M 020511..	5,000/-
„ M 020764..	5,000/-
„ M 020765..	5,000/-
„ M 020766..	5,000/-
„ M 020767..	5,000/-
„ M 021911..	5,000/-
3½% 1865; M 026358..	5,000/-
„ M 026816..	5,000/-
„ M 027220..	5,000/-
„ M 027982..	5,000/-
„ M 030314..	5,000/-

Total Rs. 1,00,000/-

M. S. Swamy Aiyer

918-2126
29 JUL 1926
DIRECTOR OF PUBLIC INQUIRY
MADRAS

Endt. No 1466 B-1 d 25.6.20

Forwarded to the S. P. I.
Confirmation of Memo.
1346 B-18 ~~4~~ 7th June

25/6/11

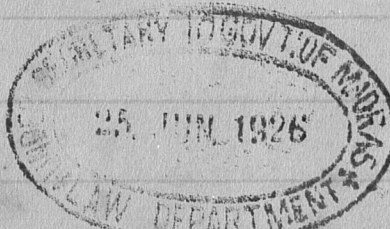
DESPATCHED
JUN 26 - JUN 28

The D. P. I (with answer
in original to be ret'd with
reply).

CPA
22.6.26
8/9
22.6.26

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25/6

R after 3 weeks.



LAW (EDUCATION) DEPARTMENT.

Received 192 . Registered 192 6.



Subject.

Endowments - Sir P.S. Sivaswami Ayyar - On behalf of the
High School, Tirukattupalli.

ENCLOSURES.

No.

R.O.C. No. 918 D/26

Spare copies

Station Madras, Dated the 2nd August 1926 192 .

From (Name) R.G. Grieve Esq., M.A., F.R.G.S.,

(Designation) Ag. Director of Public Instruction

To The Secretary to the Government of Madras,

Law (Education) Department.

Sir,

With reference to Government Memorandum No. 1346

B-1, dated 7th June 1926 requesting me to submit in
consultation with the Government Solicitor a draft noti-
fication under section 4(1) of the Charitable Endowments
Act 1890 regarding Sir P.S. Sivaswami Ayyar's Charities
I have the honour to resubmit the papers received along
with the Government Memorandum referred to above, a copy
of the Government Solicitor's letter No. 1300 dated 17th
July 1926 and the necessary draft notification.

I have the honour to be, Sir,
Your most obedient servant,

for Director of Public Instruction.

15 15
Copy of letter No. 1300, dated 17th July 1926
from the Government Solicitor to the Director of
Public Instruction, Madras.

I have the honour to acknowledge receipt of your
letter R.O.C.No. 918 D/26, dated of the 2nd instant
together with the papers sent therewith.

2. The proposed trust deed should be in the nature of
a notification under the Charitable Endowments Act 1890
and the provisions of the deed will be I presume set out
in such notification. This will mean the omission of the
preamble and the recitals which are unnecessary and also
of clause 1 and the modifying of the wording of clauses
2 and 3. If desired I will draw and forward you the
necessary notification.

3. I return the papers sent me.

(pp. 16-19 of
annex to draft
order)
B

IN THE MATTER OF THE CHARITABLE
ENDOWMENT ACT 1890.

-AND-

IN THE MATTER OF THE SIR P. S.
SIVASWAMI AYYARS CHARITIES --



NOTIFICATION FOR VESTING

C. Moresby,
Government Solicitor,
M a d r a s.

20
16
(14)
In the Matter of the Charitable Endowments Act 1890.

-and-

In the Matter of the Sir P. S. Sivaswami Ayyar's Charities.

It is hereby notified that the Governor of Fort St.
George in Council in exercise of the powers conferred by -
section 5 of the Charitable Endowments Act 1890 has settled
the scheme for the administration of the ^{securities and} ~~immovable~~ properties
~~and securities~~ vested in the Treasurer of Charitable Endowments
by notification No. _____ dated _____ day of
1926.

THE SCHEDULE ABOVE REFERRED TO.

1. The Board of Trustees to be constituted as hereinafter
provided and named "The Board of Trustees for Sir P.S. Sivaswami
Aiyar's Charities" shall be the administrators ^{(the Govt. securities and} of the immovable
properties ^{described in the first and second} ~~and securities~~ now vested in the Treasurer of --
^{schedules hereto.}
Charitable Endowments by Notification No. _____ dated the
day of _____ 1926.

2. The income accruing from the securities vested in --
the Treasurer of Charitable Endowments shall be paid over to --
the Trustees ~~(under this deed)~~. The said income and the income
derived from the immovable properties shall be received and --
collected by the Trustees and applied by them for the purposes
of the Tirukattupalli High School Tanjore Taluq Tanjore District

17 24
as hereinafter set forth.

3. The Board of Management shall consist of five Trustees.

The first set of Trustees shall be the following:-

- (1) T.R. Venkatarama Sastri, High Court Vakil and Advocate-General, residing in Madhava Bagh, -- Mylapore;
- (2) P.E. Subramania Aiyer, M.A. Professor of Physics, St. Joseph's College, Trichinopoly;
- (3) K. S. Vaidyanatha Aiyer, M.A., L.T., Professor of English, Kumbhakonam College;
- (4) V. Guruswami Sastri, Head Master, High School, -- Tirukattupalli; and
- (5) Sir P.S. Sivaswamy Aiyer, K.C.S.I., C.I.E.

4. As the founder of the charities Sir P. S. Sivaswamy Aiyer shall be one of the Trustees for his life-time, or such shorter period as he may find convenient and after him his place shall be taken by his brothers (1) Dr. P.S. Chandra Sekar, retired -- Director of the Tuberculosis Institute, Madras, residing in Lloyd Road, Royapettah, Madras; (2) P.S. Sitarama Aiyer, retired Sub-Judge, residing in West Main Street, Tanjore Fort; (3) P.S. -- Subramania Aiyer, District Munsif; and (4) Sir P.S. Sivaswamy -- Aiyer's sister's son P.N. Ramaswami Aiyer I.C.S. son of P. R. -- Narayanaswami Aiyer in succession one after the other. Each of the said persons shall be a Trustee for life with the option of retirement sooner and after the lifetime or retirement of the last survivor of these persons, a Trustee shall be appointed in

his

18 22 (15)
his place by co-optation by the remaining Trustees on the Board as hereinafter provided.

5. The Head Master of the School, or in case the institution develops into a College, the Principal of the College, shall ex-officio be a member and Secretary to the Board of Trustees and shall be in possession of the records and proceedings of the Board.

6. The other three original Trustees named in -- paragraph 3 supra shall respectively hold office for the term of three, four and five years in the order named -- therein. In the event of any of the said three original Trustees failing to accept the office, or disclaiming it, his place will be filled up by Sir P. S. Sivaswamy Aiyer as the author of the trust and any person so appointed -- shall hold office for the same period as the person in -- whose place he has been appointed.

7. Save and except the persons named in paragraph 4 above and the Head Master or Principal for the time -- being, and subject to the provisions of paragraph 6 supra, every trustee shall hold office for a term of five years.

8. Any Trustee whose term of office has expired may be reelected by the continuing Trustees on the Board.

9. All vacancies in the office of Trustee whether arising from death, efflux of term, resignation or --

otherwise

19 23
otherwise shall, subject to the exception in favour of the -
persons mentioned in para 4 aforesaid and the Head Master or
Principal, be filled up by co-optation by the Board of --
Trustees within a period of two months from the occurrence
of any vacancy or forfeiture.

10. Any Trustee may during the term of his office
resign the Trusteeship by giving two month's previous --
notice in writing by registered post to the Secretary to the
Board of Trustees and he shall cease to be a trustee on the
expiry of the two months.

11. In filling up vacancies in the Board of Trustees,
the following principles shall be followed:-

- (a) Not less than three of the Trustees shall be --
Brahmins.
- (b) At least one of the Trustees besides the Head --
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Trichinopoly, in touch with modern ideals and -
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the Tanjore or Trichinopoly District.
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preferably a past student of the school, provided
that such representative is living in the Tanjore
or Trichinopoly district and is a fit and proper
person.
- (d) If there is any member in the male line of the -
families of Sir P.S. Sivaswamy Aiyer's brothers
or his nephew P. N. Ramaswami qualified by --

20 24
(16)
education and character and fit and proper in the
opinion of the Board, such member shall be --
appointed by co-optation by the continuing Trustees
on the Board.

- (e) Not more than two members of the Board may be --
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- (f) No member of the teaching staff of the School or -
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21 25
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place of residence of the Trustee to Tirukattuppalli and back
for every meeting.

18. The Board shall frame rules for the conduct of -
business and for the control and management of the educational
institution not inconsistent with the provisions ^{hereof} ~~of this deed~~
and shall have power to alter them from time to time and the
Secretary to the Board shall see that the orders and instructions
of the Board are duly carried out.

19. The immoveable properties belonging to the Trust shall
be managed by the Trustees who shall be competent to lease out
such lands and buildings as may not be required for the --
immediate use of the school.

20. All income not required for immediate expenditure
shall be deposited by the Trustees in the Postal Savings Bank,
or the Imperial Bank of India, or the Tanjore District --
Co-operative Bank.

21. The corpus of the trust fund shall be invested
in

22 26 (17)
in Government Securities, in debentures or other securities

issued by Local Government in British India under the --

authority of an Act of the Legislature or in co-operative

Banks subject to the supervision of Government provided, -

however, that no investment shall be made hereafter in any
irredeemable securities.

22. The properties hereby dedicated to the Trust
shall form the nucleus of an endowment for the charities -
mentioned herein. Any further properties or funds which may
be dedicated by Sir P.S. Sivaswamy Aiyer hereafter to --
charitable uses shall be held, managed and controlled by -
the Board constituted hereby, subject to any special --
provisions which may be made by him in connection with such
future endowments.

23. The objects of the Trust are to carry on and -
maintain the said High School in efficiency and, if funds -
permit, to raise it to the status of a Second Grade College
and to maintain the said School and College in a high state
of efficiency so that they may serve as models to other --
educational institutions. The educational institution should
aim at the cultivation of sound knowledge, character, --
physique and the spirit of citizenship.

24. It shall be competent to the Trustees to take such
steps as may be necessary to maintain and improve the --
facilities for education and the quality of education now -

23 27

imparted. If funds permit, the Board may provide residential quarters for the teaching staff on some suitable and convenient site and on terms like those on which quarters are provided by Government for their servants.

25. In the management of the educational institution, in the appointment of the teaching staff and in the award of scholarships and free studentships, ability and merit shall be the sole guiding principles and no preference shall be -- shown on communal grounds.

(18)



GOVERNMENT OF INDIA
MINISTRY OF EDUCATION
NEW DELHI

In the Matter of the Charitable
Endowment Act 1890.

-And-

In the Matter of the Sir P. S.
Sivaswami Aiyer's charities.



SCHEME for administration.

C. Moresby,
Government solicitor,
M a d r a s.



copy of the Telephonic Message dated 16th August 1926.

From
The Registrar of Assurances, Madras-Chingleput, Madras.

The Assistant Secretary to Government, Law (Education) Dept.

Ref:-- Your T.M. of this date re: Trust deed executed in favour of
Tirukattupalli High School.

A deed of Gift of property valued Rs. 3,000 was executed
by Sir P.S. Sivaswami Ayyar in favour of the Tirukattupalli High
School on the 2nd June 1926 and it was registered in this office
as No. 1794 of 1926 of Book 1, Vol. 849, pages 276 to 283. The
properties have been vested in the Treasurer of the Charitable En-
dowments for Madras Presidency.

Registrar's Office,)
Madras-Chingleput,)
16th August 1926.)

V. Venkataswami
for Registrar.

24/8
7/1

[C.1799B]

Memo No 1346B-3 d 1918726

The draft of a trust deed executed by Sri P.S. Sivaswami ayyar on the 2nd June 1926 and registered in the office of the Registrar of Assurances, Madras-Chingleput on the same date is forwarded to the S.G. of Registration and he is requested to indicate therein the ~~changes~~ alterations, if any, made in the deed before it was registered and to return it to Govt at a very early date.

Sfx
18.8.26.

18/8

V.T.K.
19

SCHEME for administration.

C. Moresby,
Government Solicitor,
Madras.

To The S.G. of Registration
with page 2-9
of cf.
Reminders after 3 days.

LAW (REGISTRATION) DEPARTMENT.

Received 192 . Registered 192

Subject.



Trust deed executed by Sir P.S.Sivaswami Ayyar.

ENCLOSURES.

No. oneSpare copies nil

No. 472 Genl.

Station Madras Dated the 20th August 1926From (Name) E. H. M. Bower Esq., B.A., LL.B. (Lond.)(Designation) Inspector-General of Registration.

To The Secretary to the Government of Madras

Law (Registration) Department.

Sir,

Ref: Memorandum No. 1346 B-3, dated the 19th August 1926 - draft trust deed executed by Sir P.S.Sivaswami Ayyar.

The draft was sent to the Registrar of Madras-Chingleput who reports that it has been compared with the original entry and found correct and that no alterations are found to have been made in the deed presented for registration.

I have the honour to be,

Sir,

Your most obedient servant,

W. K. S. Sivaswami
Personal Assistant
for Insp. Genl. of Regn.

C.No.1346 B.

From Sir P.S.Sivaswami Ayyar, K.C.S.I.,C.I.E., dated the 2nd June 1926.

-do- --de- 19th June 1926.

From the D.P.I. R.O.C.No.918, dated 2nd August 1926.

Sir Sivaswami Ayyar's Charitable Endowment.

Sir P.S.Sivaswami Ayyar requests that certain immoveable properties and Government Securities of the face value of Rs.1,00,000 may be vested in the Treasurer of Charitable Endowments for the use of the Tirukkattupalli High School. Ordinarily along with the application for vesting the property in the Treasurer, application is also made for the settlement of a scheme for the administration of the property. Sir Sivaswami Ayyar states that he has himself settled a scheme for the administration of the properties to be vested in the Treasurer and that the orders of Government are not therefore necessary in regard to the scheme. The scheme settled by him is embodied in a ^{draft} trust deed copy of which has been forwarded to Government.

2. The Government Solicitor who was asked to draw up the necessary notification states that the proposed trust deed should be in the nature of a notification under the Charitable Endowments Act. To this end he has made certain alterations in the wording of the Trust deed and has converted it into a draft notification providing for the administration of the properties. Under section 5(1) of the Charitable Endowments Act it is not compulsory that the Local Government should settle a scheme in respect of properties vested in the Treasurer. The section states that "on application made, the Local Government may settle a scheme for the administration of any property which has been or is to be vested in the Treasurer of Charitable Endowments." In view of the provisions of this section it ~~does not~~ ^{is not clear}

Page 7 of 7.

Page 1 of 1.

Page 2-9 of 9.

Page 15-15 of 15.

Page 20-27 of 27.

~~appears~~ why the Government Solicitor has ~~prepared~~ considered it necessary to publish a notification for the administration of the property. The draft notification prepared by him in this respect need not, therefore, be considered.

3. As regards the notification for vesting the properties in the Treasurer of Charitable Endowments the draft sent by the Government Solicitor seems to require alterations. It refers to "securities now in the hands of the Accountant General, Madras." The securities have not yet been handed over to the Accountant General. The draft notification also refers to "conditions set forth in a scheme under sec. 5 of the said Charitable Endowments Act." As there is to be no notification under section 5, this portion will also require modification. ~~xxxxxx~~ ~~draft is placed below~~ The conditions in the draft trust deed will have to be referred to. As the trust deed has however not yet been executed it is doubtful whether it may be referred to in the notification at this stage. The Law (Drafting) Section may be requested to advise on this point.

4. The following points in the draft trust deed call for notice.

(i) In clause 2 of the deed it is stated that the ownership and custody of all the moveable properties now belonging to the school shall be legally vested in the Board of Trustees. Presumably, the lands and buildings belonging to the school will alone vest in the Treasurer of Charitable Endowments and the furniture, apparatus etc. will belong to the Board of Trustees. ~~Clauses 21 and 24~~

(ii) Clauses 21 and 22 prescribe how the corpus of the trust fund and all income not required for immediate expenditure shall be invested. This ~~is perhaps~~ ~~is perhaps~~ a matter which should be regulated in accordance with

Agree
V.T.K.

Page 16 of 18

Para. 2, page 1 of 1

A

yes
V.T.K.

Page 3 of 18

Page 7 of 18

the provisions of the Charitable Endowments Act.

(iii) Clause 24 of the trust deed gives power to Sir Sivaswami Ayyar to change the investments during his life time. The properties are invested under the order of Government and it is doubtful whether the deed can provide for change of investments. In the draft notification prepared by the Government Solicitor in substitution of the trust deed this clause has been omitted.

5. The file may be sent to Law (Drafting) Section as suggested in paragraph 3 above.

6.8.26

68

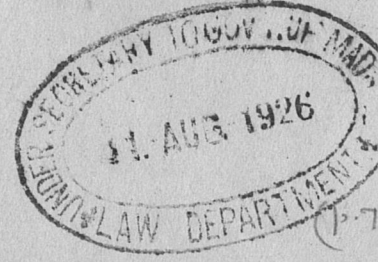
U.S. (Law Drafting)

As to the point raised in A at page 2 there is no legal objection to the terms of the draft trust deed being embodied in the notification, ~~as long as~~ ~~if~~ ~~the~~ P.S. Sivaswami and the local Govt. agree that they are the terms which should govern the application of the property and the income thereof. Actual execution of the trust deed is not necessary.

He has executed a trust deed, I believe
V.T.K.

Dyus 1581-1
11.8.26

L. L. 1863 B
11/8/26



11.8.26

A.S.

Education Dept

The notification for vesting the properties in the Treasurer of Charitable Endowments has been revised in accordance with the above notes. All the conditions mentioned in the draft Trust Deed except the stipulation regarding change of investments in clause 24 have been embodied by the Govt. Solicitor in the notification drafted by him for the settlement of a scheme. These have been incorporated in the draft notification placed below as suggested by U.S. (Drafting).

As the Deed has not yet been executed and as slight

slight alterations are proposed in the terms set out therein, it seems desirable to ascertain from Sir Sivaswami Ayyar whether he agrees to the issue of the notification as now drafted. Under section 4 (1) of the Charitable Endowments Act, 1890, the property should be vested on such terms "as may be agreed upon between the Local Government and the person or persons making the application". For orders whether a reference may be made to Sir Sivaswami Ayyar.

8/11
12.8.26.

CR
12/8.

See this O.S. (drafting).

~~It is to be noted~~ Sir P.S. Sivaswami Ayyar's written consent may be taken before the notification issues.

CR
12.8.26

~~12/8~~

A.S. has given his file to me for suggesting the terms on which the notification is to be drafted. A draft of the notification is placed in the file. It is understood that Sir P.S. Sivaswami Ayyar has already executed the trust deed which he refers to in his application. Reference is invited specially to clause 24 of the deed. This is a matter for consideration under that clause should be accepted.

CR

18.8.26

A.S.

Xmas 1650-1
18.8.26.

A draft order is submitted for approval. The trust deed which is on page 2-9 of current file is only a draft deed. A copy of the deed as registered will have to be sent to the A.G. as an annexure to the G.O. It is not known whether

~~There were~~ any alterations were made in the draft deed before it was registered. The Registrar of Assurances, Madras Bench, may be consulted on this point. A draft memo is submitted.

8/11
18.8.26.

CR
18/8

V.T.K.

19.8

The Inspector General has reported that there is no alteration in the deed presented for registration. The draft is now for approval.

CR
24/8/26

Issue

V.T.K.

24/8

• •

The S.G.P for publication of
notification in gazette.

~~Draft~~ Notification

(20)

In the matter of the Charitable Endowments Act, 1890, and in the matter of Sir P.S. Sivaswami Ayyar's charities.

WHEREAS Sir P.S. Sivaswami Ayyar, - K.C.S.I., C.I.E., son of Palamarneri Sundaram Ayyar, retired Member of the Executive Council, Madras residing at 'Sudharma', Edward Elliot's Road, Mylapore, Madras, has made an application under section 6 of the Charitable Endowments Act, 1890, for vesting the immovable properties described in schedule I hereunder and also the Government securities of the face value of Rupees one lakh described in the schedule II hereto, in the Treasurer of Charitable Endowments, -- Madras, the Local Government in the exercise of the powers conferred by section 4 of the said Act are pleased hereby to direct that the said properties and securities shall as from the 1st of ~~September~~ ^{October} 1926 vest in the - Treasurer of Charitable Endowments for the territories subject to the Government of Madras and be held by him and his successors subject to the said Act and the rules which may from time to time be made or be deemed to have been made thereunder by the Local Government

The date is for orders

34
upon trust for the purposes and subject
to the conditions set forth in the --
Trust deed dated *2.2.1926* executed by the
said Sir P.S. Sivaswami Ayyar and regis-
tered on *17.2.26* as document No *17.2.26* of 1926
in the office of *the Registrar of Assurances,*
Madras - Chingleput.

~~Schedule I~~

~~Schedule II~~

cu
18-8-26

Page 28 of 4.

Schedule I
~~THE TWO SCHEDULES ABOVE REFERRED TO~~
~~DESCRIPTION OF IMMOVABLE PROPERTIES~~

135
Lands, dry, situated in the district of Tanjore, --
registration sub district of Tirukattuppalli in the revenue
village of Tirukattuppalli, bearing re-survey Nos. 89/23, --
measuring 13 cents; 89/24, 7 cents; 89/26, 4 acres 31 cents --
described as Government dry lands comprised in the Title Deeds
626, 627, 628, 629, 630, 632, marked in re-survey 89/7, 3 acres
24 cents; 89/25, 1 acre 30 cents; 89/27, 22 cents; 89/2, 12½
cents in the south out of 36 cents Inam with the trees, wells
and buildings standing thereon and of the total extent of 9
acres and 39½ cents be the same more or less.

~~DESCRIPTION OF BUILDINGS STANDING THEREON.~~

1. The two-storied building, east of Budalur Road, north
of school playground west of Kalyani Hostel described below,
and south of building 2 described below, measuring east to west
about 250 feet and north to south about 30 feet.
2. The terraced building east of Budalur Road, north of
building described above, west of tiffin-shed described below
and south of sub-registrar's office, measuring east to west
about 145 feet and north to south about 29 feet.
3. Tiled tiffin-shed east of sub-registrar's office, north
of building 1, west of school tope and south of school tope --
measuring north to south about 60 feet and east to west about

15 feet.

36

4. Building situated in the Bazaar Street, Tirukattuppalli Union, partly terraced and partly tiled, east of Budalur Road, north of Police Station vacant site, west of school tope and south of Alamelu Ammal's house, measuring north to south about 100 feet and east to west about 40 feet bearing union house Nos. 243 and 244.

5. Building in Road No. 50, terraced, east, west and north of school tope and south of Road No. 50, measuring east to west about 30 feet and north to south about 25 feet bearing union house -- No. 423.

6. The Kalyani Hostel, the two-storied building, east of building 1, south of Taluk Board Elementary School, west and north of school tope, measuring east to west about 150 feet and north to south about 22 feet.

Schedule II

THE FIRST SCHEDULE ABOVE REFERRED TO

37

List of Government Securities.

Particulars of loan.

Amount.

3½ % 1842/43; M 012019	Rs 5,000/-
" M 012020	5,000/-
" M 012021	5,000/-
" M 012022	5,000/-
" M 012869	5,000/-
3½ % 1854/55; M 019080	5,000/-
" M 019453	5,000/-
" M 020021	5,000/-
" M 020510	5,000/-
" M 020511	5,000/-
" M 020764	5,000/-
" M 020765	5,000/-
" M 020766	5,000/-
" M 020767	5,000/-
" M 021911	5,000/-
3½ % 1865; M 026358	5,000/-
" M 026816	5,000/-
" M 027220	5,000/-
" M 027982	5,000/-
" M 030314	5,000/-

Total Rs 1,00,000/-

Description

VTK

38 16

(29)

IN THE MATTER of the Charitable Endowments Act 1890

-AND-

IN THE MATTER of the Sir P. S. Sivaswami Ayyar's Charities.

Govt of Madras
It is hereby notified that the Governor of Fort

St George in Council in exercise of the powers conferred by

sec 4 of the Charitable Endowments Act, 1890, *do* (doth) hereby

order and direct that the securities now in the hands of the Accountant General Madras and described in the 1st schedule hereto and the immoveable properties described in the 2nd schedule hereto shall as from the date of

of this notification
publication vest in the Treasurer of Charitable Endowments

for the territories subject to the Government of Madras

be held by him and his successors (subject to the said

Charitable Endowments Act, 1890, and to any rules which may

from time to time be framed thereunder) upon the trusts for

the purpose and subject to the conditions set forth in a

scheme under sec 5 of the said Charitable Endowments Act

1890 for the administration of the said Sir P. S. Sivaswami

Ayyars Charities.

THE

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examined _____
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192

G.O. No. _____ DATED _____
192

SENT No. _____

SENT TO C. No. _____

GOVERNMENT ... A A A A A A A

OF GOVERNMENT.

SENT WITH DITTO.

IS NOT FILED OF, BEING KEPT FOR DESPATCH IN ORIGINAL.

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